

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION

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CONSUMER ADVISORY COMMITTEE

+ + + + +

MEETING

+ + + + +

MONDAY

JUNE 3, 2019

+ + + + +

The Advisory Committee met in the Commissioners Meeting Room, 445 12th Street, S.W., Washington, D.C., at 9:00 a.m., Stephen Pociask, Chairman, presiding.

COMMISSIONERS PRESENT:

AJIT PAI, Chairman

BRENDAN CARR, Commissioner

COMMITTEE MEMBERS PRESENT:

STEPHEN POCIASK, American Consumer Institute,
Chair

DEBRA R. BERLYN, National Consumers League, Vice
Chair

DAWIT KAHSAI, AARP

BRIAN HURLEY, America's Communications
Association

JONATHAN HAUENSCHILD, American Legislative
Exchange Council

VONDA LONG, AT&T

SHIRLEY ROOKER, Call For Action

IRENE E. LEECH, Ph.D., Consumer Federation of
America

RACHEL NEMETH, Consumer Technology Association

GEORGE SLOVER, Consumer Reports

MATTHEW GERST, CTIA

BARRY UMANSKY, Digital Policy Institute

ERIC KOCH, serving individually

JOHNNY KAMPIS, serving individually

KYLE J. HILDEBRAND, serving individually

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JOSLYN DAY, Massachusetts Department of
Telecommunications and Cable (via
telephone)

MICHAEL SANTORELLI, serving individually
BOHDAN ZACHARY, Milwaukee PBS

LEIGH O'NEILL FOLEY, National Association of
Broadcasters

LARRY WALKE, National Association of Broadcasters
(via telephone)

THADDEUS JOHNSON, Esq., National Association of
State Utility Consumer Advocates

OLIVIA WEIN, National Consumer Law Center

STEVEN MORRIS, NCTA

SAM DORISON, The Trevor Project

B. LYNN FOLLANSBEE, USTelecom

COMMISSION STAFF:

SCOTT MARSHALL, CGB, Designated Federal Official

EDUARD BARTHOLME, CGB

DIANE BURSTEIN, CGB

CHARLES EBERLE, Incentive Auction Task Force

BARBARA ESBIN, CGB

LISA HONE, WCB

JEAN KIDDOO, Incentive Auction Task Force

GIULIA McHENRY, OEA

KAREN SCHROEDER, CGB

PAULA SILBERTHAU, OGC

MARK STONE, CGB

PATRICK WEBRE, CGB

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1 P-R-O-C-E-E-D-I-N-G-S

2 9:09 a.m.

3 CHAIR POCIASK: All right, well, let's
4 start, call to order. My name is Steve Pociask.
5 I'm with the American Consumer Institute and I'll
6 be chairing today's session.

7 I want to thank everyone for coming to
8 -- this is the 10th Charter, first meeting for
9 the Consumer Advisory Committee and I thank you
10 all for coming.

11 Again, I'm Steve. I'd also like to
12 introduce my Vice Chair, Ms. Debra Berlyn and the
13 Designated Federal Officer here, Scott Marshall.
14 Make sure to speak with them.

15 And, so, a couple things, I understand
16 Joslyn, are you on the phone?

17 (NO RESPONSE)

18 CHAIR POCIASK: Or Larry?

19 (NO RESPONSE)

20 CHAIR POCIASK: So, we'll circle back.
21 So, let's do this, let's go right through, just
22 to start off, why don't we get everyone to

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1 identify themselves, tell me your organization.
2 And, we'll just -- why don't we just start right
3 here and we'll just go all the way around.

4 And, do we have a sign in sheet, too?

5 MR. MARSHALL: Yes, pass around a copy
6 of the roster for a sign in sheet.

7 CHAIR POCIASK: Okay.

8 MR. MARSHALL: All right.

9 CHAIR POCIASK: All right.

10 MEMBER KAMPIS: My name is Johnny
11 Kampis.

12 CHAIR POCIASK: Oh, make sure you
13 raise your hand before you start.

14 MEMBER KAMPIS: Yes, oh --

15 MR. MARSHALL: To get your mic, yes.
16 And the control people know to turn the
17 microphone on.

18 MEMBER KAMPIS: My name is Johnny
19 Kampis. I serve individually. I also work in
20 Taxpayers' Protection Alliance.

21 MR. MARSHALL: There, you're on. You
22 might want to say that again, Johnny, now you're

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1 amplified.

2 MEMBER KAMPIS: Okay. My name's
3 Johnny Kampis. I'm officially serving
4 individually, but I also work at the Taxpayers'
5 Protection Alliance.

6 MEMBER ROOKER: I'm Shirley Rooker.
7 I'm the President of Call for Action and I'm the
8 Director of the WJLA Call for Action here in
9 Washington.

10 MEMBER SANTORELLI: I'm Michael
11 Santorelli, serving individually, but I am a
12 Director of the Advanced Communications Law and
13 Policy Institute at New York Law School.

14 MEMBER SLOVER: I'm George Slover.
15 I'm with Consumer Reports, formerly known as
16 Consumers Union and my name tag still has -- it's
17 from last time, I think it still has the old name
18 on it.

19 MR. MARSHALL: Sorry about that,
20 George.

21 MEMBER SLOVER: That's quite all
22 right.

1 MEMBER HURLEY: My name is Brian
2 Hurley. I am Vice President of Regulatory
3 Affairs for ACA Connects, America's
4 Communications Association.

5 MEMBER DORISON: Sam Dorison, name tag
6 pending. I am the Chief of Staff at the Trevor
7 Project. We run a 24/7 lifeline for LGBTQ youth
8 serving about 125,000 per year.

9 MEMBER HILDEBRAND: Good morning, Kyle
10 Hildebrand, serving individually.

11 MEMBER FOLLANSBEE: Lynn Follansbee,
12 USTelecom.

13 MEMBER KAHSAI: Dawit Kahsai with
14 AARP.

15 CHAIR POCIASK: Raise your hand,
16 please, before you start.

17 MEMBER NEMETH: Rachel Nemeth with
18 CTA.

19 MEMBER ZACHARY: Bohdan Zachary,
20 Milwaukee PBS.

21 MEMBER JOHNSON: Thaddeus Johnson,
22 NASUCA.

1 MEMBER GERST: Matt Gerst with CTIA.
2 I've also been instructed to say that I am on the
3 Board of Directors of the Universal Service
4 Administrative Company. And, as such, I will be
5 recused from all Universal Service issues.

6 MEMBER MORRIS: Steve Morris with
7 NCTA.

8 MEMBER LONG: Vonda Long with AT&T,
9 federal regulatory relations here in Washington,
10 D.C.

11 MEMBER LEECH: Irene Leech, Vice
12 President with the Consumer Federation of
13 America. And, in my work life, I teach Consumer
14 Studies at Virginia Tech.

15 MEMBER HAUENSCHILD: Jonathan
16 Hauenschild, American Legislative Exchange
17 Council.

18 MEMBER KOCH: Eric Koch, serving
19 individually. Also, a member of the Indiana
20 State Senate.

21 MEMBER UMANSKY: Barry Umansky, long-
22 time communications attorney in Washington, now

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1 in the Midwest with the Digital Policy Institute.

2 VICE CHAIR BERLYN: And, I'm Debbie
3 Berlin. I'm representing the National Consumers
4 League.

5 CHAIR POCIASK: Okay. So, do we have
6 anyone on the phone?

7 MEMBER DAY: Yes, good morning.
8 Joslyn Day, Consumer Division Director at the
9 Massachusetts Department of Telecommunications
10 and Cable.

11 MEMBER WALKE: This is Larry Walke of
12 the National Association of Broadcasters.

13 CHAIR POCIASK: Okay. Anyone else on
14 the phone?

15 (NO RESPONSE)

16 CHAIR POCIASK: Okay, so there is a
17 list going around, just check beside your name so
18 we'll have the full attendance on record.

19 So, as general protocol, I guess we've
20 sort of noticed, but just make sure that, if you
21 ever want to speak for some reason, make sure you
22 raise your hand and then identify yourself for

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1 the record.

2 I just want to take a second here,
3 also, to thank NCTA and Steve Morris for the
4 refreshments today and this afternoon. So, thank
5 you very much for that.

6 Just also want to note that we will
7 have Chairman Ajit Pai and Commissioner Carr will
8 be here in just a little bit. But just if you
9 quickly go through your agenda and if we need
10 agenda, I have some here I can pass some extras
11 out.

12 But just in a nutshell, so we'll have
13 the Chairman and the Commissioner start us off
14 and then from there, we're going to touch base
15 and get an update from the Consumer and
16 Governmental Affairs Bureau.

17 Then, after that, we're going to
18 change directions and talk to the attorney in the
19 Office of General Counsel regarding the Federal
20 Advisory Committee Act that governs the rules of
21 this committee. So we'll get some clarification
22 on how that all operates.

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1 And then, after that, we're going to
2 touch base with the newly formed Office of
3 Economics and Analytics. And so, we'll get an
4 update on that.

5 And then, we're going to take on two
6 issues which I think will become starting out our
7 two working group issues.

8 So, the first will be in regard to
9 call authentication.

10 And then, the second issue will be in
11 regard to robo blocking.

12 And so, those items, we're going to
13 have somebody come in and update us on where we
14 are. Just keep in mind, the second item is still
15 in the Sunshine period, so we won't be able to
16 get any questions on that.

17 Then, afterwards, at the very end,
18 we're going to move on and talk a little bit about
19 the Consumer Education on TV Broadcaster
20 Relocation. It's an important issue.

21 And then Scott and I will just touch
22 some -- on some closing issues regarding sort of

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1 the rules of the Committee and the formation of
2 working groups and so on.

3 And then we'll just open for comments
4 at the end. And then, we'll just go over to --
5 we'll adjourn and then, at that point, we'll have
6 lunch if people want to have lunch or if you want
7 to leave early. So, that's kind of what we're up
8 to today.

9 So, if there is nothing else, do we
10 have any questions or anything starting out?

11 Okay.

12 (OFF MICROPHONE COMMENTS)

13 CHAIR POCIASK: All right, okay. All
14 right, so we have the Chairman here to give us
15 some keynote remarks.

16 If you'd like to, why don't you join
17 us right up here, Chairman. Thanks so much.

18 CHAIRMAN PAI: Good to see you.

19 CHAIR POCIASK: Good to see you.

20 CHAIRMAN PAI: In my defense, it is
21 Monday.

22 (LAUGHTER)

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1 CHAIRMAN PAI: But, yes, the cup is
2 upstairs.

3 Anyway, thanks so much to Steve for
4 allowing me to be here. And, thanks to our Chair
5 Emeritus, I guess, you might say.

6 VICE CHAIR BERLYN: Vice Chair.

7 CHAIRMAN PAI: Vice Chair, yes, for
8 helping us lead today's efforts.

9 And, I just wanted to say thanks to
10 all of you for taking the time to be here to
11 participate in our labors.

12 A lot of issues on the FCC's plate,
13 but these days, the one I hear about the most is
14 the one you probably hear about the most. In
15 fact, maybe since we've been gathered here,
16 you've probably already gotten one, which is robo
17 calls.

18 The number one source for years of
19 consumer complaints that we get. And, we've been
20 pulling out the stops in order to attack this
21 problem through both regulatory changes and
22 enforcement changes.

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1 And, in particular, this Thursday, as
2 you might have heard, we're going to be voting on
3 a proposal to allow call blocking by default so
4 that consumers don't have to affirmatively call
5 up their phone company, ask for a particular
6 service and then have it applied.

7 We would make clear that those types
8 of services can be offered by default. And, we
9 think this is going to be a major step in the
10 right direction in attacking this problem.

11 We certainly welcome other solutions
12 and including collaboration with our sister
13 agency, the Federal Trade Commission or other
14 agencies that might have equities and consumer
15 groups.

16 But there's no question that time is
17 not on the side of the American consumer that is,
18 like I said, every single place I go, whenever
19 folks ask what it is I do, the number one thing
20 they say is, oh, you've got to stop these robo
21 calls.

22 And so, that's one of the things we

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1 want to be able to attack.

2 But I know that there are other issues
3 as well on your plate. You have called ID
4 authentication, other types of issues that you're
5 exploring.

6 I just wanted to say that we look
7 forward to working with you as we're crafting
8 solutions for this problem and some of the other
9 major problems that are facing American
10 consumers.

11 I want to thank those in particular,
12 the leadership of the Committee. But also those
13 of you who've been here for now, what, two, three,
14 even ten terms I think. You have -- that's
15 impressive, that's a long time to be on the
16 Committee.

17 But we really do appreciate the fact
18 that so many experts from around the country are
19 willing to take the time out of their busy
20 schedules to be here. And, as I said, labor
21 jointly with us in these waters.

22 So, thanks for letting me intrude. I

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1 hope I didn't disrupt things too much, but you
2 are in very good hands with our august Chair and
3 Vice Chair as well here at the Committee.

4 And I wish you well in your
5 deliberations. And, yes, let us know what you
6 think about some of these issues.

7 Thanks.

8 CHAIR POCIASK: Can you take a couple
9 questions?

10 CHAIRMAN PAI: Oh, sure, yes.

11 CHAIR POCIASK: Does anybody have a
12 question?

13 MEMBER LEECH: I don't have a name
14 tag.

15 CHAIR POCIASK: You can identify
16 yourself.

17 MEMBER LEECH: But I'm Irene Leech
18 with the Consumer Federation of America.

19 CHAIRMAN PAI: Yes.

20 MEMBER LEECH: And, I happen to live
21 in a rural area that's not served by broadband
22 very well.

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1 CHAIRMAN PAI: Yes.

2 MEMBER LEECH: And, I see that we're
3 making progress. My electric co-op is looking
4 toward, but I'm still, they're telling us it's
5 more than five years away before we'll get
6 anything.

7 And, the over-the-air service that
8 I've been able to get is very expensive and I
9 still can't use it to upload pictures or to watch
10 videos because I can't afford the bandwidth.

11 CHAIRMAN PAI: Yes.

12 MEMBER LEECH: And, I'm in a better
13 position than many of my neighbors. So, just as
14 you all are working and as I look at the
15 definitions of things, there's still a lot of
16 gaps.

17 And, please, please, remember that
18 also my family farm in the geographic center of
19 the state is getting, it appears, a high pressure
20 pipeline for 1.1 mile through the middle of our
21 property.

22 And, they originally told us that they

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1 were going to monitor it with broadband. And,
2 they have decided not to do that.

3 We also don't have broadband in that
4 electric co-operative has -- is also working, but
5 also says it will be at least five years before
6 our farm gets access to real broadband.

7 So, just wanted to give you the in the
8 trenches update on where we are with that, even
9 though there are glowing reports about the
10 expansion.

11 CHAIRMAN PAI: What state, I might
12 have missed it, what state?

13 MEMBER LEECH: Virginia.

14 CHAIRMAN PAI: Oh, in Virginia? Yes.

15 No, well, you put your finger on one
16 of the central reforms we've had to some of our
17 Universal Service Fund programs, which is
18 encouraging more nontraditional players to
19 participate.

20 In fact, two weeks ago, I was in
21 Okmulgee, Oklahoma where I had a chance to meet
22 with East Central Electrical Cooperative. And,

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1 this is a decades old cooperative that, back in
2 the Depression Era wired up rural Oklahoma with
3 broadband.

4 And, even now, in the 21st Century,
5 one of the things they're struggling with is the
6 same thing that you're identifying, is that
7 there's a patchwork or sometimes no broadband at
8 all.

9 And, that's one of the reasons why
10 East Central and a number of other electrical
11 cooperatives around the country have participated
12 and have won funds, subsidies in our Connecting
13 American Fund Auction to provide broadband.

14 So, East Central, for example, is
15 getting I believe it's \$22 million over the next
16 several years to build up broadband to these
17 unserved parts of the country.

18 And, I've seen many other electrical
19 cooperatives that are doing the same thing.
20 Westfield Gas and Electric, which I visited in
21 Western Massachusetts, a number of other electric
22 cooperatives.

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1 And my message to them is the message
2 I'll give to you, too. Is that, frankly, from
3 our perspective, we don't care what type of
4 company is aiming to serve these rural areas, we
5 just want all of them to have a strong incentive
6 to serve.

7 And to me, and I've said this many
8 times before, so pardon me if you've heard it.
9 But if you've read those Robert Caro books about
10 Lyndon Johnson, in Volume I, Path to Power,
11 there's a chapter about the electrification of
12 the Hill Country of Texas.

13 And, that same sense of national
14 purpose we had in the 1930s for wiring these poor
15 rural areas, I think we have to have that same
16 sense of mission in the 21st Century.

17 And, that's why we've encouraged all
18 of our friends in the electrical cooperative
19 business who tend to have a deeper footprint,
20 sometimes, than some of the telecom companies,
21 participate in our options to build up broadband.

22 And we need to encourage as many

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1 providers as possible to do the hard work and get
2 parts of Virginia or to Oklahoma or where ever it
3 is, we want to make sure we close that gap as
4 much as we can.

5 But thanks for highlighting and we'll
6 get on the stick in central Virginia and I'd love
7 to visit the farm some time.

8 CHAIR POCIASK: You have another
9 question, anyone?

10 (NO RESPONSE)

11 CHAIRMAN PAI: We solved the world's
12 problems, all right.

13 (LAUGHTER)

14 CHAIRMAN PAI: But, thanks again for
15 your participation and we -- I really do mean it,
16 though, we -- this is a top issue for us and if
17 you have solutions on how to attack that problem
18 in particular, just let us know. We're all ears.

19 All right, thanks, guys.

20 CHAIR POCIASK: Okay, thank you.

21 CHAIRMAN PAI: Thank you.

22 (OFF MICROPHONE COMMENTS)

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1 CHAIR POCIASK: So, we're going to get
2 started and there will be some agendas coming
3 down. But if somebody would like an agenda right
4 now before we go any further?

5 Here, just pass a few down -- here,
6 pass a few down anyway. I'll pass a few more this
7 way. There's some envelopes coming in about five
8 minutes for others.

9 So, all right, so, okay. Let's get
10 started here, so we'll move on with the next?

11 (OFF MICROPHONE COMMENTS)

12 CHAIR POCIASK: Yes, go ahead.

13 MEMBER SLOVER: Yes, George Slover.

14 While we're getting started,
15 something that was prompted by something that
16 Chairman Pai said, I'd just be curious to know,
17 is there anybody here who has been serving on the
18 Advisory Committee for, say, five terms or more?

19 Is there any, you know, he said, so --
20 Debbie?

21 CHAIR POCIASK: Shirley.

22 MEMBER ROOKER: I'm the original

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1 Chair.

2 MEMBER SLOVER: Oh, from -- so, ten?
3 You've been on ten times?

4 MEMBER ROOKER: Yes.

5 MEMBER SLOVER: Wow.

6 MEMBER ROOKER: Well, Ed took over for
7 a few years. So, he abandoned us.

8 VICE CHAIR BERLYN: AARP.

9 MEMBER LEECH: And the AARP has been
10 on for a long time.

11 MEMBER SLOVER: Yes.

12 MEMBER LEECH: And CFA was on before
13 --

14 VICE CHAIR BERLYN: CFA has.

15 MEMBER LEECH: -- I became involved.

16 VICE CHAIR BERLYN: Yes, CFA has been
17 on a long time.

18 MEMBER SLOVER: Yes, and we might have
19 been, too. I was just wondering like personally,
20 is there anybody sitting around this table who --

21 MEMBER LEECH: I probably have been,
22 too.

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1 MEMBER UMANSKY: Three maybe, three or
2 four, maybe.

3 MEMBER SLOVER: Okay, thanks.

4 CHAIR POCIASK: All right. So, our
5 next speaker is going to probably be here in about
6 five minutes, if we want to just take a short
7 break and just grab a little cup of coffee or
8 something and be right back.

9 (Whereupon, the above-entitled matter
10 went off the record at 9:27 a.m. and resumed at
11 9:34 a.m.)

12 CHAIR POCIASK: Now, we'll get some
13 remarks here from Commissioner Carr.

14 COMMISSIONER CARR: Thanks, thanks so
15 much. Great to see you all again. I know this
16 is the first meeting of the 10th Advisory
17 Committee and want to start by thanking all of
18 you for your service.

19 You all have very, very full day jobs.
20 I know this is an add-on to that. So, thank you,
21 particularly those of you that have served on
22 past Advisory Committees here. You know what

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1 you're getting into, so I have less sympathy for
2 you --

3 (LAUGHTER)

4 COMMISSIONER CARR: -- than for the
5 new faces.

6 But I really can't tell you how
7 important this function is to feeding into the
8 work that we do at the FCC. And so, it really is
9 very appreciated.

