

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION

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CONSUMER ADVISORY COMMITTEE

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MEETING

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MONDAY
SEPTEMBER 16, 2019

+ + + + +

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

COMMITTEE MEMBERS PRESENT:

STEVE POCIASK, Committee Chairman
DEBRA R. BERLYN, National Consumers League
LEIGH FOLEY, National Association of Broadcasters
B. LYNN FOLLANSBEE, USTelecom
MATTHEW GERST, CTIA
JONATHON HAUENSCHILD, American Legislative
Exchange Council
KYLE J. HILDEBRAND, serving individually as a
subject-matter expert, Special Government
Employee *
BRIAN HURLEY, America's Communications
Association - ACA Connects
THADDEUS JOHNSON, National Association of State
Utility Consumer Advocates
JOHNNY KAMPIS, serving individually as a subject-
matter expert, Special Government Employee
ERIC KOCH, serving individually as a subject-
matter expert, Special Government Employee

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IRENE LEECH, Consumer Federation of America
VONDA LONG-DILLARD, AT&T
KATIE MCAULIFFE, Americans for Tax Reform *
STEVEN MORRIS, NCTA - The Internet and Television
Association
RACHEL NEMETH, Consumer Technology Association
SHIRLEY ROOKER, Call for Action
MICHAEL SANTORELLI, serving individually as a
subject-matter expert, Special Government
Employee
BARRY UMANSKY, Digital Policy Institute
OLIVIA WEIN, National Consumer Law Center
BRIAN YOUNG, National Consumers League
BOHDAN ZACHARY, Milwaukee PBS

COMMISSION STAFF:

SCOTT MARSHALL, Designated Federal Official
CHRISTINE CLEARWATER, Deputy Designated Federal
Official
PAM ARLUK
EDUARD BARTHOLME
KIRK BURGEE
DIANE BURSTEIN
ZAC CHAMP
MARLENE DORTCH
BARBARA ESBIN
GARNET HANLY
LORI MAARBJERG
JEFFREY PRINCE
KAREN SCHROEDER
SHERYL SEGAL
MARK STONE
PATRICK WEBRE

*Present by teleconference

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

2 9:06 a.m.

3 CHAIR POCIASK: Okay, well, let's get
4 started.

5 So I'm Steve Pociask. I'm with the
6 American Consumer Institute and welcome,
7 everyone, to the Consumer Advisory Committee
8 meeting.

9 You know, before we get started here,
10 I want to just recognize a couple people in the
11 room. We have Scott Marshall, our trusted and
12 true contact here at the FCC. And also Christina
13 Clearwater, she's the new Deputy Designated
14 Federal Officer for the Communications Advisory
15 -- I mean the Consumer Advisory Committee.

16 So we're going to start off today's
17 meeting with just introductions, and we'll go
18 around the room. In addition to that, I have a
19 sign in sheet if you could just -- we'll start
20 this way, if we could just check your name if
21 you're in. And then after we go through the room,
22 I'd like to just see if there's anyone else on

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1 the phone who is joining us as well. So with that,
2 let me turn it over to Debra.

3 VICE CHAIR BERLYN: Good morning. Am
4 I on?

5 CHAIR POCIASK: No.

6 VICE CHAIR BERLYN: Can't tell.

7 Good morning. Camera's on, voice?

8 CHAIR POCIASK: No.

9 VICE CHAIR BERLYN: Action? Okay, we
10 got it?

11 CHAIR POCIASK: Yes.

12 VICE CHAIR BERLYN: Good morning. I'm
13 Debbie Berlyn representing the National
14 Consumer's League and Vice Chair.

15 MEMBER UMANSKY: Good morning as well.
16 It's Barry Umansky with the Digital Policy
17 Institute.

18 MEMBER KOCH: State Senator Eric Koch
19 of Indiana serving as a special government
20 employee and subject matter expert.

21 MEMBER HAUENSCHILD: Jonathon
22 Hauenschild from the American Legislative

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1 Exchange Council.

2 MEMBER WEIN: Olivia Wein, National
3 Consumer Law Center.

4 MEMBER MORRIS: Steve Morris, NCTA.

5 MEMBER GERST: Matt Gerst with CTIA.

6 MEMBER ZACHARY: Bohdan Zachary,
7 Milwaukee PBS.

8 MEMBER NEMETH: Rachel Nemeth, CTA.

9 MEMBER SANTORELLI: Michael
10 Santorelli serving individually, but affiliated
11 with the Advanced Communications Law and Policy
12 Institute at New York Law School.