10 You know, your mission is such an
11 important one.

12 I want to highlight just a couple of
13 some of the consumer side issues that are top
14 priorities for me. I know you guys are just
15 getting settled in today and you're going to
16 start talking through the issues that you want to
17 focus on.

18 Obviously, first and foremost, for me,
19 is robo calls. We have an item that we're voting
20 on this week at the Commission that's designed to
21 empower wireless providers to take even more
22 aggressive steps to combat this issue before the

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1 phone calls hit your phone.

2 And, I know there's been some pushback
3 on that, some folks asking the FCC to delay the
4 vote or asking us to water down the decision. And
5 I'm absolutely opposed to those steps.

6 Americans are sick and tired of
7 receiving robo calls and being bombarded with
8 calls. And so I'm full steam ahead with the FCC's
9 decision, look forward to getting that across the
10 finish line this week.

11 I also think it's certainly not
12 necessarily the silver bullet, it's not the end
13 of the process. And, we're working to stand up
14 SHAKEN/STIR which can be an authentication
15 framework that can take another big bite out of
16 robo calls.

17 And, literally, this is the one issue,
18 it used to be two issues, but now it's just down
19 to one issue, so we're making progress, one issue
20 where, when I'm walking down the street in my
21 neighborhood, I live not too far from here, over
22 in Dupont, my neighbors will literally throw

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1 their windows open and yell at me --

2 (LAUGHTER)

3 COMMISSIONER CARR: -- from the second
4 story about what are we doing to combat these
5 robo calls.

6 And, I was just in Montana and Wyoming
7 last week, spent about three or four days out
8 there driving through some of the most rural and
9 remote parts of the country, some spotty cell
10 service to be sure.

11 And, a lot of times, the first time
12 we'd get a cell signal back, we get bombarded
13 with robo calls on my phone.

14 So we've got to take aggressive
15 action. The vote that's up this week does that.
16 And I look forward to get that across the finish
17 line.

18 And, more, and hearing your all
19 feedback as well.

20 Another big priority for me has been
21 5G, and in particular, making sure that every
22 single community in the country has a fair shot

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1 at next generation connectivity.

2 From a consumer perspective, the
3 stakes are too high to see 5G deployed only in
4 places like New York or San Francisco or even San
5 Jose. We've got to make sure that every single
6 community in the country see the benefits.

7 And I know that's been a big focus for
8 a lot of your groups as well. So, interested in
9 your feedback on the additional steps we can do
10 to get the infrastructure deployed for 5G and
11 making sure consumers have the fair shot at
12 receiving and taking advantage of that
13 technology, again, whether it's autonomous cars,
14 whether it's new artificial intelligence.
15 There's smart city applications that can make a
16 big difference.

17 And on that related topic, closing the
18 digital divide has been something that this FCC
19 has really elevated I think to another level.

20 We sent a report out just last week.
21 It's ironic since I was out in Montana and Wyoming
22 when this report came out. And the report that

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1 the FCC put out on the pace of broadband
2 deployment in the country was really reflected in
3 my own experience last week on the road, and in
4 the 30 states that I've had the chance to spend
5 time in across the country, which is we have
6 really accelerated the pace of broadband build
7 out in this country.

8 More fiber was deployed last year than
9 any year in history. Internet speeds are up 40
10 percent.

11 In terms of small cells, these
12 building blocks for 5G, we had about 13,000 that
13 were built in 2017 and that number jumped to over
14 60,000 in 2018.

15 So, the job that Congress set out for
16 us in 706 was to look at the pace of deployment.
17 Is it going out in a reasonable and timely way?

18 Congress didn't ask us to put out a
19 report and say, do 100 percent of Americans have
20 next gen connectivity today or not? That
21 wouldn't be a very useful report.

22 So we look hard at the pace at which

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1 it's being deployed, and is it reasonable and is
2 it timely?

3 I know a lot of people back here in
4 Washington characterized the report as saying,
5 the job is done. And anybody that read the report
6 would know that that's not true. And if they did
7 read the report, they're just trying to mislead
8 the public about what's in it.

9 Again, what's in it is exactly what I
10 saw across the country last week. I was in Utica,
11 Montana. Very remote, very rural part of the
12 country and fiber broadband, miles of it, is
13 being plowed into the ground there today.

14 I was in Powell, Wyoming and held a
15 community town hall and talked with people about
16 some of these new fiber builds that are going
17 into their communities.

18 And the story is we're not across the
19 finish line yet. We're not at a point where the
20 job is done.

21 But if you look around at the pace of
22 deployment, the investment, the miles of new

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1 fiber going in, and I've had the chance to
2 actually, you know, ride on the plow trains that
3 are putting this fiber in to some of the most
4 remote frontier parts of the country.

5 That's great news, that's something
6 that we need to celebrate.

7 And at the same time, we need to keep
8 our eye on the prize, which is, we're not at the
9 finish line yet. There are still millions of
10 Americans that don't yet have that next
11 generation connectivity and we're not going to
12 stop at the FCC. And you all are here to keep
13 our feet to the fire on that until every single
14 community has it.

15 But let's celebrate that the policies
16 that we've put in place are working. Let's not
17 rest on our laurels. Let's get the rest of the
18 millions of Americans that don't have
19 connectivity a fair shot at getting it.

20 So I'm pleased with the progress that
21 we're seeing on that front.

22 Finally, I want to touch a little bit

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1 on jobs. You know, when we talk about building
2 out this next generation infrastructure, it's
3 actually a great job story, both from a consumer
4 perspective of using it and starting businesses
5 and innovating, but also deploying the physical
6 infrastructure that we need to get 5G across the
7 finish line.

8 I announced a jobs initiative a month
9 or two ago. Essentially, industry right now
10 could hire 20,000 tower climbers to build out 5G
11 infrastructure. And, if you expand beyond that
12 to the fiber builds that we need as well, it could
13 very easily be a hundred thousand from some of
14 the contractors that I've talked to. And, these
15 are good paying, solidly middle class jobs.

16 On the tower side in particular, you
17 could go into a community college program with no
18 training and through a 12-week program, a mix of
19 classroom education and physical tower climbing
20 skills, you can come out and get a job as a 5G
21 worker building out this next-gen infrastructure.

22 And I was down in Graniteville, South

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1 Carolina at a community college that's doing just
2 that, putting that program in place.

3 So those are some of the top
4 priorities for me as I look for the next six
5 months of this year and beyond. And really
6 appreciate the time that you all are putting into
7 this.

8 Happy for you to put new issues on my
9 radar that I didn't talk about and help direct
10 the conversation at the Commission with your
11 expertise.

12 So, just again, thank you for the time
13 that you're putting into this. Happy to take a
14 few questions if you guys want.

15 CHAIR POCIASK: Yes.

16 COMMISSIONER CARR: Or move on and let
17 you do the --

18 CHAIR POCIASK: Absolutely.

19 COMMISSIONER CARR: -- actual real
20 work you need to get done today.

21 CHAIR POCIASK: Yes, we have a couple
22 questions.

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1 MEMBER LEECH: I'm Irene Leech,
2 representing the Consumer Federation of America.

3 I wonder to what extent you all could
4 work with other agencies that are promoting
5 infrastructure around the country and connect the
6 broadband with it.

7 For example, there are two high-speed
8 large pipelines going in Virginia. And,
9 originally, the Atlantic Coast Pipeline said they
10 were going to monitor it with broadband.

11 If they had done that, that would have
12 put broadband through very rural areas that they
13 are crossing through.

14 They've backed off and decided not to
15 do that. That means that that infrastructure
16 that could be there for a hundred years will never
17 have broadband because they don't, you know,
18 it'll continue to use the old technology.

19 And, we didn't have any way when -- as
20 citizens who asked that they do that, nothing
21 happened with FERC. So I don't know what ways
22 you all have to incentivize through the

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1 infrastructure that's going through, but I think
2 that's something you could consider.

3 COMMISSIONER CARR: Yes, great point,
4 thanks for raising it.

5 We do have some work that we do to try
6 to coordinate with other federal agencies.

7 When I was on the road last week,
8 USDA, for instance, has a loan program that can
9 be leveraged for this infrastructure.

10 But you're right, there's some bills
11 in Congress, too, that look at what we call Dig
12 Once, so moving off the pipeline example, they're
13 just building roads. How do we make sure that if
14 an infrastructure project like that is going
15 through, let's put conduit in there as well.

16 And so I think you're right, we can
17 continue to focus better on ways to look
18 holistically at all infrastructure projects going
19 on and let's put conduit, let's put fiber along
20 with those projects.

21 CHAIR POCIASK: Okay. So, Joslyn,
22 Larry, anyone on the phone have a question?

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1 MEMBER DAY: Not at this time.

2 CHAIR POCIASK: Okay. Anyone else
3 here --

4 MEMBER DAY: Thank you.

5 CHAIR POCIASK: -- have a question?

6 (NO RESPONSE)

7 CHAIR POCIASK: Well, it looks like
8 everything's been answered.

9 COMMISSIONER CARR: Good.

10 All right, thanks again for your
11 service, really appreciate it.

12 CHAIR POCIASK: Thanks, Commissioner,
13 appreciate it.

14 All right, so, let's move on to the
15 next item on the agenda. So, we're going to get
16 an update for Consumer and Government Affairs
17 Bureau. Let me get -- ask for Patrick Webre to
18 join us.

19 MR. WEBRE: Good morning, everyone.
20 As Steve mentioned, I'm Patrick Webre, Chief of
21 the Consumer and Governmental Affairs Bureau.

22 A few months ago, I converted to an

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1 iPad, and I'm not using anything other than
2 electronics now, so hopefully, I'll be able to
3 read my remarks and they'll come through clearly
4 and I won't stumble over my words or anything.
5 But this is the first time I'm actually not using
6 paper when I give an address.

7 (LAUGHTER)

8 MR. WEBRE: So, hopefully, it'll be
9 good.

10 So, anyway, it's my pleasure to
11 welcome you, the 27 members of this morning's
12 Consumer Advisory Committee meeting.

13 And, as has been mentioned, it's now
14 in its tenth two-year term. So, it was originally
15 chartered as a Federal Advisory Committee in
16 November of 2000.

17 And, as has also been mentioned, three
18 of our members, AARP, where's AARP? Okay, Call
19 for Action, and NAB, and on the phone have all
20 been with us since the beginning, since November
21 of 2000. So, thank you all for your commitment
22 and contributions over the years.

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1 And, I know many of you have been with
2 us for several terms. Thank you as well for your
3 continued contributions and support.

4 So we hope you'll find today's
5 experience to be, or the CAC's experience of the
6 two-year term, to be rewarding. And we certainly
7 look forward to your input and participation.

8 I also want to recognize your
9 immediate past Chair, Ed Bartholme, who's
10 currently with us. He's taken on a role as part
11 of our CGB leadership. He's an Associate Bureau
12 Chief in the front office overseeing our outreach
13 and education efforts.

14 We're lucky to have him. But I'm
15 confident you won't miss a beat with your new
16 leadership, Steve Pociask -- did I get that
17 right?

18 CHAIR POCIASK: It's all good.

19 MR. WEBRE: And Debbie Berlyn.

20 CHAIR POCIASK: Excuse me.

21 MR. WEBRE: Chair and Vice -- that
22 might be a robo call.

1 CHAIR POCIASK: It is.

2 (LAUGHTER)

3 MR. WEBRE: So, this will be an
4 ongoing topic of discussion for the entire day.
5 You'll hear a fair amount about what we're doing
6 on robo calls, as you've heard already from both
7 the Chairmen and Commissioner Carr.

8 So, you'll shortly be hearing from
9 some of the leadership team on CGB's staff and
10 that includes one of our new members, our other
11 new member, Diane Burstein.

12 Diane is a Deputy Bureau Chief. She's
13 overseeing our work on disability and
14 accessibility issues.

15 She most recently served as Vice
16 President of NCTA. She's also a past member of
17 the CAC. And, she also served on our Disability
18 Advisory Committee, the DAC.

19 Turning to your agenda today, there's
20 a diverse mix of topics we hope you will find
21 both interesting and engaging.

22 Primarily focused on robo calls, and

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1 we're going to start off by having our staff
2 attorney, Karen Schroeder, from our Consumer
3 Policy Division, talking to you this morning
4 about another step, as the Chairman mentioned,
5 that we're going to be taking this week to combat
6 the scourge of robo calls.

7 Now, last term, the CAC did great work
8 on several robo call recommendations and we
9 expect -- certainly expect that to continue this
10 term.

11 We will also be asking your advice on
12 educating consumers, helping them to understand
13 the caller ID authentication framework that's
14 being put into place by carriers.

15 This is commonly known as SHAKEN and
16 STIR. These are both technical terms and
17 technical protocols that are going into place.

18 Staff from the Wireline Competition
19 Bureau will be here today to talk to you about
20 our efforts in those regards.

21 And, we're thinking that the CAC is in
22 a unique position to help us formulate messaging

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1 for consumers to help educate and inform them
2 about caller ID authentication, what it means to
3 them, and, you know, what's going to be expected
4 when it's implemented by carriers.

5 This is certainly an ongoing process,
6 but, you know, when the implementation is taking
7 place or has taken place, what is the consumer
8 going to see? What should they do with that
9 information when they get it on their mobile
10 phone or their home phone?

11 So we want to engage you guys on
12 helping us with that kind of messaging and those
13 thoughts.

14 That's pretty much it for me for now.
15 Again, I appreciate all you're doing and all
16 you've continued to do. And, we look forward to
17 your recommendations and your wise counsel.

18 So, we're going to start, we have a
19 few Deputy Bureau Chiefs and our Associate Bureau
20 Chief, Ed Bartholme, that are going to talk about
21 their areas of responsibility.

22 And so, our first one is going to be

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1 Mark Stone who oversees our Consumer Policy
2 Division and our rule makings. So, I'll hand it
3 off to mark.

4 Thank you, everyone.

5 MR. STONE: Thank you.

6 So I'm neither a new member of CGB,
7 nor do I read electronically. I've got paper.

8 (LAUGHTER)

9 MR. STONE: So hope this goes well,
10 too.

11 Welcome to all of you. I know it's
12 taken a little bit of time to get here, so we
13 appreciate your patience and we look forward to
14 your service working with us.

15 In my part of CGB, we've been focused
16 on, no surprise, robo calls. As several folks
17 have mentioned, you're going to hear a lot about
18 that today, including the draft call blocking
19 item the Commission will consider on Thursday.

20 You'll also hear about SHAKEN/STIR,
21 caller ID authentication which is a fairly
22 critical part of dealing with unwanted robo

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1 calls.

2 So I wanted to mention one thing you
3 won't be hearing extra about today that we worked
4 on since the CAC last convened, and that's the
5 issue of Reassigned Phone Numbers.

6 The Commission, in December of last
7 year, set forth a path to establish a
8 comprehensive Reassigned Numbers Database that
9 would enable callers to scrub their calling list
10 free of numbers that have been reassigned.

11 So this is a fairly typical problem
12 where a consumer gives their consent to receive
13 a call and then they give that number up without
14 telling the caller.

15 The caller then tries to reach that
16 person, but instead, reaches the person who now
17 has the number. So the person that now has the
18 number gets a call they don't want. The person
19 that gave the number up misses a call they want.
20 And then the caller has wasted their time.

21 So the Commission set forth a path to
22 establish this database. It asked another

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1 advisory committee, the North American Numbering
2 Council to advise us on some operational,
3 technical, and fiscal issues.

4 So, once we get that recommendation,
5 we'll put that out for comment and then move
6 forward to making that database a reality.

7 So, lots on robo calls, but I'm here
8 to say, we actually do want to work on things
9 that aren't robo calls occasionally.

10 One area that's kind of a longstanding
11 consumer issue that no longer gets a lot of
12 attention, but is still important, particularly
13 to certain vulnerable populations, and that's the
14 issue of slamming.

15 The Commission continues to do work on
16 slamming but in enforcement context and some
17 rulemaking. It doesn't get a lot of headlines
18 because of the way that phone service is usually
19 taken these days. It doesn't lend itself as much
20 to slamming.

21 Nevertheless, what we do in CGB is we
22 adjudicate individual slamming complaints to try

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1 to make consumers whole when they believe their
2 carrier has been changed without their approval.

3 So we've been attacking this pretty
4 forcefully over the last several months and have
5 reduced our level of work down significantly
6 thanks, in large part, to our very good staff and
7 our policy division.

8 So with that, that's the news from my
9 corner of CGB. And, I'll turn it over to the next
10 Deputy up.

11 MS. BURSTEIN: Okay. Hi, thanks.

12 Good morning, my name's Diane Burstein
13 and I'm Deputy Bureau Chief here at CGB. In my
14 role as CGB Deputy Chief, I help oversee the very
15 talented and dedicated staff of the Disabilities
16 Rights Office.

17 And while I just started two weeks ago
18 in my position, so I'm very new to this, I have
19 worked with accessibility issues for many years
20 and know many of you from working as a lawyer in
21 the field.

22 I'm lucky today to have Suzy Rosen

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1 Singleton here with me to help me answer any
2 questions that you might have on the substance of
3 any of these issues.

4 Given this is the first meeting of the
5 CAC in a long time, I was hoping to provide a
6 broad overview of what the Disability Rights
7 Office does and highlight some of its consumer
8 engagement initiatives.

9 And given that the last CAC meeting
10 was nearly a year ago, rather than simply provide
11 a long list of all of the DRO accomplishments
12 over the last year, I was hoping to more of a
13 broad overview.

14 Some of you may know that DRO focuses
15 primarily on three major areas of accessibility,
16 modern communications, video programming, and
17 emergency communications.

18 In addition, DRO works with other
19 bureaus to address areas that benefit from
20 multiple teams of subject matter experts.

21 To give you some idea of the breadth
22 of DRO's purview, here are some of the items that

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1 fall under each of these major subject areas.

2 Under access to modern
3 communications, DRO deals with issues such as
4 advanced communication services, direct video
5 calling, hearing aid compatibility, the National
6 Deaf/Blind Equipment Program, real time text, and
7 telecommunications relay services.

8 This category encompasses a large part
9 of the Disability Rights Office portfolio and DRO
10 has principle responsibility for several
11 important outstanding rulemakings in this area
12 designed to help improve communications for those
13 users with disabilities and to protect these
14 important programs against waste, fraud, and
15 abuse.

16 Under access to video programming,
17 there are topic areas such as closed captioning
18 both on television and the internet, the display
19 of closed captioning on television sets, and
20 access to that captioning, and video description
21 of video programming.

22 DRO collaborates with the media bureau

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1 on many of these issues and it will work on an
2 upcoming report to Congress this fall on video
3 description.

4 Finally, under the broad category of
5 access to emergency communications, DRO deals
6 with important topics such as direct
7 communications with 911, the Emergency Alert
8 System, wireless emergency alerts, and televised
9 emergency information.

10 Among other things in this area, DRO
11 is working with the FCC's Public Safety and
12 Homeland Security Bureau to help resolve some
13 issues regarding the -- regarding accessibility
14 that came to light during last October's
15 nationwide wireless emergency alert and EAS test.

16 DRO not only acts as a subject matter
17 expert on policy in these various areas, it also
18 directly engages with consumers on a variety of
19 issues.

20 One way we work with the affected
21 communities and individuals is through our
22 informal compliant resolution process. And, the

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1 DRO team does an outstanding job overseeing
2 accessibility complaints in consultation with DRO
3 subject matter experts and other Commission
4 staff.

5 DRO is also in the process of making
6 online consumer complaint forms much more mobile
7 friendly and as easy as possible for anyone to
8 use. And, you can find those forms at
9 fcc.gov/complaints. And, you can reach DRO with
10 feedback at dro.fcc.gov.

11 DRO also staffs the American Sign
12 Language Consumer Support Line, where we accept
13 video calls directly from individuals who are
14 deaf and use ASL.

15 This service leads to faster, more
16 efficient, calls and higher consumer
17 satisfaction. We engage in outreach to encourage
18 organizations, whether they are governmental,
19 private, or nonprofit that have consumer support
20 call centers to include direct video calling at
21 their call centers.

22 DRO also produces an ever-growing

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1 library of ASL videos.

2 And, just a few other ways where DRO
3 promotes stakeholder engagement, we have the
4 upcoming Chairman's Award for Advancement, also
5 known as the AAA Awards coming up on June 18th.

6 We offer a variety of online consumer
7 and small business guides, provide an access info
8 listserv and accessibility clearinghouse,
9 roundtables, and forums.

10 There was just one recently earlier in
11 May on Enhanced Electronic Newsroom Technique
12 Best Practices.

13 And, finally, we consider the CAC
14 another incredibly important stakeholder
15 engagement opportunity. We are pleased to add
16 the Disability Rights Office to the long list of
17 those people at the Commission that deeply
18 appreciate and benefit from your work.