13 MEMBER JOHNSON: Thaddeus Johnson,
14 NASUA.

15 MEMBER LONG-DILLARD: Vonda Long,
16 AT&T.

17 MEMBER YOUNG: Brian Young with the
18 National Consumers League.

19 MEMBER HURLEY: Brian Hurley with ACA
20 Connects.

21 MEMBER FOLEY: Leigh Foley with the
22 National Association of Broadcasters.

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1 MEMBER ROOKER: Shirley Rooker with
2 Call for Action.

3 MEMBER LEECH: Irene Leech
4 representing the Consumer Federation of America.

5 MEMBER KAMPIS: Johnny Kampis serving
6 individually, affiliated with the Taxpayers
7 Protection Alliance.

8 MS. CLEARWATER: Christina
9 Clearwater.

10 CHAIR POCIASK: Okay. And then of
11 course, Scott Marshall. So -- let me --

12 MR. MARSHALL: I'm asleep on the
13 switch.

14 CHAIR POCIASK: It's all good. So is
15 there anyone on the call who's joining us today?

16 MEMBER HILDEBRAND: Steve, Kyle
17 Hildebrand serving as a special government
18 employee.

19 CHAIR POCIASK: Anyone else?

20 MEMBER MCAULIFFE: Yes, hi. This is
21 Katie McAuliffe, Digital Liberty and Americans
22 for Tax Reform.

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1 CHAIR POCIASK: Okay. Last call,
2 anyone else on the line?

3 (No audible response.)

4 CHAIR POCIASK: Okay. So before we
5 get started, too, I just want to recognize the
6 National Broadcast Association for providing us
7 with breakfast and lunch today, very nice, thank
8 you.

9 Also just a point of etiquette, too,
10 now and then, we all want to get an opportunity
11 to speak up. So just turn your cards up this
12 direction so you can be recognized rather than
13 just having a free for all.

14 All right, so with that, I guess I'll
15 turn your attention to the agenda. We have a lot
16 of interesting things to do. We have some great
17 presentations.

18 And in fact we have a recommendation
19 as well that would be introduced towards the end
20 of the day, so please stick around. That's an
21 important vote, and it also reflects a whole lot
22 of hard work and commitment to, you know, sort of

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1 a dedicated effort. And so we definitely want to
2 recognize that.

3 So anyway, with that, I'd like to get
4 started. I guess, do we have our initial speaker
5 here today? Okay.

6 So with that, let me turn it over to
7 Jeffrey Prince. He's the FCC Chief Economist and
8 Professor of Business Economics and Public Policy
9 at the Kelley School of Business in Indiana
10 University. Did you have slides? Or you can join
11 us right up here.

12 DR. PRINCE: Yes, that'd be great.

13 CHAIR POCIASK: Just an interesting
14 fact, when we started the Institute, my co-
15 founder was previously a professor from Indiana.
16 And yes, he happened to be a Chief Economist at
17 the FCC and the Wireline Bureau Chief was then
18 the Common Carrier Bureau as well. So welcome
19 aboard. I think Indiana's got a soft spot here
20 at the FCC.

21 DR. PRINCE: I think that's right.
22 And I think it was only five years that David

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1 Waterman was the Chief Economist here who is also
2 -- he's emeritus now at Indiana, but yes, we have
3 a longstanding tradition of involvement with the
4 FCC.

5 So thank you for the opportunity to
6 speak. So I think maybe the best thing for me to
7 do just so you know kind of a little bit about me
8 and my background and you know, how I might be of
9 any use if you have anything you'd like to speak
10 with me about is, you know, I'm an economist by
11 training, of course.

12 I am an empirical economist, so I do
13 a lot of data work, particularly with analytics,
14 econometrics applied to industry analysis.

15 And I've done a lot on demand
16 analysis. So I'm interested in things like
17 internet demand issues, provision issues. So I
18 have done a lot of work on digital divide in the
19 past and then demand for high technology products
20 in the telecommunications space. So that's kind
21 of where my research background overlaps a lot
22 with some of the interests of the FCC.

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1 I've only been here, this is now the
2 beginning of my third week, so I don't want to
3 pretend that I've got this all figured out yet.
4 But I have been trying to talk around and get a
5 sense for, you know, what are the key issues that
6 the Commission is focused on, and where might I
7 be the most useful.

8 As of right now, of course, this could
9 change. As you all know, the kind of merger
10 analysis says kind of move past the FCC. So in
11 some ways this is good for me because it opens up
12 a lot of kind of new opportunities rather than me
13 coming in very late on that big task.

14 So some of the things that have caught
15 my attention, I know there's a big data
16 collection effort underway by the Commission.
17 It's kind of an overlap between what everyone
18 knows as the 477, but then there's now kind of
19 updated information they'd like to get moving
20 forward. But I think now has the acronym DODC,
21 the Digital Opportunity Data Collection. So I
22 can see myself getting involved with something

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1 like that.

2 I know there's also the Rural Digital
3 Opportunity Fund, which is a big project going
4 on. I can see myself getting involved with that.
5 I think, you know, there's a lot of ongoing issues
6 there.

7 And then one other thing that got my
8 attention at least in the early stages is a
9 potential kind of I guess acceleration of the
10 white papers that the FCC produces. I think there
11 is a real comparative advantage for me coming
12 from academia. This is what I do is research
13 papers. And I think there's real interest at the
14 Commission to try and produce more of these. And
15 so I'd like to try and get that a little bit more
16 formalized, kind of get the process in place and
17 really try and get involved with that during my
18 year here.

19 So encourage some of the younger staff
20 to produce some and, you know, build on the ideas
21 that they've already put forth. And you know,
22 keep encouraging people to put out new ideas that

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1 might have general benefit.

2 So that's kind of where I'm at right
3 now. There's certainly many other projects that
4 the Commission has going on. I'm sure I'll get
5 involved a little bit with the C-Band issues,
6 things like that. But those are the ones where at
7 least as of right now I'm in the process of
8 getting involved, and I can see myself having
9 some long-term involvement in those amongst
10 others.

11 CHAIR POCIASK: Okay. Do we have any
12 questions?

13 (No audible response.)

14 CHAIR POCIASK: I do want to ask one
15 thing in regard to -- I know you do interesting
16 a lot of the demand analysis and issues such as
17 that. Any consideration of like doing like
18 consumer welfare measurements and things of that
19 sort as a sort of a test on how, you know, what's,
20 you know, a test on a public policy or --

21 DR. PRINCE: Oh, absolutely. Yes,
22 that's consumer welfare issues have certainly

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1 come into play in some of my work. And to the
2 extent that it would be relevant for policy
3 analysis, I'd certainly be interested in doing
4 that type of work.

5 CHAIR POCIASK: Okay. Irene?

6 DR. PRINCE: Yes?

7 MEMBER LEECH: I'm wondering whether
8 you have access to any kind of consumer complaint
9 data and if there are any trends and so forth
10 that you might be able to look at there, or if
11 there is any way to get consumers to tell you
12 things more often so that it could be more useful?

13 DR. PRINCE: So I mean, the short
14 answer is I haven't seen it yet. I haven't really
15 gotten into -- through the data yet. But I'd
16 certainly be interested in that. I could
17 certainly be on the lookout to see if that might
18 be an opportunity for the Commission to be
19 looking at those kind of data.

20 CHAIR POCIASK: All right, Steven?

21 MEMBER MORRIS: So the Commission in
22 the last year or so has created a whole bureau or

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1 office of economic analysis.

2 CHAIR POCIASK: Raise your hand.

3 VICE CHAIR BERLYN: You're not on.

4 MEMBER MORRIS: In the last year or so
5 the Commission created a whole office of economic
6 analysis. Do you have a sense of how that changes
7 the role of chief economist, or whether it has no
8 effect? How you might work with them?

9 DR. PRINCE: Yes, that's a great
10 question. I mean, unfortunately, it's difficult
11 for me to have ample perspective on kind of how
12 it was before other than just a little bit of
13 hearsay from a few that have been here for a
14 while.

15 My sense is that there's a lot of
16 enthusiasm about the restructuring. You know, I
17 think the -- I think Jerry Ellig did a piece on
18 this, basically looking at where would economics
19 be more effective if you had economists
20 distributed across the different bureaus, or if
21 you had them concentrated as we do now. And it
22 seemed that the conclusion was that they would be

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1 more effective in the current structure.