19 So, that's a pretty quick overview of
20 what the DRO does. And, any questions, feel free
21 to ask or reach out to the DRO webpage at
22 fcc.gov/accessibility.

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1 Thanks.

2 CHAIR POCIASK: Thank you.

3 MS. BURSTEIN: All right. Turn it
4 over to Barbara.

5 MS. ESBIN: Good morning. My name is
6 Barbara Esbin. I'm also Deputy Bureau Chief in
7 the Consumer and Governmental Affairs Bureau.
8 And, I oversee the Governmental Affairs portion
9 of the Bureau's work.

10 Largely, this consists of overseeing
11 the operation of two divisions within the Bureau,
12 the Office of Native Affairs and Policy, and the
13 Office of Intergovernmental Affairs.

14 Each of those offices, in turn, has an
15 advisory committee under its auspices. The
16 Officer of Intergovernmental Affairs has the
17 Intergovernmental Advisory Committee.

18 And, the Office of Native Affairs and
19 Policy has the Native Nations' Communications
20 Task Force.

21 That task force is actually comprised
22 not only of elected tribal officials, but senior

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1 staff from the FCC.

2 The IAC is comprised solely of elected
3 officials from state, local, tribal, and
4 territorial governments.

5 Both of those advisory committees are
6 distinct from the CAC in that they are exempt
7 from the Federal Advisory Committee Act. And
8 their meetings are off the record. But once they
9 produce their work product, we post it on the
10 webpage of the respective committees.

11 So the Commission has asked each of
12 these groups to help advise it in set areas. And,
13 both are working very hard to provide us with
14 recommendations.

15 The IAC has provided one set of
16 recommendations on ways to incent state and local
17 governments to put their real estate list
18 property holdings into a federal database that
19 would be used by providers who want to -- looking
20 for locations to site communications facilities.

21 The Native Nations' Communications
22 Task Force is in the final stages of its first

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1 set of recommendations which will be on ways to
2 improve and expand broadband deployment on tribal
3 lands.

4 Each of my officers, IGA and ONAP,
5 perform outreach and education functions on
6 behalf of the Commission. And, each serves as a
7 central point of contact for their respective
8 constituencies.

9 ONAP gets numerous requests from
10 tribal officials and members for assistance with
11 FCC processes. And, IGA receives numerous
12 requests from state and local officials and
13 organizations looking for a point of contact or
14 a briefly.

15 ONAP provides regular briefings in
16 Indian Country by going out, ideally, once a
17 quarter and doing what we call FCC Tribal Work
18 Shops.

19 They're usually two days of
20 presentations and discussions on matters of
21 tribal interests that the FCC is working on.

22 We are going out next week to Oklahoma

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1 for a tribal work shop hosted by the Chickasaw
2 Nation.

3 And, all members of ONAP, myself and
4 Patrick Webre, are planning to attend. And, the
5 work shop will be preceded by a full day meeting
6 of the Native Nations' Communications Task Force
7 in person to continue their work on their
8 broadband deployment task.

9 So, I just wanted to give you a quick
10 overview of what I do for the Bureau so that you
11 can tuck that away in case you ever need to know
12 it.

13 CHAIR POCIASK: Thank you, Barbara.

14 All right, so, Ed?

15 MR. BARTHOLME: I just wanted to check
16 real quick in case the same thing that happened
17 to George happened to me and they still have Call
18 for Action listed on my name card.

19 (LAUGHTER)

20 MR. BARTHOLME: It didn't happen.

21 (LAUGHTER)

22 MR. BARTHOLME: So, let me, again,

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1 echo the thanks that you've heard from
2 Commissioners and from my fellow CGB staff this
3 morning.

4 I understand the commitment and the
5 time that you're taking to share your expertise
6 with the Agency and we're grateful for that.

7 I get the privilege of updating you on
8 the activities of the Consumer Affairs and
9 Outreach Division and the Web and Print
10 Publishing Division within CGB, or in plain
11 language, the Outreach and Education teams here
12 at the FCC.

13 One major new initiative since the CAC
14 last met is our rural tours. We've done three
15 since last fall, the Pacific Northwest,
16 Appalachia, and the Southeast. Up next, at the
17 end of June, is the Midwest and we're going to be
18 visiting Minnesota and Wisconsin.

19 They provide us with an opportunity to
20 meet directly with people to hear their concerns
21 and frustrations, learn about the latest scams
22 and pain points for consumers in the telecom

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1 space.

2 It's also a chance for us to see
3 creative approaches to tackling connectivity
4 challenges and bridging the digital divide.

5 Our plan is to do these meetings --
6 these trips, sorry, tours, quarterly and we
7 welcome suggestions for regions to visit and
8 groups that we can work with to organize events
9 while out on the road.

10 As part of Older Americans Month last
11 month, we visited multiple senior centers. We
12 hosted a webinar here in the CMR covering our
13 biggest consumer issues and that is an archived
14 event on the FCC website.

15 And we also worked with AARP, thank
16 you, to do two live webcasts. Kristi Thompson
17 from the Enforcement Bureau and myself got to go
18 over there two evenings in late May and do sort
19 of newscast style presentations for AARP's
20 audience. It was a really fun opportunity.

21 We also are very excited that we
22 recently released an animated video on spoofing

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1 and it was created entirely in house by Web and
2 Print Publishing staff. And you can find that at
3 fcc.gov/spoofing.

4 We're really excited to have these
5 capabilities on staff and we have a second
6 animated video that will be released later this
7 summer.

8 Each month, we're also doing multiple
9 consumer help posts at fcc.gov/consumers. We
10 recently did one on the one-ring scam that was in
11 the news early last month.

12 We've also done some that explain
13 different types of spoofing scams. And part of
14 what we're trying to incorporate in those is
15 actual audio from the scam so that when a consumer
16 reads the writeup, they can also hear the con, so
17 to speak, and listen in to what that phone call
18 is actually going to sound like to them.

19 And there will be more things to come
20 there.

21 One thing that we've heard from the
22 CAC many times over the years, and I hope that

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1 Ken McEldowney is watching this somewhere right
2 now, is that we need to do more in languages
3 beyond English.

4 I'm happy to share that every consumer
5 help center post is translated into five
6 languages, Spanish, Korean, Vietnamese,
7 traditional Chinese, and Tagalog.

8 And those are the five most commonly
9 spoken languages other than English in U.S.
10 households.

11 We also know that part of the
12 challenge is getting information and materials
13 into the hands of people who are not digital
14 natives.

15 So we've created a number of tip cards
16 on our most popular issues. I have some examples
17 here.

18 We do these also in those five
19 languages beyond English. Some of them are one
20 -- are all in one language, some of them are two
21 sided where the English on the front and a second
22 language on the back.

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1 So we've -- we get these out there.
2 Last year, in sort of the latter half of the year,
3 we distributed over 17,000 copies of our spoofing
4 one across the country. So we're getting them
5 out.

6 Those efforts have actually led to a
7 unique partnership with the National Asian-
8 American Coalition, or NAAC.

9 So this week we have staff traveling
10 around California and out to Las Vegas doing
11 ribbon-cutting ceremonies at a chain of Asian
12 grocery supermarkets.

13 And they have in these supermarkets,
14 through the partnership with NAAC, something
15 called Hope Booths.

16 And these are sort of like the
17 customer service kiosks, but they cleaned it out
18 and they staffed with volunteers. And they do
19 educational information.

20 So in those, I believe it's 15
21 locations, we have trained the volunteers to
22 answer questions about telecom issues, to do

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1 education about robo calls and spoofing.

2 And we've also had in-language
3 versions of all of our tip cards sent to each of
4 those store locations so that they can do direct
5 hands on engagement and also leave them with
6 something to take out of the store with them in
7 the form of a tip card.

8 Additionally, we have an internal
9 resource that was created last summer and allows
10 us to quickly identify the most commonly spoken
11 languages by county in the U.S.

12 This tool has been used in former
13 outreach before and after natural disasters. We
14 have also used it to identify which languages are
15 in use in areas we visit during our rural tours
16 and other activities.

17 So last fall, for example, in the
18 Pacific Northwest, we identified that there was
19 a need for Russian language tip cards, and we
20 were able to have our cards translated into
21 Russian and take those with us for some of the
22 meetings that we did.

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1 We've also done French Creole in
2 Louisiana and others as needed.

3 As a reminder, the Chairman's Awards
4 for Advancements in Accessibility is coming up on
5 June 18th, more commonly referred to as the
6 Chairman's AAA.

7 If you'd like more information about
8 that event, it's in Virginia in the sort of
9 Northern Virginia area. Please reach out to us
10 and we'd be happy to get you more specifics on
11 the event.

12 And lastly I want to encourage
13 everyone at the table, many of whom I know, and
14 it's great to see so many familiar faces, some of
15 you are new faces, but I'd like to encourage you
16 to stay in touch.

17 And if we aren't in touch, get in
18 touch. We want to work with you if you have
19 events where we can support or participate, let
20 us know.

21 If you have ideas about education
22 topics, let us know. We hope to work with you

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1 collaboratively and look forward to hearing from
2 you.

3 Thank you.

4 CHAIR POCIASK: All right. So two
5 things before the group leaves.

6 First, I was just going to open it up
7 quickly since we have the entire staff here, you
8 can hold on for a minute, so what we have, we've
9 heard a little bit from -- regarding the robo
10 calling which we're going to touch on again, a
11 little bit on slamming.

12 We heard about the disability office,
13 the intergovernment affairs, the native affairs,
14 you know, we just heard a little bit about
15 outreach and education.

16 So I just wanted to open it up just
17 quickly before I move to a second item here, just
18 to see if anyone had any questions in the room.

19 We can call somebody up before they
20 leave or we can move on. But if you -- for any
21 of the presenters we just had, if anyone has a
22 question on the phone or in the office right here,

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1 just raise your hand and let me know.

2 (No audible response.)

3 CHAIR POCIASK: Okay, then, that's
4 good. So then we'll just move to the second item.

5 I just wanted to mention that, you
6 know, it's, you know, really nice to sit here,
7 but I've got to tell you, I have a lot of kudos
8 for you. You've done an excellent job.

9 I just kind of remember looking back
10 at your leadership here as, you know, as Chairman
11 or Chairperson, I guess, your sort of cool
12 demeanor that you all were able to project and a
13 very diplomatic tact.

14 But most of all, your leadership and
15 I just wanted to recognize, you know, how much,
16 you know, you know, we're all very happy for you
17 and, you know, kind of missed you in this role.

18 But I just wanted to recognize that.

19 (Applause.)

20 CHAIR POCIASK: Scott?

21 MR. MARSHALL: And Ed, on behalf of
22 the Committee, we wanted to present to you the

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1 now traditional commemorative Chairman's gavel.

2 (Off-microphone comments.)

3 MR. MARSHALL: And the reason why we
4 don't give it to him, this is personal though,
5 before this point in time, is I was always afraid
6 you'd hit me with it.

7 (Laughter.)

8 MR. MARSHALL: But, anyway,
9 congratulations. Thank you, man, pleasure
10 working with you.

11 MR. BARTHOLME: Thank you all, thank
12 you.

13 (Applause.)

14 CHAIR POCIASK: Great. All right, so
15 if there is nothing else at this point, we'll be
16 back in about -- come back into the room in about
17 15 minutes. We're really scheduled to start at
18 10:30. And, you know, just make your way back in
19 the room a few minutes ahead in case we're ready
20 to move. So let's take a break.

21 (Whereupon, the above-entitled matter
22 went off the record at 10:13 a.m. and resumed at

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1 10:32 a.m.)

2 CHAIR POCIASK: All right. Okay,
3 let's get started. All right, let's get started.

4 Okay, everyone, let's get going.

5 So groups like these are governed
6 under the Federal Advisory Committee Act. And so
7 we have Paula Silberthau here. She's an attorney
8 advisor for the Office of General Counsel and
9 she's going to kind of explain the rules of the
10 road.

11 Paula?

12 MS. SILBERTHAU: Hi, everyone. Good
13 morning.

14 I'll just go through a couple things,
15 and at the end, just like ask any questions if
16 you have any.

17 What I've found is it usually people
18 don't have questions at the beginning, but sort
19 of, as you go along and you work in advisory
20 groups, you might have some questions then. You
21 can field them through your Chairman or through
22 Scott. And like, you know, I'll get back to you

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1 if there are some answers to it.

2 So we are governed by the Federal
3 Advisory Committee Act and by the GSA rules. And
4 sort of the biggest guiding principle is, I guess
5 you have a copy of this, I'm just going to walk
6 through it quickly.

7 Opening -- openness and government,
8 having a diverse membership, and being
9 accountable.

10 And all of those things are reflected
11 in sort of the rules of the road. So the first
12 rule is, you can't just decide tomorrow to hold
13 a meeting. You actually have to give advance
14 notice.

15 And the notice requirement is a
16 Federal Register. We also go sort of about 15
17 days notice. We go above and beyond that because
18 we realize not everyone in the world reads the
19 Federal Register, at least I don't.

20 And so we do public notices and if
21 there's a switch, you know, Scott would -- in a
22 date, you know, Scott would let you know by

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1 emails.

2 But it can't be -- things can't be
3 just done last minute because that's sort of
4 contrary to the openness organizational
5 principle.

6 Meetings have to be open like this.
7 Sometimes, occasionally, if there's like some
8 sort of emergency meeting that's done and a lot
9 of the membership maybe can't -- it's a snowstorm
10 or whatever, people can't meet in person, can't
11 get into D.C., you can have meetings where you
12 hook people up electronically.

13 So that's just sort of good to keep in
14 mind when you're making winter plans. We greatly
15 prefer having people come here because we think
16 dialogue is better sort of face to face. I know
17 I'm old fashioned on that concept, but, you know,
18 if you can't make it in person to a meeting, there
19 are always ways to hook up electronically and for
20 members of the public to be able to dial in as
21 well.

22 There are some cases that I don't

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1 think would apply to the things that you guys are
2 doing where you can close the meetings in various
3 matters of national security, classified
4 information, that sort of thing.

5 We have had that happen in the past
6 where people might be talking about
7 vulnerabilities in their telecommunication
8 system. We wouldn't necessarily want the entire
9 world to know that kind of thing. And so there's
10 a process for closing the meetings.

11 If for any reason you think that
12 something that you're working on involves your
13 discussing things that shouldn't be available or
14 broadcast to everyone and in a transcript, let
15 Scott know and we would try to close that part of
16 the meeting.

17 We keep all the communications
18 available in a public file so people can come and
19 look at them. And you folks can look at them,
20 too, if you feel that you want to look at the
21 transcript or the video tape.

22 You're working on recommendations and

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1 you want to understand why there were ten
2 dissenting votes on something, and you want to go
3 back and look at things, get in touch with Scott.
4 There is a public file available, not just for
5 members of the Advisory Committee, but for the
6 entire members of the public who want to see
7 things.

8 And in that regard, too, I do want to
9 mention that the DF -- any communications you
10 have, whether it's working group communications,
11 whether it's organizational, whether you're
12 working on some recommendations and you're maybe
13 sending some ideas back and forth, whatever,
14 please include Scott as the DFO on all
15 communications.

16 Because that is the only way we can
17 have records, which we're required to keep, of
18 the, you know, of what's going on with the
19 Advisory Committee.

20 Not every record of the subcommittees
21 would necessarily be considered a full Advisory
22 Committee record. The recommendations of the

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1 subcommittees would be and would be publically
2 available. But not everything else, but
3 nonetheless, any communications you have in your
4 subcommittee should include Scott because it
5 becomes, at the very least, like an Agency
6 record, you know, something that could be FOIA'd,
7 that kind of thing.

8 And the other reason it's important to
9 include, I don't know, you're going to have some
10 other liaisons, Scott, to work with the different
11 working groups, or will you be the main contact?

12 MR. MARSHALL: I will be the main
13 point of contact.

14 MS. SILBERTHAU: Okay.

15 VICE CHAIR BERLYN: Can you -- I'm
16 sorry, can you just define subcommittees? Are
17 those the same things as working groups?

18 MS. SILBERTHAU: Yes, subcommittee,
19 working group, same thing, task force, whatever,
20 yes.

21 But anyhow, so the key takeaway is
22 please make sure that Scott is on the

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1 communications because we have to keep records of
2 it.

3 Now, the Committee Chair and Vice
4 Chair serve as sort of a focal point, and they'll
5 work and help set up the working groups and come
6 up with suggested meeting agendas.

7 The agendas are ultimately set by the
8 DFO, and that's under the GSA rules, and in a
9 sense ultimately through the Chair of the Agency
10 because they have certain, you know, the
11 Commissioners have certain tasks they really want
12 you to get working on.

13 But if you have other ideas of things
14 that you are interested in working on, we're
15 always open to that. So just let Scott know and
16 he can bring those ideas to the appropriate
17 people.

18 And just so we know how important
19 Scott is, so the DFO duties by regulation include
20 calling the meetings, approving the agendas,
21 going to all the meetings, getting all the
22 communications, maintaining the Committee

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1 records, and making sure that there are
2 transcripts, that sort of thing of the minutes of
3 meetings.

4 And that's all set by GSA regulations.
5 So Scott has to do all those things, even if he
6 doesn't want to. It's just required.

7 So some of you, many of you probably
8 have heard me explain this before, but there is
9 a big difference in the way that these large
10 meetings are conducted versus the way the
11 informal working groups are conducted.

12 Until the law changes, and there is --
13 every year, there is legislation on this, but
14 until the law changes, right now, informal
15 working groups can operate sort of under the
16 auspices of the FCC, but more in private.

17 The requirements for 15 days notice
18 and the requirement for open meetings, and the
19 requirements for public -- to allow public
20 attendance, none of those requirements apply to
21 the working groups.

22 Because the working groups are

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1 supposed to be the groups that gather
2 information, and it's sort of on a preliminary
3 basis, they might gather information, they might
4 make recommendations, but those are not the
5 recommendations of the full Committee.

6 Everything the working group does in
7 terms of recommendations and support for it then
8 has to come up to all of you as the parent
9 Advisory Committee. And then it'll be voted.

10 So in order to make sure that the
11 working groups do not sort of go too far, we have
12 to make a couple of precautions.

13 One is, in size, the working groups
14 cannot be a quorum of the Advisory Committee.
15 Because if you have too many people on the working
16 groups, they have now become -- their meetings
17 have become like Advisory Committee meetings.

18 So if you hear Scott say, I'd love to
19 place you on the working group of your choice but
20 it's already filled up, it's not that we're being
21 ornery, it's that if you have too many people on
22 a working group, it becomes the equivalent of the

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1 Advisory Committee.

2 And I emphasize that because it's
3 always a point of contention, but we can't help
4 it, we have size -- basically size limitations.

5 And then the working groups should be
6 balanced, just like the whole Advisory Committee
7 should be balanced.

8 And the working groups do not speak
9 for all of you. If you really hate a
10 recommendation of the working group, it is not
11 the recommendation of the CAC, it's the working
12 group and you can discuss it, you can modify it,
13 you can vote it up, you can vote it down, you can
14 do whatever you want with it, but that's, you
15 know, the working group recommendations are
16 typically the first step.

17 And the other thing to remember about
18 working groups is that you can't --- because
19 you're operating under the auspices of the FCC,
20 you can't do surveys.

21 Because, if you do a survey, which
22 would otherwise trigger the Paperwork Reduction

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1 Act, then we have to get OMB approval.

2 So the work that you do, I mean, you
3 might call one or two people who can give you
4 some information or go to the library or do
5 clippings out of the newspapers or go to the
6 Internet, but please don't do surveys unless it's
7 something that's very long-term and you don't
8 need it for, you know, a couple of months.

9 In that case, we could consider doing
10 -- getting approval for a survey through the
11 Paperwork -- through OMB through the Paperwork
12 Reduction Act. But that takes a while.

13 So that's not preferred unless you
14 have a long, you know, a long leash in advance on
15 it.

16 Ex parte rules, I think most of you
17 know, we typically put out within a week or two
18 of when you have your first meeting, and
19 basically an ex parte exemption so that the
20 conversations and discussions you have both in
21 your working groups and at your public meetings
22 where there might be staff available who -- or

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1 Commissioners who are working on an issue, in the
2 normal case, you would need -- if you spoke to
3 that issue, and there's a pending NPRM, you'd
4 need to file and ex parte saying what you
5 discussed, when you discussed it, et cetera.

6 When you're having those discussions
7 at the working groups or maybe a roundtable that
8 was sponsored by the CAC or at your meetings, you
9 will not need to file ex parte presentations
10 relating to what you might have said at the
11 meetings.

12 If what you discussed something that
13 the Commission will rely on, the staff will, I
14 think we work it out with the staff, right, will
15 file ex partes for you at some later date.