2 I obviously can't empirically give you
3 answer to that. But I can say that I think it's
4 actually made my life relatively easy to get
5 started because I kind of know who I need to be
6 talking to and I've already now met with a lot of
7 people, and I kind of understand what my role is
8 pretty quickly.

9 So that's been a positive thing for
10 me. And I'm ready to get my hands dirty and get
11 moving on things. But obviously the first few
12 weeks is kind of learning the lay of the land.
13 And I think the structure actually has made that
14 easier, at least from my perspective.

15 CHAIR POCIASK: Okay. On the line,
16 Steve, Katie, anyone have any questions? Anyone
17 else in the room?

18 (No audible response.)

19 CHAIR POCIASK: Okay. Thank you,
20 Jeffrey. I appreciate it.

21 DR. PRINCE: Thank you. I appreciate
22 your time.

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1 (Applause.)

2 CHAIR POCIASK: All right. So moving
3 ahead on the agenda then, we're going to get a
4 briefing update from the Consumer and
5 Governmental Affairs Bureau.

6 (Off-microphone comments.)

7 CHAIR POCIASK: We're about five
8 minutes early.

9 Well, look, I mean, they're on the way
10 down, so they're supposed to be here in five
11 minutes. So if anyone wants to grab a cup of
12 coffee or anything, let's just get right back
13 real quick.

14 (Whereupon, the above-entitled matter
15 went off the record at 9:20 a.m. and resumed at
16 9:25 a.m.)

17 CHAIR POCIASK: All right, let's get
18 started.

19 All right, so now we're going to get
20 an update from the Consumer and Governmental
21 Affairs Bureau. And starting us off today will
22 be Patrick Webre, the Chief. Patrick?

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1 MR. WEBRE: Thank you, Steve. Good
2 morning, everyone, and welcome to the fall
3 meeting of the Consumer Advisory Committee.

4 I know that this summer's been a very
5 busy time for you on your critical call list,
6 call blocking working group under the leadership
7 of Brian Young of the National Consumers League
8 and Sam Brinton of the Trevor Project.

9 Many hours were spent, and I know this
10 firsthand from talking to Scott, many hours were
11 spent developing a recommendation which the Full
12 Committee will consider this morning.

13 In June, the Commission asked for
14 advice concerning how consumers should be
15 notified when their calls are blocked. We also
16 sought input on the types of numbers that should
17 be included on a critical calls list. In
18 addition, the Commission asked about how 9-1-1
19 numbers and government emergency numbers should
20 be defined. The CAC's past work has been very
21 helpful as we address the robocalls issue. And
22 we look forward to hearing more from you about --

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1 on this subject. Thanks, again, for all your work
2 on the recommendation before you today.

3 I also look forward to the launch of
4 the Caller ID Authentication Working Group, which
5 will be coming up for our next meeting. They will
6 develop a recommendation for your December
7 meeting regarding consumer education surrounding
8 the implementation of SHAKEN and STIR.

9 Turning to your agenda today, Karen
10 Schroeder from CGB's Consumer Policy Division
11 will be back to talk to you about a robocalls
12 blocking report that the Commission's June order
13 directed the Commission staff to prepare.

14 The Commission specifically cited the
15 CAC's recommendation that urged us to study the
16 effectiveness of call blocking services, methods,
17 and technologies.

18 Karen will talk with you about how we
19 plan to collect information for the first report
20 that's due to the Commission in June of 2020. We
21 will also have a second report due to the
22 Commission in June of 2021.

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1 Later today, our Office of Legislative
2 Affairs will provide a legislative update on
3 robocalls and other consumer related topics like
4 safeguarding consumer privacy. Staff from the
5 Wireline Competition Bureau will discuss recent
6 work regarding the banning of malicious caller ID
7 spoofing and foreign robocalls -- robocalls
8 originating from overseas.

9 You'll also hear about a new
10 initiative, the Digital Opportunity Data
11 Collection, which is a collaborative effort to
12 provide more granular and accurate data regarding
13 the availability of broadband services throughout
14 the country.