16 Oops.

17 MR. MARSHALL: Sorry.

18 MS. SILBERTHAU: Are we okay?

19 MR. MARSHALL: Yes, we're okay.

20 MS. SILBERTHAU: Okay.

21 MR. MARSHALL: If all else fails, I
22 remove the banner.

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1 (LAUGHTER)

2 MR. MARSHALL: That's old technology.
3 Go ahead. Sorry.

4 MS. SILBERTHAU: That's why I don't
5 trust technology.

6 So anyhow, we'll do that for you.

7 Now, if you were meeting, you know,
8 individually with staff, you're a member of the
9 CAC but on behalf of your organization, you're
10 meeting individually with, you know, the
11 Chairman's Office or with just people working on
12 an item and you're -- and it's sort of outside of
13 this meeting context, then, you know, you'd sort
14 of be representing your own organization's view,
15 and you would have to file an ex parte in the
16 ordinary course.

17 So the exemption goes to sort of the
18 substance of what you're discussing which is or
19 sort of the function which you're playing, which
20 is acting as a member of the CAC. The exemption
21 doesn't follow you, you know, in your individual
22 capacity in some other sense.

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1 MEMBER ROOKER: Excuse me?

2 MS. SILBERTHAU: Yes?

3 MEMBER ROOKER: I must be dense, I
4 have a radio program. If I were to interview
5 someone from the FCC on that program, what do I
6 -- you're not talking about something like that,
7 right? You're talking about me coming in and
8 talking about issues and presenting my own ideas
9 to the Commission?

10 MS. SILBERTHAU: Yes.

11 MEMBER ROOKER: Is that what you're -
12 -

13 MS. SILBERTHAU: Correct.

14 MEMBER ROOKER: -- saying?

15 MS. SILBERTHAU: Yes.

16 MEMBER ROOKER: Okay. So I can
17 question y'all all I want, huh?

18 MS. SILBERTHAU: I think so.

19 MEMBER ROOKER: Okay, thank you.

20 MS. SILBERTHAU: If that's wrong,
21 because I'm not an ex parte expert, you know, if
22 there's --

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1 But, I mean, you would be doing that
2 in your private capacity.

3 MEMBER ROOKER: Right, right yes.

4 MS. SILBERTHAU: So presumably, if it
5 got into something that became, you know, a
6 presentation under ex parte rules and you're
7 interviewing someone from the staff, they would
8 know and they would -- if they needed to file
9 something, they would file it.

10 MEMBER ROOKER: I guess I'm still a
11 little vague on what these boundaries are in
12 terms of discussions.

13 MS. SILBERTHAU: Well, I think that
14 the main thing is that, if you are promoting the
15 views of your organization --

16 MEMBER ROOKER: Okay.

17 MS. SILBERTHAU: -- individually, as
18 it relates to an item that is before the
19 Commission, then typically, you know, you're
20 having a meeting, you're trying to influence the
21 decision makers, which is not nefarious, this
22 goes on all the time --

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1 MEMBER ROOKER: Yes.

2 MS. SILBERTHAU: -- people come in.

3 MEMBER ROOKER: Okay.

4 MS. SILBERTHAU: Then they file ex
5 partes and it goes in the record.

6 And the -- one of the major reasons
7 for that is so that other people can respond if
8 they --

9 MEMBER ROOKER: Well, no, sure.

10 MS. SILBERTHAU: -- think the
11 information you're giving is just --

12 MEMBER ROOKER: Makes sense.

13 MS. SILBERTHAU: -- totally wrong --

14 MEMBER ROOKER: Okay, thank you.

15 MS. SILBERTHAU: -- they want to know.

16 And this sort of -- this exemption
17 sort of delays the ex parte filing.

18 Because, of course, if you guys are
19 looking at something that's the subject of a
20 pending proceeding, and you're tasked with making
21 recommendations, then it'll be discussed at the
22 meeting and we're just sort of trying to avoid,

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1 and since it's already public, people know what's
2 being said, so it's sort of an unusual setting.

3 MEMBER ROOKER: Yes.

4 MS. SILBERTHAU: As opposed to private
5 meetings.

6 MEMBER ROOKER: Thank you.

7 VICE CHAIR BERLYN: I have a follow up
8 question.

9 MS. SILBERTHAU: Yes?

10 VICE CHAIR BERLYN: Because this
11 actually did come up once in a CAC meeting.

12 So about ex parte rules, if someone in
13 a CAC meeting asks a question about an ongoing
14 proceeding of a staff member, do we have to file
15 an ex parte?

16 MS. SILBERTHAU: No, that's why we
17 have the exemptions --

18 VICE CHAIR BERLYN: Okay.

19 MS. SILBERTHAU: -- in place so that
20 when you're doing something and discussing the
21 meeting items as part of your CAC meeting --

22 VICE CHAIR BERLYN: Okay.

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1 MS. SILBERTHAU: -- you know, we'll
2 exempt you.

3 But, you know, let's say that someone
4 here makes some really persuasive comment in the
5 conversation and later on the -- and it's sort of
6 the first of its kind and the staff people want
7 to rely on it later, then they would put, not
8 everything at the meeting, but that comment and
9 that discussion, that piece of a discussion in
10 the docket so other people who weren't at the
11 meeting could see it and react to it.

12 So we still can't rely on things that
13 are said to us without getting it in the record.
14 It's just really a matter of timing.

15 VICE CHAIR BERLYN: Okay.

16 MS. SILBERTHAU: So it might be a
17 little bit later for things that are at this
18 meeting.

19 VICE CHAIR BERLYN: Okay.

20 CHAIR POCIASK: And then staff can't
21 answer questions if the item -- if the issue is
22 in Sunshine? That's the -- that's my

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1 understanding, right?

2 MS. SILBERTHAU: That's my
3 understanding.

4 CHAIR POCIASK: Okay.

5 MS. SILBERTHAU: Right, Scott?
6 Because I'm not --

7 MR. MARSHALL: Well, that's happening
8 today. Yes, that's -- my -- do I have a
9 microphone?

10 (Simultaneous speaking.)

11 MR. MARSHALL: That's my understanding
12 of it because I had to look into this because of
13 a presentation that you're going to be hearing
14 today. And that it is best that questions not be
15 asked when we're in a Sunshine period.

16 I'm told that in certain
17 circumstances, the Chairman's Office could permit
18 this and it would be on a permit and disclose
19 basis.

20 But really, the Sunshine period is
21 supposed to be a quiet period. So about these
22 matters that the Commission will be voting on.

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1 And that's why today, we're not going
2 to be able to take questions on the call, robo
3 call by default, authentication issue.

4 CHAIR POCIASK: And I guess one other
5 thing, if this is correct, let me --- please
6 correct me if I'm wrong. But I just, in the case
7 of someone here may be writing an op-ed, and in
8 your byline then you say, you know, I'm so and so
9 with this group, and I'm also a member of the
10 CAC, the warning is, once you've done that, then
11 you have to go on to explain that you're not
12 speaking on behalf of this group.

13 So at a certain point, you're going to
14 be -- you're going to have a whole paragraph of
15 bylines. So my advice is don't do it unless
16 you're willing to put that whole disclaimer in.

17 MS. SILBERTHAU: Right. And that's
18 what I was going to say. That was my, actually,
19 my next little point here is --

20 CHAIR POCIASK: I'm sorry.

21 MS. SILBERTHAU: No, no, no, but
22 that's perfect. That's good.

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1 Which is that in the past, sometimes
2 people have written op-ed or opinion pieces,
3 which is great, you know, you should be able to
4 say whatever you want.

5 But instead of signing it, you know,
6 Joe Smith, head of the Consumer Advisory Council
7 or something, they've said, you know, Chairman,
8 you know, FCC Working Group on -- so it makes it
9 look as though whatever story is the formal
10 opinion of that group as opposed to the
11 individual opinion.

12 VICE CHAIR BERLYN: Right.

13 MS. SILBERTHAU: So that's, you know,
14 just a caution. You know, we're not trying to
15 say you can't express your own views because, of
16 course, you can. But just, if you say, I also
17 serve as, you know, a member of the Advisory
18 Council, to be sure to say but these are my
19 individual views, you know, these are not --

20 Because, a lot of times, people are
21 hot on an issue and it's before the Council has
22 even -- before an Advisory Committee has even

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1 taken a position on something.

2 MEMBER KAMPIS: I was curious, if I
3 wrote -- because I may write something about some
4 of the things we discuss for Taxpayers Protection
5 Alliance, but more of a reporter news not really
6 op-ed opinion piece. How does that affect it or
7 just kind of writing about what happens kind of
8 journaling what's going on as opposed to writing
9 an opinion piece.

10 MS. SILBERTHAU: I mean, you know,
11 that's -- I don't think there's any problem with
12 that, just updating people as to what's going on.

13 I mean, would you -- what might make
14 sense to also say just to make sure it's
15 characterized right is to also say, you know, for
16 more information, and Scott has some ideas on
17 this, too, but you know, for more information,
18 you know, you can get the, you know, go to the
19 FCC website, you can plunk in the website thing
20 where there are, you know, other public documents
21 or maybe the transcript or something like that.

22 MR. MARSHALL: And Johnny, I -- we had

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1 a kind of a similar situation previously. We had
2 a member who wrote a daily report on
3 telecommunications issues that went out to a wide
4 audience almost like a Comm Daily or a TR Daily,
5 but it was free.

6 And he was representing an
7 organization on the CAC. And the way we worked
8 that out was that, and it did seem to make sense,
9 that, you know, discussions leading up to a
10 recommendation were kept here either at the
11 working group level or here at a public meeting
12 of the CAC.

13 And that the reporting part didn't
14 come until we actually -- until you actually
15 passed a recommendation and it was adopted. And
16 then it was a public document that could be
17 reported upon, that kind of thing.

18 Does that answer your question?

19 MEMBER KAMPIS: Yes, thank you.

20 MR. MARSHALL: Okay.

21 MS. SILBERTHAU: And I would say, you
22 know, in terms of reporting the working group

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1 deliberations, until they move to the CAC, like
2 until you have a document, you know, here are my
3 ten recommendations, you move it to the CAC and
4 it gets posted, those we consider basically sort
5 of private just because the meetings are closed.

6 Now, by the way, I would mention this
7 to working groups, if for some reason you want to
8 have an open forum, if you want to have working
9 group meetings open, there's no law against that.
10 It's just that people usually find that things
11 work a little bit more smoothly to be able to do
12 it privately as opposed to announcing it and then
13 having it sort of set up formally.

14 It sort of limits your ability to
15 change the meeting time. But also you have to
16 have phone lines so people can call in. And I've
17 heard that people have tried that, and then the
18 people calling in start interrupting to make
19 comments because they're trying to participate,
20 which they shouldn't.

21 So, you know, that's -- so I would
22 limit that kind of reporting to, you know, the

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1 full Committee meetings because these are open.

2 The only other thing I'd mention is
3 that some people have asked whether we have like
4 written procedures for how you should conduct
5 your business.

6 And really, the GSA rules leave the
7 procedures of the meetings up to each Agency and
8 the general concept is, as long as they're fair.

9 So typically, you know, sometimes
10 people in this Committee, I know that Scott looks
11 to the Robert's Rules for guidance on voting and
12 procedures. And we do not, even though the goal
13 is to come up with unanimous recommendations,
14 there -- sometimes that happens, and sometimes
15 that doesn't.

16 So there can be, you know, people can
17 dissent. You know, you can vote something out as
18 a recommendation that just has a majority vote.
19 And people can make dissenting statements at the
20 meeting if they don't like a recommendation.

21 Hopefully, not ad hominem, but, you
22 know, logical statements about why you think a

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1 different proposal would be better than the one
2 that was adopted.

3 And we keep transcripts of this and
4 anything that you say in dissent or in favor of
5 things are -- will be memorialized.

6 I think that's about it.

7 MR. MARSHALL: Can I make a further
8 comment just on that last point?

9 We really try to keep everything as
10 open as we possibly can. And that is in line with
11 our -- with the FACA rules for sure.

12 But if you ever have a question about
13 it, please talk to me about it so I can talk to
14 Paula about it. She's been my lawyer for almost
15 19 years now. So it's always good to consult with
16 her on these issues as well.

17 So if there's a doubt about something,
18 please let me know and I'll probably consult with
19 Paula, too, so we can get you the right answer.

20 MS. SILBERTHAU: Anyone else have any
21 questions about any of this stuff?

22 CHAIR POCIASK: Anyone online have

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1 questions?

2 MR. MARSHALL: On the phone?

3 MEMBER DAY: No, thank you.

4 CHAIR POCIASK: Okay.

5 MS. SILBERTHAU: Thanks a lot.

6 CHAIR POCIASK: Thank you, Paula.

7 MR. MARSHALL: Thanks, Paula.

8 CHAIR POCIASK: All right, Giulia
9 McHenry. Okay, so not too long ago, there was an
10 Office of Economics and Analytics that was
11 formed. And here to talk about that today is
12 Giulia McHenry.

13 MS. MCHENRY: Hi.

14 CHAIR POCIASK: Thanks for coming.

15 MS. MCHENRY: Yes, thank you for
16 having me. It's great to be here. In my previous
17 life, I was actually on the Advisory Council, so
18 it's kind of cool to be here.

19 So I've been on all sides. I've been
20 the liaison. I've been everywhere.

21 So thanks for having me. I'm here to
22 talk about the new Office of Economics and

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1 Analytics and just kind of run through a few of
2 the details about the office, a little bit about
3 its brief history, its objectives, but then also
4 hopefully leave time for questions for anybody
5 who wants more information.

6 So the -- I think now, a little over
7 two years ago, the Chairman gave a speech where
8 he talked about wanting to elevate economic
9 analysis at the Commission.

10 And so this office is essentially the
11 vision that essentially was created out of that.

12 And so really the goal is to elevate
13 economic -- independent economic analysis at the
14 Commission. And that means a few things.

15 Number one is, put economics as sort
16 of an independent group which gives us a little
17 bit more latitude to do an analysis of the sort
18 of market forces, the incentives, all those
19 economic issues which is a bit more independent
20 of the policy making decisions that are going on
21 within the bureaus.

22 So we work in close cooperation with

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1 the bureaus, but we have to do an independent
2 analysis of it.

3 And that, you know, is important. It
4 is -- we recognize that not to say that economics
5 is sort of -- should be driving all policy
6 decisions, but economics should certainly be
7 informing those policy decisions. So this sort
8 of makes that independence a little bit more to
9 have that as sort of a third leg to the stool, if
10 you will.

11 So, and I think also, you know, in
12 creating an office where all of the economists
13 are together really helps to actually improve the
14 quality of the analysis because we're now in a
15 situation where economists can talk to each other
16 a little bit more, be a little more cross
17 purposes, you know, kind of work across the
18 various policy bureaus that we had been fairly
19 focused on before.

20 And so I think it's really improving
21 the analysis. And it's sort of given more
22 opportunity for the economists to have a voice of

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1 their own.

2 And, you know, similarly career
3 development.

4 So I think all those things are easier
5 for economists if you bring them all together.

6 And then really, you know, I will say,
7 the Chairman's Office has made a real effort to
8 create an environment where economics is part of
9 that policy decision. So it really is informing
10 the policy decision in the Chairman's Office.

11 So in the report, in order that set up
12 the office, it says something about OEA is
13 required to review every Commission level
14 proceeding. That's basically become every
15 Commission level item down to OGC, everything has
16 to pass through us right now.

17 And that's, I think, you know, been
18 tricky, been a lot of work, a lot of stuff to
19 review. But it means we put our eyes on
20 everything. And that is really been a priority
21 of the Chairman's Office, and we wouldn't be here
22 today had the Chairman's Office -- had they not

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1 been so supportive of really making sure we are
2 part of the process.

3 So that's a -- and it is, I mean, we
4 have not been standing that long. So we -- so
5 the history is essentially the Chairman gave the
6 speech. There was a report and order in 2018 and
7 then a task force set up to essentially figure
8 out what needed to happen to stand up this office
9 because it is a bit of a tall order.

10 So that task force had Wayne Leighton
11 leading it up. Jay Schwartz -- I guess it was
12 Wayne and Jay Schwartz leading it up.

13 It had economists. It had attorneys
14 and it had a number of people from OMD to make
15 sure that we had essentially the ground, the
16 personnel ground floor to make this thing happen.

17 So in November, we cleared all the
18 hurdles. We cleared past Congress. We had an MOU
19 with the Union and we stood up mid-December.

20 So that was -- so we've been going
21 strong for about I guess five, six months now.
22 The first three weeks were a little crazy and

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1 then we went right into shutdown. So, you know,
2 I think it was -- for about the first three
3 months, I was operating on three-week stints it
4 felt like.

5 So the first three weeks was all sort
6 of personnel groundwork, making sure everybody
7 was where they needed to be and knew where they
8 were supposed to be.

9 And then sort of in the developing,
10 you know, those three weeks were only Auctions
11 was working. But it's been fun. And we were
12 definitely, I mean, we were making big progress.
13 I think we have more of the personnel in place
14 and then -- and the economics is -- we are getting
15 in more -- increasingly on the ground floor of
16 the economics.

17 So starting the economic analysis as
18 items are being or essentially being started, so
19 getting in on the options memos, talking with the
20 Chairman's Office, not just sort of the last
21 minute review.

22 So with that, I guess I could give you

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1 an overview.

2 We are a group, it's 100, we are
3 currently just over 100 in size, 63 economists,
4 we are hiring -- we just hired -- we just brought
5 on in and are hiring one more this summer off of
6 the job market. So he's a young economist.

7 Obviously, we also have a lot of
8 retirements.

9 And so we have 100 personnel, 60
10 economists. We have four divisions and this will
11 kind of explain why there are -- what those other
12 40 do.

13 So our divisions are Economic Analysis
14 Division. That's essentially -- those are most
15 of the economists who came from throughout the
16 building. So most of the economists were here
17 when we brought them in.

18 So they came from throughout the
19 building from mostly the policy making bureaus as
20 well as OSP, the Office of Strategic Planning.

21 And so we've essentially -- that's
22 just over 40. And we've stood that group

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1 essentially as to have sort of practice groups
2 that mirror the policy making bureaus, so we keep
3 the economic experts in certainly fields, at
4 least working on those fields, but again, kind of
5 going more cross-purposes.

6 And then we have -- we brought the
7 Auctions Division in whole cloth, so that's 24
8 roughly. So we are now working in concert
9 typically with the policy making bureaus, but
10 running all Auctions. That's Margie's team,
11 Margie Wiener has continued that great work and
12 her whole team has kind of chugging along at
13 lightning speed, as they seem to always be doing.

14 We also brought in the Industry
15 Analysis Division, so that was formerly part of
16 WCB. And that is where 477 is collected as well
17 as a number of other data collections throughout
18 the bureau for the individual bureaus.

19 So that group is now with us. That's
20 a lot of the analytics.

21 And we are standing up -- we have a
22 data division. That data division is currently

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1 one person. Her name is Anne Levine, and she is
2 both Acting Division Chief and Deputy Division
3 Chief.

4 So we -- that is one area we plan to
5 grow and continue to grow. The goal of that group
6 is to essentially create a data governance group
7 that can help make data that's collected by the
8 FCC and available to the FCC more useable for the
9 bureaus and for the policy making.

10 So it is kind of where the IT side
11 meets the policy making side to essentially
12 figure out how to store, collect, you know, sort
13 of all the pieces that create good data quality
14 and good data analytics, it's that foundation.
15 So that's what she's working on.

16 And she's great and has -- is -- works
17 despite being sort of the one and only in her
18 division, does a lot of work sort of with the
19 other sort of interagency within the federal
20 government because this data governance and the
21 federal governance is a really a growing field
22 and an important new focus. So that will be

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1 housed in OEA.

2 So that gives you a little bit of an
3 overview. You know, I think in terms of
4 accomplishments, I will say, you particularly
5 with respect to EAD, which is where we're doing
6 a lot of the new economic analysis or the economic
7 analysis that maybe is now being done with more
8 rigor.

9 You see, in the beginning we were all
10 drinking from a fire hose, reviewing every item
11 as it was being completed and thrown up to the
12 Chairman's Office.

13 We are now increasingly getting in on
14 the ground floor. So to do quality cost benefit
15 analysis, you really need to have the time to
16 assess options, prepare detailed, you know, cost
17 benefit analysis, and we want to make sure we do
18 that, not holding up the process, but in concert
19 with the process.

20 So that means really getting in on the
21 ground floor. So we've been doing a lot of that.

22 And increasingly we see the bureaus

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1 calling us in in the beginning, which is great.

2 Auctions is obviously -- to those who
3 follow it, we've just announced -- the Chairman
4 announced, December 10th, we will be auctioning
5 -- we'll be starting up Auction 103 and that's
6 millimeter -- it's our third millimeter wave
7 auction.

8 We just closed Auction 102 which was
9 our second. So now 101 and 101 are being released
10 this -- the results are being released this week,
11 which is exciting.

12 And then we have some other auctions,
13 we have the -- we are working with Somos to do
14 the TFAM 888 numbers. We have an AMR auction
15 coming up soon. So a lot of exciting stuff there.

16 IAD continues to do good work on 477,
17 and obviously we're focused on 477 reform now as
18 well.

19 So those are kind of the highlights,
20 and hopefully that didn't bore you all too much.
21 But I'm here if you have more questions.

22 CHAIR POCIASK: Actually, I have a

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1 question. So you're evaluating many of these
2 items and I heard you say cost benefit is sort of
3 one of those tools that you can apply across many
4 issues.

5 Has there been any discussion about
6 doing something else with measuring consumer
7 welfare in the sense of actually being able to
8 say, hey, do these things benefit consumers and
9 can we quantify that surplus?

10 MS. MCHENRY: So that's a good
11 question. One of the nice things about being at
12 the Commission is you have a little bit more of
13 a consumer welfare, you know, sort of a little
14 bit more flexibility in the standard.

15 So we do look at consumer welfare as
16 part of that. And I think that is an important
17 piece of cost benefit analysis. So yes.

18 CHAIR POCIASK: Okay.

19 MS. MCHENRY: And I guess I should
20 mention, so we are required to do a form of IRA,
21 both by the report and order and OIRA. We are
22 required to do a formal cost benefit analysis for

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1 any rulemaking that has more than \$100 million of
2 impact annually. It turns out to not be much.

3 So we follow IRA rules and work
4 closely with OIRA on those items.

5 A couple have come close enough that
6 we've looked at whether we're crossing that
7 threshold. We have not had anything cross that
8 threshold, which is actually, I think, in five
9 years, we've only had -- the Commission's only
10 had three items cross that threshold. So, you
11 know, it is a tough threshold.

12 For anything less than that, we
13 essentially -- we assess the item and look at the
14 cost benefit of a cost benefit analysis, and
15 essentially look at to what extent we think
16 detailed economic analysis needs to happen.

17 Obviously, reviewing everything, some
18 things just get a pass. Some things don't have
19 any economic analysis, and then there are some
20 things we move deep in.

21 CHAIR POCIASK: Okay. Let's open it
22 up. Do we have any questions here?

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1 Yes?

2 MEMBER KOCH: Thank you.

3 As we go about our work, can this
4 Committee, as a body or any of us individually,
5 make data requests to OEA? And if so, how and
6 are there any limitations?

7 MS. MCHENRY: That's a good question.
8 I don't know the answer to that. I mean, you're
9 welcome to -- I guess we should -- with respect
10 to FACAs, there's all sorts of legal stuff, so I
11 don't know what the official answer is. But, you
12 know, we're happy to help out with that, provide
13 whatever data we can.

14 MEMBER KOCH: Yes, I think maybe Scott
15 can get back with us on that.

16 MR. MARSHALL: Yes, I think that's a
17 thought.

18 MEMBER KOCH: But I'd be very
19 interested in utilizing your resources as we go
20 about our work.

21 MS. MCHENRY: Yes, absolutely, that
22 would be --

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1 CHAIR POCIASK: Yes, I think that
2 would be useful.

3 Anyone else here or on the phone?
4 Matthew?

5 MEMBER GERST: Matt Gerst with CTI.

6 I was going to ask the flip side of
7 that question, which is we're technically not
8 permitted to create survey data, right, and
9 create data on our own without going through PRA,
10 Paperwork Reduction Act, approval.

11 What type of data, if this group was
12 to look at anything, would be most helpful to
13 your office?

14 MS. MCHENRY: That's a really good
15 question. You know, so actually I think what ends
16 up being most helpful for us is the type of data
17 that can essentially help us assess consumer
18 welfare impacts on an item by item basis.

19 I don't know, and this is where, you
20 know, to the extent you all are involved in ex
21 partes, you know, getting the -- getting whatever
22 data is out there by the interested parties to

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1 have -- help them file essentially whatever they
2 can help us essentially assess what the consumer
3 impacts would be, that would be helpful.

4 It's not -- I don't have anything else
5 off the top of my head that would be particularly
6 useful for this group to collect.

7 CHAIR POCIASK: Okay. Anything else?

8 (No audible response.)

9 CHAIR POCIASK: Giulia, thank you so
10 much. I appreciate it.

11 MS. MCHENRY: Absolutely, thanks for
12 having me.

13 CHAIR POCIASK: Okay, so next we have
14 two items that, you know, the Chairman is
15 interested in having us look at. And so the --
16 and I believe these will be formed into working
17 groups.

18 And so the first one has to do with
19 educating consumers regarding the meaning of call
20 authentication.

21 And here to give us some background
22 don this first item -- working group item is Lisa

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1 Hone.

2 MS. HONE: Good morning, everybody. I
3 see some old friends and some new faces. As some
4 of you know, I started my career in government at
5 the Federal Trade Commission doing consumer
6 protection work, so this Advisory Committee is
7 near and dear to my heart, and I appreciate your
8 service on this Committee.

9 And personally I also appreciate
10 probably even a little more, the ex partes,
11 comments, and reply comments you file in wire
12 line proceedings.

13 Please know that the consumer advocate
14 voice is incredibly important to us, and we
15 appreciate the time, energy, money you spend on
16 participating in our proceedings.

17 Those of you who know me also know
18 that I'm just a face of these matters. Really,
19 there's a hardworking staff that does all the
20 work.

21 Matt Collins sitting behind me has the
22 lead on call authentication issues for the wire

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1 line bureau and is also the guy on the call
2 authentication summit we're doing in July.

3 So if you all are unaware of that,
4 there is a call authentication summit in July. I
5 hope you will participate and attend.

6 And you should reach out to Matt about
7 your interest.

8 So I know this Committee has done work
9 around call authentication before. And anyway
10 I'm not the right person to do the technological
11 background on call authentication.

12 But the basic idea, as I think most of
13 you know, of call authentication is carrier
14 assigning calls to say, yes, this is my customer.
15 I have confidence that these calls are coming
16 from my customer.

17 And then other carriers being able to
18 authenticate that through a public/private key
19 system.

20 We think it's a game changer, and the
21 super tech people have been working hard on those
22 standards.

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1 SHAKEN/STIR is a great acronym. The
2 language behind that acronym is difficult and
3 hard to say out loud, so I'm not even going to
4 bother to tell you what it stands for. You can
5 -- we have a wonderful combating spoof to caller
6 ID with call authentication page, where we try
7 and keep all of our relevant documents, and it
8 explains what SHAKEN/STIR stands for at a very
9 high level. I encourage you to use that page as
10 a resource.

11 But that act of -- or it's a bunch of
12 acts, right, of valid -- of signing a call and
13 then other carriers validating that call, making
14 sure that, in fact, it's signed.

15 That's important behind the scenes
16 work. There is also -- there are also issues as
17 to -- and there are issues about, once that
18 happens, what will carriers do with that
19 information, right?

20 How will they use the analytics they
21 get from that information to change the way they
22 handle calls and the way they present those calls

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1 to consumers?

2 And I think that's where you all are
3 going to come in. Currently, call authentication
4 is in the testing phase among the major carriers.

5 As you probably know, the Chairman has
6 demanded that the major carriers implement call
7 authentication by the end of this year. But I
8 think less attention has been given -- some, but
9 less attention has been given to what that means
10 from a consumer facing perspective.

11 And I think that's a place where you
12 all can get involved in particular. What does
13 that look like for consumers?

14 So I assume, and they're going --
15 they're going to go after me, but I assume you
16 all have read the CGB robo calls draft that
17 circulated or most of you have, because it's
18 right up your alley.

19 So there's a question of carrier
20 blocking of calls and the -- based on analytics
21 and how does STIR/SHAKEN play into it?

22 So blocking is important, but there's

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1 also the question, the presentation to consumers.
2 And as we've talked to carriers about what
3 implementation looks like down the line, we do
4 think that what consumers see, at least those who
5 have caller identification devices, is important.

6 And we all, I think, probably have
7 experience with, depending on who your carrier
8 is, if you have a wireless carrier saying
9 possible fraud or possible scam or different
10 carriers present it slightly differently.

11 But I think most -- I think most
12 consumers find that a useful hat tip, if you will.
13 And so one of the things the Commission is going
14 to think about, one of the things I know carriers
15 are thinking about, and I -- one of the things I
16 know consumer groups are thinking about because
17 I've heard it in testimony on The Hill and other
18 places is, how does that present to consumers?

19 So that is one of the topics we hope
20 to discuss at the summit. And I would like to
21 encourage you all to participate in that, in
22 particular.

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1 One other thing that I want to
2 mention, I don't know how many of you read
3 Communications Daily this morning, but the lead
4 article was a notice -- was an article that said
5 that the Chairman has agreed to include an NPRM
6 on adoption -- on implementation of -- on
7 requiring SHAKEN/STIR if the major carriers fail
8 to meet the deadline he's set by the end of the
9 year for implementation.

10 And so that's something that my team
11 has been working very hard on over the weekend.
12 And I think you will see an NPRM on that in the
13 robo calls item, I think. You know, I can't speak
14 for the Commission or any of the Commissioners,
15 they will have to vote it out.

16 But assuming that that is part of that
17 item, again, I would encourage you to engage with
18 us in that rulemaking.

19 So does anybody have any questions?

20 CHAIR POCIASK: Can I get
21 clarification on something?

22 MS. HONE: Yes?

1 CHAIR POCIASK: So I just kind of want
2 to understand how -- excuse me -- I think we all
3 probably make sure we're closer to the mic.

4 MS. HONE: Okay.

5 CHAIR POCIASK: The one thing is, so
6 does this function that if I'm making a call that
7 there is a way to check that that call is going
8 to the actual originating wire center?

9 I mean, how does somebody verify, how
10 do you verify that whether or not someone's a
11 customer unless there's some way you check on a
12 database that, you know, that there are N and Xs
13 actually originating before the call is passed
14 through into the network to the other end, to the
15 terminating side?

16 MS. HONE: You're asking how your
17 carrier does that?

18 CHAIR POCIASK: No, but how would they
19 notify the other carrier that this is a
20 legitimate call and that this is their customer.

21 MS. HONE: Well, right. So the
22 SHAKEN/STIR framework, so it only applies to IP

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1 because more information can be passed in IP.

2 CHAIR POCIASK: Okay.

3 MS. HONE: And that's exactly what
4 this is. This is a framework that allows for that
5 verification and the key system, the
6 public/private key ensures that nobody can --

7 CHAIR POCIASK: So it's only IP?

8 MS. HONE: Only IP.

9 CHAIR POCIASK: And that's because the
10 old -- the POTS regime, the header record is only
11 like six kilobits?

12 MS. HONE: Well, it's because, right,
13 there's less flexibility --

14 CHAIR POCIASK: Okay.

15 MS. HONE: -- in terms of what can be
16 put in --

17 CHAIR POCIASK: Okay.

18 MS. HONE: -- to legacy calls.

19 CHAIR POCIASK: Thank you, thank you.

20 Do we have other questions?

21 MEMBER MORRIS: Steve Morris from

22 NCTA.

1 So let's assume all the major carriers
2 do this by the end of the year.

3 MS. HONE: Mm-hmm.

4 MEMBER MORRIS: And are authenticating
5 among each other. What about all the other
6 carriers who will now be -- their calls will be
7 not able to be authenticated.

8 Are you concerned that it's going to
9 look like calls from all those carriers are
10 fraudulent calls?

11 MS. HONE: Well, I guess I would throw
12 that back to you, quite frankly. Right? The
13 question is then, how will carriers handle calls
14 that can't be authenticated, and will it depend
15 on why those calls can't be authenticated?

16 But that's fundamentally a question
17 for the folks doing the implementation.

18 MEMBER MORRIS: And I don't know if we
19 know yet, but it's probably something that, as a
20 group, we should all be thinking about because
21 you're going to have --

22 The ideal would be every carrier is

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1 participating. But you'll have some probably
2 lengthy period where some carriers are not
3 participating and their customers -- their calls
4 aren't going to get authenticated, and consumers
5 --

6 MS. HONE: That's right.

7 MEMBER MORRIS: -- will need to
8 understand that call -- just because a call is
9 not authenticated doesn't mean it's necessarily
10 fraudulent, it just means that their -- that
11 customer's carrier is not yet participating.

12 MS. HONE: Well, so that makes a bunch
13 of assumptions, Steve, right? So that assumes
14 that what the carrier presents to the receiving
15 -- to the called party is authenticated, not
16 authenticated.

17 So this goes to this question of
18 what's the information that's presented to the
19 consumer? Although, even before we get there,
20 there's a question of, how do the carriers use --
21 what analytics do they get? How do they use them?

22 So I always use Fort Mill Telephone

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1 Company as an example. I don't even know if they
2 still exist, but they were my mother-in-law's
3 telephone company in little Fort Mill, South
4 Carolina.

5 Pretty confident, excuse me if I'm
6 wrong, Fort Mill, but they are a full legacy
7 carrier with no IP capacity.

8 So right, so if they have no IP
9 capacity, their calls aren't -- can't be part of
10 SHAKEN/STIR. So then the question is, okay,
11 well, how do the carrier then pick up those calls,
12 handle calls from carriers that they know can't
13 participate in SHAKEN/STIR?

14 So I think that's a conversation that
15 industry needs to have with each other. And I
16 think that this is a place where folks focused on
17 the consumer side of things can think about,
18 what's the most useful way to present that
19 information to the consumer? Right?

20 So I don't think there's an obvious
21 and easy answer. And I think implicit in your
22 question, Steve, is the fact that this will

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1 necessarily be iterative, and we know that, which
2 makes it both much more interesting, right, and
3 much more important that we recognize the
4 iterative nature of the process and make room for
5 it, and everybody keeps working on it.

6 CHAIR POCIASK: Is wireless included
7 in this?

8 MS. HONE: Yes.

9 CHAIR POCIASK: And so okay, all
10 right. Well, that's fairly good though, because
11 then you'll be picking up the originating calls
12 from there?

13 MS. HONE: Right, and they have it
14 easy. I mean, their calls are in IP.

15 CHAIR POCIASK: Okay.

16 MS. HONE: Relatively speaking, they
17 have it easy. There is somebody down there that
18 would like to just -- blanket statement.

19 CHAIR POCIASK: In general.

20 Make sure you put your card up.

21 MEMBER LONG: This is Vonda, AT&T.

22 MS. HONE: Yes.

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1 MEMBER LONG: So in answer to Steve,
2 the way SHAKEN/STIR is being set up is, there are
3 different levels of certification or
4 authentication of a call.

5 So it might be calls -- when someone
6 makes a call, it can go through several networks,
7 it could be a network path and it goes from one
8 telecom company, one service provider to another.

9 So if your call, you identify as a
10 carrier, this is my customer, I know this is my
11 customer, and I'm authenticating that to the next
12 carrier.

13 Now, if you're originating and
14 terminating the call, you can say, this is my
15 customer, I'm putting it through, I'm
16 authenticating it as my customer. And as it goes
17 down the line, this authentication or
18 certification may change to, I'm not sure, you
19 know, this is my customer. I'm not sure, it was
20 passed from someone else.

21 There's different levels of
22 certification. So it's not a matter of, okay, if

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1 you're not a part of SHAKEN/STIR, we're just
2 going to block your call. That, you know, that
3 wouldn't be fair to consumers.

4 Even if a call is certified, this is
5 my customer, yes. I'm passing it through all the
6 way. We don't know if the other person is trying
7 to scam you, like we don't know the intent of
8 their call.

9 So that's something to consider as
10 well. We're, you know, carriers are going to
11 authenticate, this is my customer. Okay, I'm
12 pretty sure this is my customer, or I'm
13 definitely sure it's my customer, I'm passing it
14 through.

15 Now, when you -- if you answer the
16 call, we can't -- we don't know the content. We
17 don't know the person's intention. We don't know
18 if they're going to say, you know, oh, you know,
19 whatever.

20 This is your grandmother calling, you
21 know, whatever the case that the scams that go on
22 are. So I just wanted to say that.

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1 CHAIR POCIASK: Okay. Any other
2 questions? Anyone on the phone?

3 MEMBER DAY: No, thank you.

4 CHAIR POCIASK: Okay. So I mean it
5 sounds to me -- I mean there's various things
6 that we can take within this issue. But one of
7 the ones that seem to be pretty obvious is, how
8 do we notify consumers the condition of the call
9 coming across?

10 MS. HONE: That's right.

11 CHAIR POCIASK: And is that the
12 primary interest here, Scott?

13 MEMBER ROOKER: What did you say,
14 Steve? I couldn't hear you, sorry.

15 CHAIR POCIASK: So the issue then is,
16 when the customer is looking at say their caller
17 ID, you know, how is that we inform them that
18 something is, you know, has been checked or has
19 not been checked? How do we put it to where they
20 understand?

21 Because if it's not checked, they may
22 get the notion right off the bat that it's a fraud

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1 and it may not be a fraud. And I guess there
2 needs to be some assurance that emergency calls
3 come through, right?

4 MS. HONE: Absolutely.

5 CHAIR POCIASK: And things such as
6 this?

7 MS. HONE: Right.

8 CHAIR POCIASK: So --

9 MEMBER ROOKER: It's a complex issue,
10 here, isn't it?

11 CHAIR POCIASK: Yes. So it's one of
12 those things that we may need to get someone else
13 on the -- one of the working groups when they get
14 started to have another expert or two come on so
15 we can make sure we understand the nuances of all
16 of this.

17 Does anyone else have any other
18 questions? This will be one of our primary
19 issues, I think just starting out.

20 MS. HONE: And our Chief Technologist
21 is absolutely an expert on it. And to the point,
22 there are different levels of authentication, and

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1 until we see this actually working in the real
2 world, major carriers are starting to roll it out
3 between and amongst each other.

4 But until we see it, how it really
5 works, you know, I think, well, even when we do,
6 I think we will all keep learning things. So to
7 the extent that some of you can develop or already
8 have developed expertise in this, I think it's an
9 incredibly important part of the conversation we
10 need to be having.

11 CHAIR POCIASK: Okay.

12 MS. HONE: Thank you, everybody.

13 CHAIR POCIASK: If that's it, well,
14 thank you very much.

15 All right.

16 MS. HONE: Thank you.

17 CHAIR POCIASK: Thank you.

18 So let's move on, we have a second
19 issue here. And this goes right to the heart of
20 the robo call blocking. We have Karen.

21 MS. SCHROEDER: Hi, I'm Karen
22 Schroeder, I'm with the Consumer Policy Division

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1 within the Consumer and Governmental Affairs
2 Bureau here at the FCC.

3 I need to start out by saying my
4 comments are my own and not binding on the FCC.
5 However, I am here representing the FCC.

6 I'm about to tell you about an item
7 that's going to be voted on in this Thursday's
8 Commission meeting. As such, we are in the
9 Sunshine period for that item, which means that
10 I can't take questions and I can't take comments
11 on the item. We're supposed to have silence on
12 it until the meeting on Thursday.

13 I can, however, describe the item to
14 you and give you some background on what led up
15 to it, and that's about all I can do today.

16 So let's start with the background.
17 As you know, stopping illegal robo calls to
18 consumers is the Commission's top consumer
19 protection priority. Each year, we receive and
20 analyze hundreds of thousands of complaints about
21 unwanted calls, including illegal calls. And
22 this is a problem that many concerned groups are

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1 working on, government, industry, consumers,
2 states, Congress. I think everyone's been very
3 vocal on this matter and have been making some
4 good progress.

5 The Commission has been active on
6 multiple fronts to protect consumers from
7 unlawful robo calls, and I'm going to go through
8 a couple of the things that have been done to
9 date before getting into this item that will be
10 considered on Thursday.

11 So from the enforcement perspective,
12 from 2010 to 2018, we've taken enforcement
13 actions involving proposed or imposed monetary
14 forfeitures totaling nearly \$246 million,
15 including the Abramovich case which I'm sure many
16 of you have heard of, and if you haven't that's
17 worth Googling.

18 We have had many educational outreach
19 initiatives. Have you heard of the one ring scam?
20 Has everyone heard of that?

21 If you haven't, please be aware of it
22 and tell your friends and family. We issued an

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1 advisory in early May about this warning
2 consumers to not call back if you start getting
3 a call where your phone rings once and then the
4 caller hangs up. You're going to be hit with some
5 pretty heavy charges if you call that number
6 back. So beware of the one ring scam.