15 And finally you will be briefed on the
16 redesign of the Commission's Electronic Comment
17 Filing System, or ECFS. The CAC's input was very
18 helpful to us when we redesigned our online
19 consumer complaint system and our consumer help
20 center. We hope you'll be able to provide us with
21 your valuable council regarding the ECFS redesign
22 as well.

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1 So that's it for me for now. Again,
2 I appreciate all of your hard work and I look
3 forward to your recommendations. As is the usual
4 custom here, CGB senior staff will provide you
5 with a short update concerning their respective
6 areas of responsibility. So we'll start that off
7 with Mark Stone who is a Deputy Bureau Chief. He
8 oversees our Consumer Policy Division. So I'll
9 turn it over to Mark.

10 Thank you.

11 CHAIR POCIASK: Thank you, Patrick.

12 (Applause.)

13 MR. STONE: Good morning, nice to see
14 all of you here for your second meeting. Since
15 your last meeting in June, we've been very busy
16 on robocalls policy and rulemaking.

17 As you're very aware, the Commission
18 just after your last meeting took strong action
19 to fight illegal robocalls by allowing voice
20 service providers to block certain calls on their
21 customers' behalf by default. In other words,
22 without their customers having to opt in to

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1 blocking.

2 But seeking to balance the consumer
3 desire to stop illegal robocalls with the desire
4 to not block good calls, the Commission sought
5 comment on how it might protect important calls
6 so that critical calls aren't blocked. Now, we
7 know you've been working hard on this issue to
8 advise us, so we look forward to hearing your
9 recommendation on that.

10 In that same June action, the FCC
11 directed the Consumer Bureau, in coordination
12 with some other Bureaus, to compile two reports
13 on the state of robocall blocking tools amongst
14 other things. Karen Schroeder, as Patrick
15 mentioned, will be here to talk to you a little
16 bit about that today, and we look forward to
17 getting your advice on that.

18 Turning to another large robocalls
19 project that I've mentioned before, the
20 Reassigned Numbers Database. We continue our
21 work on that project being advised by another
22 advisory committee, the North American Numbering

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1 Counsel. Once operational, that database which
2 the Commission established in December of 2018
3 will enable callers to identify numbers that have
4 been reassigned before they make calls so that
5 they can determine the actual number, the
6 consumer they want to reach is at and avoid
7 reaching consumers who have received the
8 reassigned numbers, but don't want to receive
9 that call.

10 So then Nancy is helping us work
11 through technical and funding issues. We expect
12 its recommendation in the next couple of months,
13 at which point we'll seek comment on key issues
14 and move towards a procurement for an
15 administrator of that database.

16 Finally, I want to mention one area of
17 CGB that we don't always highlight, and that's
18 our Reference Information Center through the RIC,
19 as we call it. CGB serves as the Commission's
20 official records custodian and hosts a lot of
21 different important records. As part of that
22 role, the RIC, in coordination with our

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1 Secretary's Office and our IT folks help manage
2 the Electronic Comment Filing System, or ECFS.
3 So we're glad our ECFS redevelopment team is here
4 this morning to talk to you about getting your
5 advice on upcoming improvements to this critical
6 system.

7 So with that, I'll turn it over to
8 Barbara. Thanks again for all the help you do,
9 all the help you give us.

10 CHAIR POCIASK: Thank you, Mark.

11 (Applause.)

12 MS. ESBIN: All right, there's more
13 than one.

14 Good morning, and again, welcome to
15 the second meeting. In June, I explained that I
16 oversee the governmental affairs portfolio in
17 CGB. And that involves the work of two different
18 divisions, the Office of Native Affairs and
19 Policy and the Intergovernmental Affairs Office.

20 So I'm going to start with ONAP, and
21 ONAP has been very busy throughout the summer.
22 Together with other Bureaus, it has continued the

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1 Commission's outreach to tribes and tribal
2 organizations, holding additional tribal
3 workshops in Norman, Oklahoma, Billings, Montana,
4 and two additional workshops planned for the
5 fall.

6 The Commission uses these workshops to
7 provide presentations on a broad range of
8 important Agency programs and policies. That's
9 deployment of communications infrastructure and
10 services in tribal communities.

11 Recent and upcoming events include a
12 heavy emphasis on the recently created Rural
13 Tribal Priority Window for new licenses in the
14 Educational Broadband Service portion of the 2.5
15 GHz band which has the potential to significantly
16 increase the deployment and adoption of modern
17 communication services on underserved and
18 unserved tribal lands.

19 ONAP and the Wireline and Wireless
20 Bureaus will also be making several presentations
21 at the September 23rd to 24th National Tribal
22 Broadband Summit sponsored by the Departments of

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1 Education and the Interior and the Institute for
2 Museum and Library Sciences.

3 The Chairman will be making a keynote
4 address at this event as well I believe on
5 September 23rd. It's been hosted at the
6 Department of Interior if any of you are
7 interested, you can sign up and attend.

8 ONAP staff participated in and
9 presented at multiple events held by external
10 tribal organizations including the National
11 Tribal Telecom Association held a tribal
12 engineering and broadband summit this spring in
13 Mascalero, New Mexico. They attended the
14 Affiliated Tribes of Northwest Indians midyear
15 convention in Spokane, Washington. Also this
16 summer the Midwest Alliance of Sovereign Tribes
17 summer conference in Mount Pleasant, Michigan,
18 and the Native American Development Corporation
19 annual convention in July.

20 In terms of policy work, ONAP staff
21 reviewed and made contributions to a variety of
22 reports to Congress and federal rulemaking items

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1 such as Report on Broadband Deployment in Indian
2 Country, Report on Promoting Broadband Internet
3 Access Service for Veterans, Spectrum
4 Partitioning, Desegregation, and Leasing NPRM,
5 Educational Broadband Service Report and Order,
6 Connected Care Pilot NPRM, Rural Digital
7 Opportunity Fund NPRM, and the Digital
8 Opportunity Data Collection Report and Order and
9 Further Notice of Proposed Rulemaking.

10 ONAP also oversees the Native Nations
11 Communications Task Force, which has been busy in
12 completing its first report to the Commission on
13 Obstacles to Deployment of Broadband in Indian
14 Country. We expect the report to be finalized
15 early this fall. And the group will meet again by
16 telephone September 24th, and in person here on
17 November 5th to 6th.

18 The Intergovernmental Affairs Office
19 has also been busy. And they've attended or
20 presented at multiple events held by state and
21 local government organizations, including the
22 National Association of Attorneys General,

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1 Consumer Protection spring conference, National
2 Association of Counties annual, National
3 Association of Regulatory Commissioners summer
4 policy summit, and the National Governors
5 Association summer meeting.

6 I chair, like ONAP oversees an
7 Advisory Committee, the Intergovernmental
8 Advisory Committee. They met here in June.
9 They're finishing up their term which will end at
10 the end of this month. And they're working on
11 some finalizing some outstanding tasks. And these
12 will include a report on How to Identify State,
13 Local, and Tribal Regulatory Barriers to
14 Provision of Telemedicine, recommend best
15 practices to ensure that non-English speaking
16 communities receive emergency alerts through
17 multilingual alerting, recommend best practices
18 for fine-tuning state, local, tribal coordination
19 for disaster preparation, response, and
20 restoration, and best practices for
21 communications between state emergency managers
22 and EAS state emergency communications committees

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1 to ensure that EAS procedures, including
2 initiation and cancellation of actual alerts and
3 tests, are mutually understood.

4 So my people have been really busy.
5 It's been a long summer. And I will turn it over
6 to Diane Burstein.

7 CHAIR POCIASK: Diane Burstein, yes.
8 And she, too, is a Deputy Chief at -- yes, thank
9 you, Barbara.

10 MS. ESBIN: Thank you.

11 (Applause.)

12 CHAIR POCIASK: So Diane is also
13 Deputy Chief over at the Consumer Government
14 Affairs Bureau. Diane?

15 MS. BURSTEIN: Good morning, thank you
16 for having me back here today. I'm Diane Burstein
17 and in my role as Deputy Bureau Chief of CGB, I
18 help to oversee the Disability Rights Office. And
19 I'm happy to be here today to update you on some
20 of the developments since I spoke with you last
21 in June. And actually it was early in June.

22 Since then, there have been a number

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1 of different meetings that folks in the
2 Disability Rights Office have attended as part of
3 their outreach effort to various different
4 consumer groups. And one of the meetings occurred
5 in June after this meeting where Chairman Pai
6 announced the winners of the 2019 Chairman's
7 Award for Advancement and Accessibility, also
8 known as the Chairman's AAA.