7 We also have outreach, we have a
8 website devoted to robo call and spoofing issues,
9 which describe our actions and provide consumer
10 tips on how to deal with these robo calls.

11 Our staff frequently participate in
12 webinars, tele-town halls, and panel discussions
13 to provide the public with information about robo
14 calls.

15 We target the most vulnerable
16 populations. We work with AARP and go to senior
17 centers and local libraries to try to really get
18 the word out.

19 And all of our web and printed
20 educational materials are made available in
21 multiple languages.

22 We also work with industry in many

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1 ways, as many of you know. We have supported and
2 strongly encourage the development of the caller
3 ID authentication standard, SHAKEN/STIR that you
4 just heard about.

5 I won't go into that, except to make
6 sure that you were told that they were going to
7 have a summit on that in July on SHAKEN/STIR here
8 at the FCC.

9 Industry has also been instrumental in
10 trace back, which allows enforcement to more
11 easily follow a call back through the network to
12 its source. We appreciate industry's cooperation
13 with that.

14 And industry has also been
15 instrumental in developing call blocking
16 technology, which has been in many ways very
17 successful.

18 So what have we done here at the FCC?
19 Well, in March of 2018 -- well, actually, sorry,
20 let me get back --

21 The Courts have been active in this,
22 too. And the D.C. Circuit in March of 2018 issued

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1 a decision in the ACA international case
2 returning several key TCPA issues to the
3 Commission, including the definition of auto
4 dialer, reassigned number calls, revocation of
5 consent, and calls by federal government
6 entities. Those issues remain pending before the
7 Commission.

8 So here is what the Commission has
9 done. In December of 2018, we authorized
10 creation of a reassigned numbers database which
11 should help reduce unwanted but otherwise
12 legitimate calls to consumers.

13 I think you know the issue there that
14 someone gives up their phone number. A new person
15 gets that phone number. But the prior party had
16 signed up for all kinds of alerts, and now this
17 person who did not consent is receiving them.

18 This would give the calling parties a
19 repository that they could check and see if that
20 number has been reassigned before they make the
21 call, giving them a fighting chance at getting
22 and knowing that information.

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1 We're working diligently to establish
2 the database.

3 In November of 2017, the FCC
4 authorized voice service providers to block
5 certain calls on the network. First calls where
6 the subscriber to the phone number requested that
7 the call spoofing that number be blocked. That
8 only works with numbers that don't make outgoing
9 calls like the IRS 800 number that only receives
10 calls. No call should be from that number since
11 they don't make calls. So voice service
12 providers can just block anything that claims to
13 be from that number. That's called do not
14 originate.

15 We also authorized blocking of spoofed
16 phone numbers that could not be legitimate
17 because it's either an invalid number, an
18 unallocated number, or an unused or unassigned
19 number.

20 So, this new item follows from that.
21 While that 2017 call blocking report and order
22 took important steps toward ending the scourge of

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1 robo calls, it did not address instances where
2 fraudsters or other illegal callers spoof
3 legitimate in-service numbers or where they don't
4 spoof the caller ID at all.

5 And so, this Thursday, the Commission
6 will consider a declaratory ruling and third
7 further notice of proposed rulemaking that
8 empowers providers to block these types of calls
9 as the default before they even reach consumers
10 phones.

11 With this step, the Commission
12 continues its multi-pronged strategy to curb
13 illegal robo calls.

14 So, what I'm about to describe is the
15 item as it has been circulated. It may change
16 before it's actually voted.

17 So, the item is in two parts. And,
18 let me start with the declaratory ruling part.

19 A declaratory ruling clarifies
20 existing law, including FCC rules. It does not
21 make new rules. And, it's effective upon
22 release.

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1 So, here, we clarify the voice service
2 providers may, as the default, block calls based
3 on call analytics that target unwanted calls as
4 long as their customers are informed and have the
5 opportunity to opt out of the blocking if they so
6 wish.

7 We clarify that voice service
8 providers may also offer customers the option to
9 block calls from any number that does not appear
10 on a customer's white list, which could be the
11 contact list on their cell phone.

12 So, let me talk a little bit about
13 what the blocking options are before this goes
14 into effect.

15 So, voice service providers are --
16 many of them are offering call blocking programs
17 now. But it's usually opt in. The consumer needs
18 to affirmatively ask for it.

19 And, have you heard the term consumer
20 inertia? Definitely going to use that when I've
21 been putting off doing something in the future.

22 It means that consumers who might

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1 otherwise want to have these calls blocked, may
2 be slow to opt in to something where they have to
3 take an affirming action.

4 And, convincing consumers to sign up
5 for something can be costly, especially for
6 smaller providers.

7 So, what this declaratory ruling does,
8 it allows voice service providers to, in effect,
9 sign everybody up for these existing options. It
10 allows them to offer opt out call blocking, but
11 they have to give consumers the information so
12 that they are making an informed choice.

13 They need to give consumers enough
14 information to make an informed choice about
15 whether they want to stay in the program or opt
16 out.

17 Second, the draft clarifies that voice
18 service providers may offer this opt out call
19 blocking program based on reasonable analytics
20 designed to identify unwanted calls.

21 So, they could block calls based on a
22 combination of factors such as a large burst of

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1 calls in a short time frame, low average call
2 duration, low call completion rates, invalid
3 numbers placing a large volume of calls, common
4 caller ID name values across voice service
5 providers, a large volume of complaints about a
6 specific calling line, sequential dialing
7 patterns, neighbor spoofing patterns, there are
8 many different analytics that could be used that
9 would reasonably identify these unwanted calls.

10 The draft also reaffirms the
11 Commission's commitment to safeguarding calls
12 from emergency numbers. Voice service providers
13 should not block calls from public safety
14 entities, including PSAPs, emergency operation
15 centers or law enforcement agencies.

16 The draft also reaffirms the
17 Commission's commitment to safeguarding calls to
18 rural areas that should not get in the way of
19 rural call completion.

20 The draft suggests that the benefit to
21 consumers of these opt out blocking services
22 which could potentially block billions of illegal

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1 or unwanted calls will exceed any costs involved.

2 They may yield an over reduction in
3 costs incurred by voice service providers since
4 there will be fewer illegal and unwanted calls
5 consuming the network capacity and fewer
6 complaints to respond to.

7 The second piece of the declaratory
8 ruling is the white list blocking piece. White
9 list blocking stops unwanted calls before the
10 calls reach the consumer's phone based on the
11 consumer's contact list or white list.

12 It provides an added level of
13 protection from unwanted calls and the
14 frustrations that go along with this.

15 It requires the consumer to specify
16 the telephone numbers from which they wish to
17 receive calls and it must be made very, very clear
18 to them that they will not receive calls that are
19 not from that number.

20 We could see this being of value for
21 perhaps an elderly relative who has been bilked
22 by scammers in the past where they want to have

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1 a phone where friends, neighbors, family, and
2 trusted doctors and pharmacists can reach them
3 but really want to have a lock down on the number
4 of calls that come in.

5 Consumers need to understand that they
6 are disclosing their phone number to their voice
7 service provider if they opt in to this and they
8 need to understand that any wanted calls that
9 aren't on that list are not coming through. It's
10 a very severe form of blocking.

11 So, that's the declaratory ruling.
12 That's clarifying there are existing rules allow
13 for these kinds of things and encouraging
14 providers to offer them.

15 The second piece of this is a third
16 further notice of proposed rulemaking.

17 So, this is the rulemaking portion of
18 the item and these are proposed rules and
19 associated requests for information. They are
20 not rules that the Commission is voting on at
21 this time, it's not an order and they would not
22 take effect after. The Commission would need to

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1 take further action for these to become rules.

2 Here, we propose to create a safe
3 harbor for voice service providers that block
4 calls for which caller ID authentication fails.
5 And, we seek comment on extending the safe harbor
6 to blocking of calls that are unsigned.

7 We propose to require voice service
8 providers that block calls to ensure that
9 emergency calls reach consumers. And, we seek
10 comment on protections and remedies for callers
11 whose calls are erroneously blocked.

12 So, let's start with the safe harbor.
13 The draft further notice of proposed Rulemaking
14 proposes a safe harbor for voice service
15 providers that offer call blocking programs that
16 take into account whether a call has been
17 properly authenticated under SHAKEN/STIR and may
18 potentially be spoofed.

19 The draft suggests that
20 authentication, among its many benefits, will
21 provide a strong basis for call blocking. This
22 ties back into your SHAKEN/STIR overview before

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1 I was here.

2 So, first the draft proposed a safe
3 harbor for voice service providers that choose to
4 block calls or a subset of calls that fail the
5 caller ID authentication under the SHAKEN/STIR
6 framework.

7 And second, the draft seeks comment on
8 whether the Commission should create a safe
9 harbor for blocking unsigned calls from
10 particular categories of voice service providers
11 such as perhaps large service providers that are
12 expected to have implemented SHAKEN/STIR or
13 providers that do not participate in trace back
14 or providers that are known to facilitate large
15 volumes of illegal calls.

16 And, again, we're just seeking comment
17 at this point.

18 The next piece of the further notice
19 of proposed rulemaking would give protection --
20 is asks -- seeks comment on protection for
21 critical calls.

22 So, certain emergency calls should

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1 just never be blocked. And, accordingly, the
2 draft further notice considers requiring any
3 voice service provider that offers call blocking
4 to maintain something called a critical calls
5 list. And, that's a list of numbers that should
6 just never be blocked.

7 It could include outbound numbers of
8 911 call centers, government emergency outbound
9 numbers, numbers that we believe all consumers
10 would want to make sure that those numbers are
11 not blocked.

12 The prohibition on call blocking would
13 only apply -- we are asking if the prohibition on
14 call blocking should apply to authenticated calls
15 only.

16 So, the draft item seeks comment on,
17 first, whether such a list would be beneficial?
18 What numbers should be included? How it should
19 be administered and protected from abuse? And,
20 whether critical call list protection should be
21 limited only to those calls for which the caller
22 ID is authenticated?

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1 The Commission has emphasized
2 repeatedly that voice service providers should
3 not block emergency calls. And, the Commission's
4 rules prohibit voice service providers from
5 blocking emergency calls to 911.

6 The draft seeks comment on the extent
7 to which these emergency numbers have received
8 calls with a spoofed caller ID reporting false
9 emergencies, if that is a problem we should take
10 into consideration.

11 The draft item also seeks comment on
12 protections and remedies for legitimate callers
13 whose calls are blocked.

14 So, we know that the CAC has a great
15 interest in helping us with our work on robo calls
16 and has been very helpful in the past. So, we
17 look forward to working with you as we move
18 forward with this item.

19 The public version of the FNPRM calls
20 for comments 30 days after publication in the
21 Federal Register and reply comments 60 days from
22 publication in the Federal Register.

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1 We believe the clarification and the
2 draft declaratory ruling and the proposals on the
3 further notice will help us take an additional
4 step forward in protecting consumers from
5 unwanted and unlawful robo calls.

6 Thank you. I'm sorry I can't take
7 your questions.

8 CHAIR POCIASK: Thanks, Karen.

9 All right, okay, so, that is our
10 second item.

11 So, one more issue we want to talk
12 about today is consumer education on TV
13 broadcaster relocation.

14 For that, Jean Kiddoo.

15 (OFF MICROPHONE COMMENTS)

16 MS. KIDDOO: So, I know it's been a
17 long morning, you've had lots of speakers and I
18 know I'm sort of standing between you guys and
19 lunch, so I'll try to make this short and also a
20 little bit snappy. We have visual aids, so that's
21 a good thing, something to look at and actually
22 touch and feel.

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1 I was here almost exactly a year ago
2 talking about the incentive auction and what we
3 were planning. Interestingly, at that session,
4 Bohdan Zachary was a presenter talking about the
5 experience that his TV station had had with the
6 transition that it made to a new frequency and
7 the consumer impact of that and the kinds of
8 things his station did.

9 We learned a lot from that and we have
10 incorporated a lot of that into our efforts on
11 consumer outreach which I want to talk to you
12 today.

13 At the time last year, the RAY BAUM'S
14 Act had only recently been enacted, so we were
15 scrambling to make use of the funding that it
16 made available to us and to plan lots of different
17 consumer activities that we hadn't had the
18 resources to do.

19 We had already been doing a lot. We
20 had done lots of stuff on our website. We had
21 community partner efforts that our Consumer and
22 Governmental Affairs folks were doing.

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1 But we are now doing lots more so I'm
2 real pleased to be here to tell you about that.

3 But, first, a little reminder on what
4 the auction was all about and why we're doing all
5 of this.

6 The incentive auction, for those of
7 you who may not remember or know, was held to
8 repurpose TV broadcast spectrum for wireless
9 uses. And, we made 84 megahertz, a very valuable
10 600 megahertz spectrum available to wireless
11 carriers in our auction.

12 To do that and to clear that spectrum
13 for those uses, we are needing to reorganize TV
14 station frequencies into a smaller, more
15 efficient, compacted TV band for them. And, we
16 call that repacking, because we're packing them
17 in more tightly into a smaller TV band.

18 We're doing that. The auction closed,
19 believe it or not, two years ago. And, we have
20 started a ten-phase process that is a very
21 choreographed process where stations are moving
22 to new channels in very specific time frames. We

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1 have assigned each channel to a specific one of
2 ten phases. And, that process is underway.

3 Currently, we're in phase three. That
4 phase ends on June 21 and we'll move on to phase
5 four.

6 And, to date, over 261 TV stations
7 have already transitioned to their new reassigned
8 channel. That doesn't include all of the channel
9 sharing stations who were auction winners. I
10 think, Bohdan, your station was an auction
11 winner, and move frequencies to share with
12 another station and there are at least a hundred
13 if not more channel sharers as well as these 261
14 repacked stations.

15 So, a lot of consumers have already
16 seen in their markets, TV stations who have moved
17 frequencies and, if they watch over the air
18 television with an antenna, either on their
19 rooftop or indoor antenna, they've had to rescan
20 their TVs to be able to find their channels on
21 their new frequencies.

22 And, the -- so the impact on consumers

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1 is, as I said, if a consumer watches over the air
2 free TV with an antenna, they will need to rescan
3 their TV to reach that -- their local stations
4 who are transitioning.

5 Stations who are -- consumers who are
6 cable subscribers or satellite provider
7 subscribers are not affected. Those providers
8 are taking care of the changes in their networks.
9 So, while they will see announcements from their
10 TV stations on screen, because TV station goes to
11 all viewers, not just the over the air ones, they
12 won't have to do anything to take action.

13 Stations notify their viewers at least
14 30 days in advance of their rescan day. The
15 particular day during our transition, we give
16 them a window during which they need to make the
17 change and vacate their -- they can test and
18 vacate their pre-auction channel.

19 But the station itself decides what
20 the day is in particular that they will rescan --
21 or the rescans have to take place. And, they are
22 doing a good job. The stations are reports from

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1 consumers and from stations and others is that
2 stations are really going above and beyond our
3 minimum rules.

4 We require 30 days, many stations are
5 doing more than that. They're doing a lot more
6 than the minimum number of notices as well.

7 It's important to the stations that
8 their viewers find them and be able to see them
9 once the transition is made.

10 Rescanning, what is it? It's not a
11 complicated process. It's the same process that
12 viewers had to do when they set up their TV to
13 get over the air channels in the first place.

14 You basically take your remote
15 control. You go to the menu button, you do a
16 channel search or an auto-scan. The only
17 complicated thing here is that each manufacturer
18 uses a different word to describe it. So, it's
19 very hard for us to give specific instructions.

20 But you go to your auto-scan or auto-
21 tune or channel search button, you push that, and
22 the TV will scroll through the airwaves and find

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1 all of the channels that it can pull in.

2 Importantly, from a consumer
3 perspective, the channel that the viewer sees in
4 not changing. The channel will stay the same.

5 What's happening is the background.
6 The TV just needs to know that when you tune to
7 channel four, the TV has to go to a different
8 place in the airwaves to find that channel. But
9 the viewer will see it as channel four or whatever
10 channel they're used to seeing. So, we've done
11 that.

12 So, what have we done since I saw you
13 guys last?

14 As I said, RAY BAUM'S Act which we
15 like to call in the incentive auction context,
16 the Reimbursement Expansion Act, provided
17 consumer education funding.

18 It enabled us to augment our ongoing
19 efforts to provide more resources and to leverage
20 our relationships with community based
21 organizations.

22 And, we were able to hire a public

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1 relations firm to make sure our messaging reached
2 as many consumers as possible with messages that
3 those consumers would understand and be able to
4 take action based upon -- the firm, if you're
5 interested, is Porter Novelli, and they've been
6 very, very helpful to us in terms, as you'll see
7 in minute, Chaz is going to show you some of the
8 things that we've been disseminating.

9 And, I think we're really reaching
10 quite a few.

11 So, our goal is really to augment what
12 broadcasters are already doing. We did some
13 research with consumers. It was pretty clear
14 that consumers were hearing, they were aware that
15 there were changes coming.

16 The stations were doing a good job
17 making them aware.

18 So, what we've kind of focused on is
19 ways to (a) make sure that that is the case and
20 we are doing things after a station testing
21 period is over so that in case a consumer missed
22 the station announcements and forgot, if they

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1 noticed a channel is missing, we're there to try
2 to tell them what they need to do to find that
3 channel again.

4 But we're also wanted to make sure
5 that there is help available to consumers who
6 might need more help in finding how to rescan or
7 knowing what to do.

8 So, we basically are focusing on both
9 awareness and then on online and live resources
10 for consumers to make sure that they have the
11 tools they need to find their channels.

12 What kinds of things do we have? We
13 have our website and we've been able to augment
14 that. The website which I would recommend to you
15 to take a look at is www.fcc.gov/tvrescan.

16 And, that landing page includes links
17 to tutorials on how to rescan, a little bit --
18 some information on TV antennas, an interactive
19 map where you can put your local address or ZIP
20 Code in, see all the stations that an antenna
21 should be able to pull up for you in that
22 location.

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1 And, what the timing is, if (a) it'll
2 tell you if the station is a rescan, repack
3 station, and (b) what the time frame is you should
4 be looking for announcements to know what the
5 rescan day will be.

6 It also has other information, you
7 know, frequently asked questions and various
8 other kinds of things in not only English and
9 Spanish, but also Chinese, Vietnamese, Korean and
10 Tagalog.

11 We also have set up through a third-
12 party contractor a dedicated consumer call center
13 with live representatives who can help in English
14 and Spanish. It's open from 8:00 a.m. until 1:00
15 a.m. Eastern Time which means that consumers on
16 all coasts throughout the country can reach a
17 live person during TV viewing hours.

18 So, we didn't want it to just sort of
19 9:00 to 5:00 Eastern Time, weekdays. It's seven
20 days a week, long hours so that basically a
21 consumer, if you're watching a prime time TV
22 show, you can -- and you're having -- and you

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1 can't find it and it's gone, that channel seems
2 to be gone, you have somebody you can call and
3 find it.

4 We're also doing a significant
5 consumer education campaign through online and
6 other media channels. We're doing paid media.
7 We've got banner ads, online search, social
8 media, newspaper, radio ads, digital radio, and
9 podcasts, just to name a few.

10 Lots of different channels. We're
11 finding they are very, very successful, I'll give
12 you some stats in a minute. But we are getting
13 lots and lots of hits on our website through these
14 different channels and consumers are really
15 obviously being able to find us and find the
16 information.

17 Interestingly enough, I think that
18 they're getting a lot of information from our
19 website and we haven't seen as much activity at
20 the call center as I thought we would. I think
21 the online help is working.

22 And, you know, we don't see a whole

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1 lot of pick up at the end of each phase. We do
2 see a spike in our call center as people have
3 channels that have disappeared. We do see spikes
4 in each phase. But really, our online hits are
5 significant.

6 So, the stats, basically, we've done
7 in our first two phases, 54 radio interviews
8 nationwide. We're trying to geotarget these
9 activities to the geographic areas where the
10 phases are taking place.

11 So, in Washington, we haven't seen any
12 yet because we haven't had any stations who have
13 transitioned. So, if you want -- if you see all
14 these things and you go, wait a minute, we haven't
15 seen anything.

16 Well, that's because we haven't wasted
17 our money on educating consumers too soon in
18 Washington. We don't want them to worry about
19 having to rescan and then rescan and not really
20 think that they need to do anything later. They
21 do.

22 When a station moves, they will need

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1 to take action. They need to pay attention.

2 And, we will have some in phase four.
3 So, starting June 21st through August 2nd, we'll
4 have phase fours testing period and there are a
5 number of Washington, D.C. stations. So,
6 hopefully, those of you who are local will start
7 seeing those.

8 But our 54 radio interviews in the
9 markets for phase one and phase two, we're at 732
10 radio outlets. We targeted a lot of rural and
11 hard to reach areas in particular. And, the
12 estimated audience was nearly at 1.5 million
13 listeners.

14 We also saw that those radio stations,
15 a lot of them, put information up on their own
16 websites. We provided some information for them
17 and they put it up. So, we're reaching through
18 sort of secondary online resources, you know, on
19 those station websites.

20 Our website visits on
21 fcc.gov/tvrescan, we've had 470,000 in the first
22 two phases in English and 80,000 in Spanish.

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1 That's a lot, a lot more than we were getting
2 last fall.

3 And then, I was not familiar with
4 this, online advertising term, but we've had over
5 74 million impressions, meaning that, 74 million
6 viewers online had an opportunity to see our
7 information in their Facebook feed, in a banner
8 ad, something, it managed to hit 74 million
9 people.

10 And, that was just in the geographic
11 markets again, which are phase one and phase two.
12 So, we really managing to really to try to
13 leverage ourselves into as many eyeballs as we
14 possibly can so people will be aware of what to
15 do and know what to do if they need some help.

16 So, having said all of that, I'm happy
17 to have some questions, but Chaz will show you a
18 couple of show and tell things about the types of
19 advertising that we're doing.

20 MR. EBERLE: Thank you.

21 And, so, yes, I'll walk you through,
22 we just put together some examples of the work

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1 that Porter Novelli with our input has put
2 together.

3 I'll also note that we brought up
4 here, we've developed some hard copy materials as
5 part of our consumer education tool kit that's a
6 tool that's primarily being used by CGB and their
7 staff as they head out on road trips and other
8 consumer education events across the country.

9 They -- the full package that includes
10 a few more documents comes together in a folder
11 that they distribute to kind of what we loosely
12 term community leaders and others in positions of
13 influence to advise the target audiences.

14 And then, we also have individual
15 documents that are leave-behinds for places like
16 libraries, community centers, where people might
17 come looking for information on the broadcast
18 transition.

19 So, up on the screen, you'll see
20 examples, I'll walk through several things here
21 of the various materials that Porter has put
22 together.

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1 First off, the banner ads which, of
2 interest to us, have driven by far the most
3 traffic to our website. All of the different
4 tools we developed, we sort of rolled out in
5 phases just kind of by nature the way it was
6 developed.

7 The first thing we went up with was
8 paid search so that when you just, you know,
9 entered in Google or Bing rescan my TV, FCC
10 rescan, things like that, our search result was
11 elevated to the top.

12 Then social media, Facebook,
13 Instagram came after that.

14 And then, banner ads. And, we could
15 see in our weekly output that people clicking
16 through on the banner ads which would just appear
17 on a regular website you visit if you're in one
18 of the geographically targeted areas, drove by a
19 comfortable margin the most traffic, which was
20 interesting.

21 And, you see, we -- everything has
22 been in both English and Spanish. We work shopped

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1 several creative concepts with our PR firm. But
2 you see the first, missing something? Using a TV
3 antenna and then the missing something in Spanish
4 as well.

5 And, these are, if you can imagine the
6 banner on the sides of your screen, these would
7 appear in three, you know, three screens, kind of
8 a real live play or the ad would autoplay.

9 And, we found consumers are noticing
10 these, clicking on them, and then, you know, as
11 many of you may know from your own work, all the
12 statistics we get about how long they spend on
13 the website, bounce rate, things like that.

14 They do appear to be effectively
15 directing consumers and answering their questions
16 about the broadcast transition.

17 The next batch, similarly, you'll --
18 as Jean mentioned, phase four is the first phase
19 that will impact the D.C. region. So, you could
20 very well begin to see these in your Facebook
21 feeds and Instagram feeds in the coming months
22 after June 21st when we get into phase four.

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1 Similarly, here, you can see what a
2 Facebook ad looks like, disappearing channels,
3 question mark. And then, a brief explanation and
4 clicking through on any of these, I should say,
5 by the way, takes the -- takes you to the
6 fcc.gov/tvrescan which is our central landing
7 page which has basics about the broadcast
8 transition, FAQs, the video which we'll show you
9 at the end of this presentation, and numerous
10 links to other resources, but it's our one
11 central landing page where all of these will take
12 you. So, those are Facebook and Instagram ads.

13 Also, our friends in OMR have been
14 working with us and promoting us steadily on --
15 through the Commission's Twitter feed.

16 I'm not recalling off the top of my
17 head, but far more tweets than I realized,
18 dozens, dozens have gone out. Always something
19 along this line, remember to rescan. Have you
20 noticed channels missing? Sort of incorporating
21 our message.

22 And, each time they report we do get

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1 a decent number of click-throughs from the
2 Commission's Twitter account and it's also being
3 promoted for those who follow the Commission on
4 Facebook and the like. It's truly blanketing all
5 our online and social outlets.

6 Another feature of the work that
7 Porter Novelli did for us, and this was of
8 particular use for our -- from the get-go, we
9 talked about harder to target populations, those
10 populations that were really our focus for the
11 messaging about the broadcast transition.

12 And, there was an emphasis on senior
13 citizens, rural, low income, and non-English
14 speaking communities.

15 These feature articles we're looking
16 at here have been a particular focus in rural and
17 non-English speaking or English second language
18 communities.

19 These are effectively sort of pre-
20 written features called a map release that Porter
21 Novelli goes out and pitches to media outlets
22 with a particular focus in these on small town,

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1 rural outlets, you know, the relative bang for
2 your buck and everything you get by placing like
3 something like this in the Los Angeles Times or
4 The Washington Post, minimal compared to, you
5 know, your smaller town local newspapers which
6 also get a lot more of our target eyeballs, rural
7 residents, seniors, things like that.

8 So, we've had good success placing
9 these in newspapers across the country, again,
10 targeted towards phase one and two and on a
11 rolling basis, we'll continue targeting through
12 the end of phase ten.

13 Similarly, so those and on more of
14 what we refer to as the earned media front, we've
15 also gone out and pitched local media outlets,
16 you know, explaining to them what the transition
17 is.

18 Would you like, you know, this is
19 something you'd want to write a story on? We can
20 make people available, provide you with
21 information. And, we've seen a decent amount of
22 up-tick, you see here, Green Bay, Huron, and El

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1 Mundo as well. A decent amount of earned media
2 in both print and on radio running brief stories
3 about the transition to inform consumer who may
4 not otherwise -- who may not see other messages.

5 So, our attitude from the get-go has
6 been a real blanket approach. The stations are
7 putting up their own notices as required by the
8 Act.

9 We are online, in print, on radio,
10 making sure that as few as possible hopefully
11 know viewers in a given market do not learn about
12 it all and find their tails just go missing.

13 MS. KIDDOO: So, thank you, Chaz.

14 So, the things that we passed around
15 are -- they're printed in our print center
16 downstairs. We are having -- they are in the
17 process of being professionally printed, but we
18 wanted to give you some examples of the kinds of
19 things that we are making available to community
20 partners, consumer groups, senior community
21 centers, library groups, other people to have and
22 be able to hand out to their constituents

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1 locally.

2 So, we're making -- we're doing those
3 a concerted effort to reach out to those kinds of
4 community partners to help get the message out to
5 their own constituents.

6 As Chaz said, you know, we really
7 identified sort of senior citizens, lower income
8 folks, rural folks who depend on -- more on over
9 the air TV than some others. And, we want to make
10 sure we -- and may not be as sophisticated at
11 rescanning and knowing how to do these things as
12 otherwise other groups.

13 And so, we're trying to target them
14 and find ways to reach them.

15 I would also say that -- so, the other
16 thing is, that the radio tour, so the radio ads
17 that we'll do for phase three, we're doing the
18 week after the end of that phase so that we're
19 trying to catch the people who didn't hear the
20 message and who didn't rescan so that they know
21 that if they're trying to tune to their -- keep
22 using channel four -- channel five, they're

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1 trying to tune to channel five and they can't
2 find it, they're used to seeing it, they hear a
3 message that says, oh, that might be it, here's
4 where I get help. Here's what I'll Google.
5 Here's how I'll do it.

6 So, we're trying to try to do things
7 that the broadcasters can't do. But the National
8 Association of Broadcasters does have a terrific
9 website also with lots of information. It's
10 tvanswers.org. And, that's another one which I
11 think consumers are really finding and getting to
12 and getting a lot of information from.

13 So, we're please and we've been
14 working very closely to make sure that our
15 messaging is consistent so consumers are hearing
16 consistent terminology.

17 For example, there are things that are
18 difficult about this process, explaining, as I
19 said, channel numbers aren't changing, so we
20 can't say, if you, you know, you need to change
21 channels, because that actually confuses
22 consumers as opposed to help them.

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1 But we have -- so, we have to use this
2 word that we typically wouldn't use in a consumer
3 friendly way which is frequencies. So, we're
4 trying to deal with kind of having to deal with
5 a technical description of a challenge in ways
6 that consumers can understand.

7 So, we're being very careful about
8 sort of using the same terminology as NAB and so
9 that we can kind of be consistent and try not to
10 confuse folks.

11 So, if you hear things about
12 frequencies, it's not because we're just spectrum
13 geeks here at the FCC, it was actually
14 intentional. We actually chose that word because
15 it's really, we want to emphasize to consumers
16 that their channels aren't changing, that this is
17 all just something that's happening behind the
18 scenes in the TV. Their TV just needs to be
19 rebooted essentially to find the stations that
20 they're used to.

21 So, that's what we're all about.
22 We've done a lot since we were here last year.

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1 And, I dare say by next year, we're going to be
2 telling you we're on the home stretch on
3 consumers.

4 We have not heard a huge consumer
5 outcry about this, which is terrific. It has not
6 been something that consumers are letting us know
7 that they're having trouble with.

8 CHAIR POCIASK: Video?

9 MS. KIDDOO: Oh, and so, we leave you
10 with a video that we put up which actually is --
11 actually it had gotten the most congratulatory
12 comments in terms of trying to take a complicated
13 explanation and make it relatively
14 comprehensible.

15 So, if we can run that, Chaz?

16 (Video played)

17 MR. EBERLE: We'll also have that --
18 that video will be up in Spanish as well.

19 MS. KIDDOO: That's right. So, any
20 questions?

21 MR. EBERLE: Shortly, if not already.

22 MS. KIDDOO: So, do we have time?

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1 CHAIR POCIASK: Yes, yes, we have
2 time.

3 MEMBER KAMPIS: I'm just curious, when
4 all is said and done, how many TV stations will
5 have to repack?

6 MS. KIDDOO: It's about -- well, not
7 about, it's 987. About half the stations
8 nationwide are changing. So, it's quite a few.

9 CHAIR POCIASK: It's a big task.

10 MS. KIDDOO: Yes. But, and it's not
11 the DTV transition. DTV ten years ago was one
12 day, one-size-fits-all, everybody had to do it.

13 This is different times, multiple
14 times, in different markets. It's not
15 geographically, you know, we're not doing the
16 Northeast and then the Southeast. It's kind of,
17 because of interference constraints, it has to be
18 the way it is.

19 So, it's more challenging that way.
20 The good news is that consumers don't have to go
21 out and buy a converter box. So, that is very
22 good news. And, typically, there's a handful of

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1 folks who need a new antenna if you have a station
2 who's going from UHF to VHF.

3 Bohdan's nodding his head yes. That
4 was a challenge in his particular case because
5 there are antennas out there that are UHF only
6 and if you go to VHF, your antenna's not going to
7 work. But, for the most part, that's
8 unfortunately a small fraction of stations doing
9 that and with that antenna.

10 For the most part, it is a simple
11 rescan. And, consumers are apparently able to
12 hear the message and are taking action.

13 CHAIR POCIASK: Any other questions?

14 (NO RESPONSE)

15 CHAIR POCIASK: Anyone on the phone
16 with questions?

17 MEMBER DAY: Not at this time, thank
18 you.

19 CHAIR POCIASK: Okay. Well, I mean,
20 thanks so much both of you. I really appreciate
21 it. I mean, it just seems like there's a lot of
22 hard work going on and diligence by the FCC and

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1 the broadcasters right now. And, just thank you
2 all for doing that.

3 MS. KIDDOO: Thank you.

4 You know, it's important. I mean,
5 it's very important. As I said, the stations are
6 doing a great job because they don't want to lose
7 the viewers that they have.

8 And, more and more people, it's a
9 number that's going up, people are watching over
10 the air TV with antennas. All the cord cutters
11 are finding that they can get local news and local
12 emergency alerts and other things on TV stations
13 for free with an antenna and they're actually on
14 the up-tick.

15 So we --

16 MEMBER ROOKER: What percentage are
17 people --

18 MS. KIDDOO: That's a good -- Nielsen,
19 I think, says it's somewhere between, you know,
20 12 and 20 percent.

21 MEMBER ROOKER: That's a pretty high
22 number.

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1 MS. KIDDOO: It's a high number and I
2 think it varies per market. In some markets it's
3 higher. But it's a lot.

4 MEMBER ZACHARY: If I could just add
5 on to that. In Milwaukee, it's closer to 30
6 percent.

7 CHAIR POCIASK: I think it may have
8 gone up. I'm just wondering because of the over
9 the air?

10 MS. KIDDOO: Yes.

11 CHAIR POCIASK: So, people are -- some
12 are disconnecting and so they want to have a
13 little bit of both.

14 MS. KIDDOO: Right. It's a free
15 service, it gets important local news, local, you
16 know, local emergency alerts and other things.

17 CHAIR POCIASK: Yes, I meant over the
18 top.

19 MEMBER ROOKER: And TVs are cheap.

20 MS. KIDDOO: Yes, you can do -- and
21 it's HD, it's HD quality so I think you're seeing
22 more. I think a lot of Millennial that I've

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1 talked to, some of the people who I've done the
2 radio interviews and some of the interviewers are
3 like, I didn't know you could do that. Yes, you
4 can.

5 And, they're all -- and I say, do you
6 watch over the air or you have cable? Oh no, I
7 cut the cord. I said, well, how do you get your
8 local news? And, they're like, huh? Don't know.

9 I said, well, you know, for \$35 you
10 can get an antenna. Anyway, but so they tend to
11 think of free -- one of the things we learned in
12 our -- we had some focus groups is that we started
13 about talking about free over the air TV, and we
14 thought free was something that would trigger in
15 consumer minds what the difference was between
16 that and paid TV.

17 Well, no, they -- because people
18 aren't used to the notion of, you know, free
19 versus paid. And, I think they were thinking free
20 was something that, you know, was like stealing
21 your parent's Netflix account number.

22 So, they think it's slight illegal to

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1 watch it, right? So, the Millennials don't want
2 to watch it because it's like not legal. It's
3 perfectly legal, it's perfectly free.

4 So, anyway, it's an interesting thing
5 to find out what consumers are thinking out there
6 and we're trying to address these things as we go
7 along. So, it's fun.

8 CHAIR POCIASK: Thank you.

9 MS. KIDDOO: Thank you.

10 CHAIR POCIASK: Okay, so I guess we
11 have one other item here we need to tackle is, is
12 sort of getting to the meat of all this on the
13 development of working groups and how
14 recommendations and those sorts of things work.

15 Just sort of as a quick overview and,
16 you know, Debra and Scott may want to chime in,
17 but in a very general sense, so we're starting
18 off with two working groups.

19 And then, what we'll do is we'll begin
20 developing the members of those working groups
21 and what they do is they work independently and
22 collect information and begin formulating ideas

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1 for recommendations.

2 And, if they choose to vote those out,
3 then they can come to the full CAC for
4 consideration and then where they'll be voted up
5 or down.

6 And, that's the very high level
7 process on how that's going to work.

8 If you remember earlier today, Paula,
9 the attorney over at the Office of General
10 Counsel, she spoke a little bit about how the
11 rules to some of these things work.

12 And, one of them was that you can't
13 have a working group that's bigger than half of
14 the CAC.

15 And so, with only two items, we'll
16 have to do a little tight rope here and so,
17 assuming that Debra and I operate here sort of,
18 you know, like an ex officio manner, through my
19 math, if we have 27 groups, we could put 12 on
20 one and 13 on the other with us out as just sort
21 of observers, if that works.

22 VICE CHAIR BERLYN: Ex officio

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1 whatever we call it.

2 CHAIR POCIASK: Right. And so, that's
3 one way to do it. So, what I was going to suggest
4 doing is I can send out an email and ask of you
5 which ones would like to -- ask to take, you know,
6 issue number one versus issue number two.

7 Or, if you're, you know, you're good
8 either way, then just indicate that because that
9 will allow me some flexibility to make sure that
10 I don't have force somebody from one group into
11 the other.

12 And, as a bonus, if you are flexible
13 as the next issues come up, I'll gladly put you
14 on the first one to decide that as a priority.

15 So, that's one way I think we might be
16 able to get ourselves operating in that manner.

17 And, so, the way things will probably
18 be working as differently than in the past is, in
19 the past, some of us would get together and we'd
20 come up with some ideas.

21 I think, one time, I chaired the IP
22 Technology Transition Working Group. And, we

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1 went on for a couple years and really didn't do
2 much. Right?

3 And so, instead of doing that, what we
4 want to do this year is sort at the direction and
5 approval of the Commission is to take issues that
6 they really want to have us look at.

7 So, there will be limited time. So,
8 some of these working groups may operate for two,
9 three, maybe a year, who knows, two, three
10 months. But I don't know, but they'll be quick.
11 It'll probably be longer than that, but there'll
12 be limited time and the topics in that sense will
13 be sort of limited as well.

14 So, that's kind of how we're going to
15 operate rather than establishing these groups
16 that will kind of just look for issues. We'll be
17 focused and targeted on specific issues.

18 Did I kind of capture that well?

19 VICE CHAIR BERLYN: Yes, I mean, so,
20 keep going.

21 CHAIR POCIASK: Okay. So, I mean,
22 that's pretty much, you know, what we're going to

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1 do.

2 And so, again, the working groups will
3 be limited time, they'll be issue specific. I'm
4 going to send out an email and I'll begin starting
5 with the groups that you want to be in.

6 VICE CHAIR BERLYN: So, do we know
7 what the issues are, Steve?

8 CHAIR POCIASK: The issues that are -
9 - would be the -- on the end of the day, we had
10 the call authentication issue.

11 VICE CHAIR BERLYN: Oh, so caller ID
12 authentication?

13 CHAIR POCIASK: Right. And, that's
14 more of an education angle.

15 And then, the second one is the robo
16 call blocking item. And, that one is I guess by
17 the time we get started, we'll have already had
18 the Commission meeting on that.

19 MR. MARSHALL: Assuming that that
20 passes, that's correct.

21 CHAIR POCIASK: Okay.

22 MEMBER ROOKER: Do you want to see a

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1 show of hands on which ones we're interested in
2 right now? There's only two of them. I mean, it
3 won't be the total membership, but I mean, you
4 could do that.

5 VICE CHAIR BERLYN: I think it might
6 be easier for us to just do it via email.

7 CHAIR POCIASK: Yes.

8 MR. MARSHALL: Yes.

9 VICE CHAIR BERLYN: Let people give a
10 -- so, I have a question, Steve.

11 CHAIR POCIASK: Yes?

12 VICE CHAIR BERLYN: So, is the idea to
13 actively come up with recommendations then, you
14 know, in these working groups, recommendation and
15 then, you know, if they're sort of, they have
16 shelf life and so, therefore, we're driving
17 towards a recommendation for each of these
18 working groups?

19 CHAIR POCIASK: Yes, or
20 recommendations, right.

21 VICE CHAIR BERLYN: Or
22 recommendations, therefore, you know, I mean,

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1 before we had working groups. We could float
2 around for a long time discussing them, coming up
3 with new --

4 CHAIR POCIASK: They were like
5 standing committees.

6 VICE CHAIR BERLYN: Right.

7 CHAIR POCIASK: Yes.

8 VICE CHAIR BERLYN: But here, we are
9 driven towards action towards a recommendation
10 and that's pretty much what we're driving toward?

11 CHAIR POCIASK: Right.

12 VICE CHAIR BERLYN: Okay.

13 CHAIR POCIASK: And, in the short
14 term, I guess we'll be looking for, and I'll talk
15 with you offline, too, but that what, you know,
16 the next issues will be.

17 MR. MARSHALL: Right.

18 CHAIR POCIASK: Or we'll be soliciting
19 ideas for those next issues?

20 MR. MARSHALL: Absolutely. And, we'll
21 have a handle on the timing issue, too, from
22 talking with Karen offline, the robo call

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1 blocking thing might be the one that you will
2 want to tackle first or respond to first.

3 I think she's thinking about they'd
4 like to have some kind of a reaction back from us
5 by our September meeting.

6 And, we're thinking about, by the way,
7 we'll talk about this more a bit later on, too,
8 is a September meeting and then a December
9 meeting.