9 It celebrates outstanding private and
10 public sector ventures as part of the
11 Commission's continuing efforts to facilitate
12 ongoing exchanges among the telecommunications
13 industry, assistive technology companies and
14 developers, government representatives, and
15 consumers to share best practices and solutions
16 for accessible communications technologies.

17 The winners this year were Cisco for
18 text-to-speech functionality in their 8800 series
19 phones and Microsoft, Tobii, and EyeTech which
20 developed a USB human interface device standard
21 for eye trackers. So nominations for this
22 upcoming period in 2020 will be announced or the

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1 nomination period, so please stay tuned for that.

2 As far as the accessibility of FCC
3 programs go, in August, we announced or issued a
4 public notice seeking comments on the FCC's
5 programs and activities, the accessibility of our
6 own programs and activities which federal
7 agencies are required to do. Federal agencies
8 must make their programs and activities
9 accessible to people with disabilities in order
10 to comply with Section 504 of the Rehabilitation
11 Act.

12 And the FCC has to review its own
13 programs every three years. So there is an update
14 now to its Section 504 Handbook which contains
15 guidance on the provision of accommodations for
16 the Commission's programs and activities,
17 procedures for securing reasonable
18 accommodations, and information about disability
19 and accessibility. Comments on that are due
20 October 21st. Another -- a number of other
21 activities occurred in the emergency information
22 area, as Barbara had mentioned, that the

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1 Disability Rights Office was involved in.

2 On August 7th, FEMA had a nationwide
3 EAS test conducted in conjunction with the FCC.
4 DRO issued several reminders about the need to
5 make that EAS test accessible to people with
6 disabilities and also encourage the public to
7 report back on any issues that might have arisen
8 with that EAS test. So we're looking at that now.

9 Also in August, the CGB issued a
10 public notice reminding video programmers and
11 distributors about the need to make emergency
12 information accessible to people who are deaf or
13 blind or visually impaired or hard of hearing.

14 Emergency information is not the same
15 thing as EAS. In fact, it's important critical
16 details about ongoing emergencies that may not
17 trigger the EAS system. And this issue took on
18 significance with the arrival of Hurricane Dorian
19 and various concerns about the large population
20 living in its potential path.

21 Some other areas that we were involved
22 in this summer was working on issues related to

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1 hearing aid compatibility rules and some upcoming
2 deadlines in that area.

3 By September 3rd, wireless service
4 providers must post on their websites expanded
5 information about their handsets hearing aid
6 compatibility capabilities and retain certain
7 records. And by October, wireless service
8 providers must file their annual certifications
9 of compliance with the FCC's hearing aid
10 compatibility rules. A number of other items
11 dealing with the telecommunications relay
12 services came out this summer. On June 28th, CGB
13 released an order establishing the permeant
14 compensation rates to be paid for all TRS for the
15 period July 1, 2019 through June 30, 2020. The
16 order also established the total size of the TRS
17 fund for the year and the contribution factor.

18 And in August, we issued a series of
19 public notices seeking comment on a number of
20 applications to provide Internet protocol caption
21 telephone service. Comments on those are
22 upcoming as well.

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1 And the deaf/blind equipment
2 distribution program, in mid-June CGB released a
3 public notice that announced the allocation of
4 funding for the National Deaf/Blind Equipment
5 Program for the 2019/2020 fund year. And also
6 which provides \$10 million for this program, by
7 the way. And later, we released a public notice
8 announcing the two new providers in Kentucky and
9 Illinois where the existing participants had
10 exited the program.

11 There are some upcoming deadlines for
12 video programing area as well. In June, the media
13 bureau released a public notice inviting comment
14 on Pluto TVs request for a temporary waiver of
15 the rules requiring closed captioning of video
16 programing on the Internet on certain platforms
17 in which users can access Pluto TV's content.
18 Those comments are due October 24th, and replies
19 are due November 7th.

20 CGB also released a public notice
21 inviting public comment on a petition for
22 declaratory ruling and rulemaking filed by a

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1 coalition of consumers and academic organizations
2 regarding the quality of live captioning and the
3 use of automatic speech recognition technology.
4 And comments on those are due October 15th and
5 replies October 30th.