10 And, Karen seemed to think that it
11 would be particularly useful to have something
12 back on the robo call blocking stuff by
13 September.

14 CHAIR POCIASK: Okay. And, that's
15 probably early September?

16 MR. MARSHALL: Early, mid-September.

17 CHAIR POCIASK: Early, mid, okay.

18 VICE CHAIR BERLYN: I think if you're
19 going to try and get recommendations, I wouldn't
20 drive us toward a heavy August work --

21 MR. MARSHALL: No.

22 VICE CHAIR BERLYN: -- point. So, you

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1 might want to --

2 MR. MARSHALL: That's always
3 problematic.

4 VICE CHAIR BERLYN: -- work a little
5 towards a meeting in September that's not early
6 September.

7 CHAIR POCIASK: Okay.

8 VICE CHAIR BERLYN: Because of that
9 reason.

10 So, I have a question. I mean, we've
11 got -- so, we've got these two working groups.
12 What's the process for the CAC, looking at issues
13 outside of these two issues?

14 So, if we have, you know, good
15 consumer issues that we want to push forward,
16 what do we do with those?

17 CHAIR POCIASK: I'll leave that to
18 you.

19 MR. MARSHALL: As we have done in the
20 past, we have always entertained suggestions on
21 issues. And, I see no reason why that couldn't
22 continue.

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1 Any issue ideas that anybody has
2 should really provide that info to Steve and
3 Debbie and I. And, then, we can take that
4 proposal up to management at the FCC and find out
5 whether or not the Chairman's Office feels it's
6 a good idea for us to use our Committee resources
7 on that particular topic.

8 And, that's pretty much the way it's
9 been previously. As Paula said, the DFO sets, as
10 the ultimately authority, that's me, on what the
11 agenda will be for this meeting, for example,
12 what will be considered, what won't be.

13 But, of course, I'm working at the
14 behest of the Chairman. It's not just what Scott
15 Marshall might be interested in, for example,
16 that we would be working on.

17 But, and that's the way it's been, you
18 know, from the get-go because that's part of the
19 FACA rules.

20 And, I think what we're doing now is
21 trying to make that clear, too, and is making
22 that clear -- the Chairman's Office is making

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1 that clear to all the Advisory Committees as this
2 is the way -- the best way to operate.

3 CHAIR POCIASK: But it sounds to me,
4 though, like then the other working groups, as
5 they're created, they really are to be short term
6 focused.

7 MR. MARSHALL: Yes, all of them are.

8 CHAIR POCIASK: So, we -- so that's
9 the mind set we have to have.

10 MR. MARSHALL: Yes.

11 CHAIR POCIASK: So, after we create
12 these first two, then maybe the next thing to do
13 is for me to go out and solicit through email
14 ideas for sort of what other short term projects
15 --

16 MR. MARSHALL: Sure, suggestions.

17 CHAIR POCIASK: -- things that have to
18 be dealt with right away and maybe we can begin,
19 you know, sort of see among ourselves which ones
20 are the -- pop up more frequently and begin maybe
21 circulating those and get back to you with one or
22 two ideas for additional working groups.

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1 MR. MARSHALL: Sure. And then, the
2 three of us will then take it to the FCC
3 management --

4 CHAIR POCIASK: Okay.

5 MR. MARSHALL: -- and get their
6 reaction and approval on whether we can include
7 that on a future agenda.

8 CHAIR POCIASK: Okay. Is there
9 something -- anything else that we're missing
10 from that?

11 By the way, since Catherine's in here,
12 I just want to recognize you for your help today.
13 Thank you so much --

14 MR. MARSHALL: Absolutely.

15 CHAIR POCIASK: -- for everything
16 you've done.

17 MR. MARSHALL: She does most of the
18 work around here. So, I'm very grateful, too.

19 CHAIR POCIASK: Catherine Langton.

20 MR. MARSHALL: Thanks, Catherine.

21 CHAIR POCIASK: So, does --

22 We have a question?

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1 MR. MARSHALL: Oh, we have a question,
2 okay, I was going to make a comment, too.

3 CHAIR POCIASK: You have to raise your
4 hand.

5 MEMBER GERST: Matt Gerst, CTIA.

6 So, a couple questions about the
7 working group. I think you said that we can't
8 have more people on the Committee than on the
9 working group, correct? So, we're going to have
10 to split up --

11 CHAIR POCIASK: No, on the -- you
12 can't have more -- it's the other way, on the
13 working group. So, you can't have a quorum
14 essentially.

15 MEMBER GERST: Right, right, okay.

16 So, just judging from the topics, my
17 expectation is that CTIA's member companies are
18 interested in both. So, is there -- so, two
19 questions.

20 One, is there a synopsis of what or
21 charter of what each subcommittee is expected to
22 work on that could be provided before you ask for

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1 who, you know, who wants to be on which
2 subcommittee?

3 Because it's a little hard to tell,
4 you know, if I have to choose -- if CTIA has to
5 choose between one, which one we have to choose.

6 CHAIR POCIASK: Yes.

7 MEMBER GERST: But an alternative
8 question is, if we have an alternate, can the
9 alternate serve on the subcommittee so you can
10 have the main person and then the alternate
11 serving on both?

12 CHAIR POCIASK: I think they can, just
13 not voting, no, right?

14 MR. MARSHALL: Yes, sure. Sure, one
15 vote, but sure, you can have --

16 CHAIR POCIASK: Yes, you can have an
17 alternate participant.

18 MR. MARSHALL: -- your alternate on
19 the other working group.

20 MEMBER ROOKER: If you have a voice in
21 the meetings?

22 CHAIR POCIASK: Right.

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1 VICE CHAIR BERLYN: And they can
2 participate.

3 MEMBER ROOKER: But not in the voting
4 in terms of anything that came out of that
5 meeting?

6 CHAIR POCIASK: Right. So, in other
7 words, you're right, have your alternate
8 participate on the other and then, but at the
9 very end, when you have recommendation, they just
10 won't have a vote.

11 VICE CHAIR BERLYN: At that small
12 group level, but they --

13 CHAIR POCIASK: Would that -- how does
14 that -- can you clarify that?

15 (SIMULTANEOUS SPEAKING)

16 MR. MARSHALL: Well, if, again, one
17 organization, one vote. If, well, to use Matt's
18 example, if CTIA had one of its -- had its
19 alternate on Working Group A, that person could
20 represent CTIA fully on that group and could vote
21 a recommendation out of that group.

22 Again, though, once we got it to the

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1 full Committee, there would be only one vote for
2 CTIA.

3 MEMBER GERST: Correct.

4 MR. MARSHALL: Does that answer the
5 question?

6 MEMBER GERST: But wouldn't --

7 VICE CHAIR BERLYN: Okay, I'm a little
8 confused.

9 CHAIR POCIASK: No, I'm confused then
10 because then, aren't you allowing -- then you
11 could actually have a quorum then because you're
12 allowing them to participate on two groups.

13 VICE CHAIR BERLYN: Yes, they can't
14 participate on both.

15 MR. MARSHALL: Well, we can't have
16 more than 13 in each subcommittee or in each
17 working group.

18 CHAIR POCIASK: Right.

19 VICE CHAIR BERLYN: Right. So, if the
20 alternate's on --

21 MR. MARSHALL: If an alternate is
22 going to be on the other one, that may be an

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1 unlikely situation, depending upon how many
2 people we have to work with.

3 I would think, Steve, you would decide
4 that if we had too many people on one group, we're
5 not going to want the same member being in both
6 groups necessarily.

7 CHAIR POCIASK: And, but the same
8 organization in the same group?

9 MR. MARSHALL: The same organization.

10 VICE CHAIR BERLYN: So, clarifying, so
11 maybe we're getting confused because, is the
12 number or is it the CAC representatives?

13 If it's the CAC representatives, then
14 we're okay if others participate. But if it's,
15 you know, if it's the number, which is it? Is it
16 CAC representatives per?

17 MR. MARSHALL: No, it would be members
18 of the -- these working groups cannot exceed 13
19 members and we count here -- of the 27 of you,
20 most of you are organizational members with one
21 vote.

22 We have four individuals serving in

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1 their individual capacity.

2 So, it does boil down to a particular
3 organization on a particular subcommittee.

4 CHAIR POCIASK: So, I think, just to
5 clarify, I think as long as we only have two
6 working groups, we're going to have a problem.
7 You can have -- I think your alternate can
8 probably be present on the other group. I just
9 think we have an issue about having you vote on
10 one group and your alternate vote on the other
11 group.

12 MEMBER ROOKER: No, I thought we were
13 saying that the alternates can't vote. They
14 don't have a vote in the regular meeting. What
15 would be wrong with having the alternate, if they
16 want to sit in --

17 CHAIR POCIASK: Nothing's wrong with
18 that.

19 VICE CHAIR BERLYN: I guess what Steve
20 --

21 CHAIR POCIASK: That's what I just
22 said.

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1 VICE CHAIR BERLYN: That's what he
2 just said.

3 MEMBER ROOKER: Right, exactly.

4 MR. MARSHALL: And, that's what I said
5 earlier, too. It's an unlikely situation we're
6 going to have to have a particular organization
7 be in both groups.

8 They can sit in certainly.

9 CHAIR POCIASK: That's my point.

10 VICE CHAIR BERLYN: Yes, right.

11 CHAIR POCIASK: But so, they won't be
12 voting then?

13 MEMBER ROOKER: No, they just don't
14 vote. Right, makes sense.

15 VICE CHAIR BERLYN: Right.

16 CHAIR POCIASK: Okay.

17 VICE CHAIR BERLYN: We're all agreeing.

18 CHAIR POCIASK: All right.

19 MR. MARSHALL: Okay. We do have some
20 tools --

21 MEMBER GERST: So, I'm sorry.

22 MR. MARSHALL: -- that the folks can

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1 use.

2 Was there a question?

3 MEMBER GERST: Well, I just didn't get
4 an answer to the first question which was will a
5 synopsis or some description of what each group
6 is expected to be working on provided before we
7 can choose -- we are asked to choose which one to
8 participate and spend our time on?

9 CHAIR POCIASK: Yea, I mean, I guess we
10 can put something together. It's essentially,
11 it's --

12 MR. MARSHALL: We could --

13 CHAIR POCIASK: -- this --

14 MR. MARSHALL: It's essentially what
15 we reviewed today.

16 CHAIR POCIASK: It's the update.

17 MR. MARSHALL: And, we will have a
18 transcript in ten days of what transcribed --
19 what, you know, transacted here. And, the audio
20 archive should be even available more quickly
21 than that.

22 Let's see what we can do in terms of

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1 trying to synthesize maybe a little bit the two
2 issues. I don't know, Steve, when we sent out
3 the email? We can provide a little information
4 about each topic?

5 CHAIR POCIASK: We can try to do that.

6 MR. MARSHALL: We can try to do that
7 if that would be helpful.

8 MEMBER GERST: Thank you.

9 MR. MARSHALL: But I think, Matt,
10 you've seen it all as far as what, you know, what
11 each group is going to be asked to look at from
12 the presentations that were given here today.

13 MEMBER GERST: Well, I think that's
14 certainly true of the call authentication. I
15 think I understood that that was going to be about
16 educating consumers.

17 CHAIR POCIASK: Right.

18 MR. MARSHALL: Yes.

19 MEMBER GERST: I'm not totally sure I
20 understand what the call blocking working group
21 will be looking at. Is that -- because if --

22 CHAIR POCIASK: But I think we may

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1 know that after the meeting on the 6th.

2 MR. MARSHALL: Well, yes.

3 MEMBER GERST: I'm still not -- even
4 with the meeting on the 6th where the Commission
5 is going to adopt a declaratory ruling and NPRM,
6 presumably, we don't know yet, but I'm still not
7 sure what the subcommittee is being asked to do
8 off that.

9 MR. MARSHALL: Well, I think some of
10 the topics that were --

11 MEMBER GERST: Which is why it would
12 be just helpful to understand what the action
13 item is for that group.

14 VICE CHAIR BERLYN: Is it possible
15 that the Commission will have any specific
16 requests of the CAC after June 6th? Do you know?

17 MR. MARSHALL: It's possible, I suppose
18 we could further refine the ask. What I was going
19 to say a minute ago is that I think some of the
20 issues that you heard today are the issues that
21 would be relevant like how should that critical
22 calls white list work?

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1 How do we prevent or what the remedy
2 should be of a call that is erroneously blocked?

3 That kind of thing. And, I think what
4 we -- what would probably be valuable for the
5 group to even do is go down through the NPRM and
6 see if you all decide there is another consumer
7 issue that maybe we didn't even discuss today or
8 another consumer aspect that deserves some
9 attention.

10 MEMBER GERST: As an offshoot of this?

11 MR. MARSHALL: Yes, as an offshoot of
12 the discussion here.

13 MEMBER GERST: Okay.

14 MEMBER LONG: This is Vonda.

15 CHAIR POCIASK: Hi, Vonda.

16 MEMBER LONG: So, I guess it bears
17 asking, are you -- once you choose a working
18 group, are you compelled to stay there or, at
19 some point early on, can you say, oh, you know,
20 I think I should be on or I'd like to be on the
21 other working group and do some kind of
22 adjustment?

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1 So, are you compelled once you choose,
2 are you basically, you're imprisoned?

3 (LAUGHTER)

4 CHAIR POCIASK: Well, hopefully --

5 MR. MARSHALL: Hopefully not.

6 CHAIR POCIASK: Yes, hopefully we're
7 going to have additional working groups.

8 MR. MARSHALL: Yes.

9 CHAIR POCIASK: And then, we're going
10 to require people to fill those. So, you can
11 certainly then take on multiple working groups or
12 you could always transfer.

13 MEMBER LONG: Okay.

14 MR. MARSHALL: We don't want to enslave
15 anybody into something they don't want to do.

16 (LAUGHTER)

17 CHAIR POCIASK: Okay. So, I mean, is
18 this then something -- should I wait on the email
19 then until after the 6th?

20 MR. MARSHALL: Yes, because we really
21 don't know whether this is going to happen until
22 after the 6th.

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1 CHAIR POCIASK: Okay, so we'll wait a
2 few days then on this and then we'll revisit it.
3 And then, I'll circle back with Debbie and Scott.
4 And, if you want, we can discuss this, too, if
5 you have ideas.

6 So, I just -- and then, we can
7 circulate, you know, sort -- maybe we can put
8 together a couple sentences sort of describing
9 the direction.

10 I mean, the working group, there
11 should be enough flexibility in that so we're not
12 going to say, hey, I want you to decide one
13 specific thing.

14 MR. MARSHALL: Right, right, we don't
15 want --

16 CHAIR POCIASK: There should be -- you
17 should have some flexibility in deciding that
18 there's something else that you want to do, you
19 want to look at some default blocking thing or,
20 you know, whatever the issue might be, I don't
21 know.

22 So, it may not -- you know, we don't

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1 want to pigeonhole it either.

2 MEMBER GERST: Thank you, a couple
3 sentences of your expectations would be very
4 helpful.

5 CHAIR POCIASK: Okay, so that -- is
6 there any other questions or anyone on the phone
7 who has a question?

8 MR. MARSHALL: Joslyn's really been a
9 trooper hanging in there on that phone. It's no
10 easy job.

11 MEMBER DAY: I miss you guys a lot,
12 but it's been a great meeting.

13 MR. MARSHALL: Sorry you couldn't be
14 with us.

15 MEMBER DAY: And questions answered.

16 MR. MARSHALL: For those of you who
17 are new, I will mention we work our -- the working
18 groups operate electronically. I will set up an
19 email discussion group for your particular use
20 for each working group.

21 And, your meetings would be by
22 teleconference, which, again, I can arrange for

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1 you once the time frame is established for your
2 work.

3 And, a leader of the working group has
4 been appointed by Steve and Debbie.

5 So, those are the primary tools that
6 we use to develop the recommendation before it
7 then goes to the full Committee for final action
8 before it's conveyed to the Commission.

9 CHAIR POCIASK: Okay. So, we're
10 finished with this section then and I'll move on.

11 MR. MARSHALL: Unless anybody has got
12 another question. You know --

13 MEMBER ROOKER: Can I ask a question?

14 MR. MARSHALL: Yes?

15 MEMBER ROOKER: You're talking about
16 emails between the working group itself. Can we
17 share those emails with the other working group
18 so that they know what's going on in both sides?
19 Is that a possibility?

20 CHAIR POCIASK: I think you can,
21 there's not a problem.

22 MR. MARSHALL: No.

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1 MEMBER ROOKER: Well, I'm just
2 thinking that since many of us are interested in
3 both subjects, I certainly would like to know
4 what the other group is working on as well as
5 what my group's working on.

6 CHAIR POCIASK: I've always done that
7 before when I was with a working group.

8 MEMBER ROOKER: Okay.

9 CHAIR POCIASK: There would be
10 somebody else and sometimes we were stepping on
11 the, you know, we'd be doing one thing and it was
12 partially into USF and we would share emails, at
13 least I would share it with the chair over there.

14 And, by the way, too, when we do go
15 out with an email, I also will ask people if
16 they'd like to chair a particular working group
17 as well because I'll need to fill that.

18 Anything else? Any last questions?

19 MEMBER LONG: Are we to use this
20 distribution contact that was in the -- how to
21 use various emails?

22 MR. MARSHALL: Yes, that's in your

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1 packet. That's the instructions for using these
2 lists. Right now, we have a master list already
3 set up for the full Committee which is named CAC
4 2019.

5 We'll come up with something that's
6 not too many characters to type for the other two
7 working groups. And once the membership has been
8 established, you'll be automatically subscribed
9 to each one of those which ever working group
10 you're a part of.

11 CHAIR POCIASK: Yes, so, then you can
12 communicate to the whole or to the specific
13 working group.

14 MR. MARSHALL: It's like the old
15 listserv, but that's a trademark name and I got
16 in trouble calling it a listserv once. But you
17 basically send out an email to a robot here at
18 the FCC and it relays it to the entire group.

19 CHAIR POCIASK: And there's a two hour
20 delay.

21 MR. MARSHALL: And there's a two hour
22 delay. Or it could be a two hour delay, depending

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1 upon how much traffic is going on on our servers
2 or the cloud or whatever.

3 VICE CHAIR BERLYN: Did anyone ask
4 this yet, not to sound too bureaucratic, but are
5 we going to have chairs of these working groups
6 as we've done in the past?

7 CHAIR POCIASK: I just mentioned that.

8 VICE CHAIR BERLYN: Oh, I'm sorry.

9 CHAIR POCIASK: Yes, no, yes, so, you
10 know, that will be something else I'll mention in
11 the email when we get out just when we get
12 preferences in return, hopefully some people will
13 say, yes, hey, I'm willing to chair or vice.

14 VICE CHAIR BERLYN: Otherwise, you'll
15 have to assign someone, right?

16 CHAIR POCIASK: And, I can do that.

17 So, if there's nothing -- is there
18 anything else that -- on the phone, any other
19 questions, anyone else?

20 (NO RESPONSE)

21 CHAIR POCIASK: So, with that, well,
22 we'll turn it over to comments.

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1 MR. MARSHALL: Comments? Any comments
2 from the public?

3 CHAIR POCIASK: From the public?

4 MR. MARSHALL: And, then we'll adjourn
5 and invite you to join us for a boxed lunch here.
6 We have to vacate the room by 2:00.

7 CHAIR POCIASK: Okay.

8 MR. MARSHALL: But you're welcome to
9 hopefully stay with us and enjoy it. Or, if you
10 need to take it away, we won't hold that against
11 you.

12 And, that boxed lunch, by the way,
13 unless it looks like we've got a whole lot of
14 extras to cut the cost down to our benefactor,
15 we're limiting the lunch to the primary reps or
16 the individual -- those serving in an individual
17 capacity.

18 If you need to go to our cafeteria,
19 Catherine or I can show you there?

20 (OFF MICROPHONE COMMENTS)

21 CHAIR POCIASK: Okay. So, do we have
22 any comments from the public?

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1 (NO RESPONSE)

2 CHAIR POCIASK: Seeing none, before I
3 adjourn, I just wanted to also thank Steve Morris
4 again from NCTA for the refreshments this
5 morning.

6 (APPLAUSE)

7 CHAIR POCIASK: And, for the lunch, so
8 thanks again. I do appreciate that.

9 So, unless we have anything else, then
10 I'd like to call for adjournment.

11 MEMBER ROOKER: So moved.

12 MR. MARSHALL: Enjoy the good food.

13 CHAIR POCIASK: All right, thank you.

14 MR. MARSHALL: Thank you, everybody.

15 (Whereupon, the above-entitled matter
16 went off the record at 12:42 p.m.)