6 And finally we have an upcoming
7 meeting of the Disability Advisory Committee
8 which is September 24th. And the agenda for that
9 will be -- you can find that on the DAC's webpage.
10 Those are just a few of the highlights, and thanks
11 for letting me address you this morning.

12 CHAIR POCIASK: Thank you, Diane.

13 MS. BERNSTEIN: Next, I'll turn it
14 over to Ed.

15 (Applause.)

16 CHAIR POCIASK: And now, we have Ed
17 Bartholme. He's the Associate Chief at Consumer
18 and Governmental Affairs Bureau.

19 MR. BARTHOLME: Good morning,
20 everybody. To start off, I want to, again, thank
21 you, just reiterate how much we appreciate the
22 time that you share with us, the effort you put

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1 into the thoughtful recommendations that you
2 pass. And I know that many of you have been active
3 over the last three months and have put a lot of
4 time into the recommendation that'll be
5 considered later today. So thank you for that.

6 We did have a busy summer in outreach
7 and education. On the outreach front, we
8 conducted one of our FCC rural tours through the
9 Midwest with stops in Minnesota and Wisconsin.
10 And that was in later June. And I'm actually
11 leaving with some colleagues this evening for our
12 next rural tour, which is through Nebraska and
13 Kansas. And we'll start tomorrow and run through
14 Saturday.

15 Hopefully, in the future, we can maybe
16 talk about scheduling one of these meetings right
17 at the end of a rural tour as opposed to like the
18 day before we leave so that we can share -- tell
19 you how great it went while it's fresh on our
20 minds, but the timing has worked out that way for
21 the last two CAC meetings.

22 In June, we also fully launched our

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1 Supermarket Outreach Program. So we've partnered
2 with NAAC and in California and Las Vegas, we
3 have done Train the Trainer events with some
4 volunteers that staff, what they call Hope
5 Booths.

6 And if you think of a normal grocery
7 store where there's a customer service kiosk,
8 they've sort of ripped out that kiosk and filled
9 it with volunteers with educational literature
10 and consumer information. And we work with them
11 to train volunteers so that they can answer
12 questions about robocalls. We make our materials
13 available in those booths in four of the most
14 commonly spoken Asian and Pacific Island
15 languages as well as Spanish and English.

16 And as Diane shared, we had a
17 successful Chairman's AAA Awards event also in
18 June. Another area of focus on the outreach front
19 for us over the last few months has been enhancing
20 our engagement with libraries. So in June, we
21 displayed and spoke at the ALA conference, which
22 was here in D.C. this year.

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1 We've done a series of webinars with
2 reference librarians to cover important consumer
3 topics like robocalls. We've also teed up and
4 shared information with them about the broadcast
5 transition and the thought that, you know, if you
6 can't find your TV station, you might pop in the
7 library and say, hey, what happened to channel
8 three or four or whatever. So they'll be ready
9 to answer questions and help people navigate that
10 situation.

11 We did do some lifeline awareness week
12 messaging in September. And we are actually
13 working more closely with USAC to develop some
14 educational materials on the National Verifier as
15 it rolls out to more states. And thank you to
16 Olivia for teeing up that relationship there. We
17 appreciate that.

18 On the education front -- actually one
19 more thing on outreach. We did start earlier this
20 month a series of monthly partner outreach calls.
21 So it's basically an open phone bridge. Outreach
22 staff is sending out an email to everyone on our

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1 outreach list. So if you're not getting them,
2 let us know, we're happy to add you. We're going
3 to cover a different consumer topic each month
4 and share some other updates. So this past month,
5 we talked about communicating during an emergency
6 which was very timely given things that were
7 happening. And then, talked about the upcoming
8 rural tour and things along those lines.

9 Exciting education project that we
10 launched over the summer is our scam glossary.
11 So if you go to the Consumer Help Center, you can
12 find the link to the scam glossary, and it an
13 alphabetical catalogue of some of the more common
14 phone scams. If anyone has a scam that starts
15 with Q or Z, I would love to talk to you. We do
16 still have a few letters missing. Maybe we can
17 run some sort of contest, although I think
18 scammers might pick up on that and get the wrong
19 intonation there.

20 So we're -- we've got what we think is
21 a pretty good catalogue of stuff. If you find
22 stuff that you think is missing, please reach out

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1 and let us know. And we're -- all of those are
2 short of short blurbs, and they link to other
3 more detailed content, most of which is on our
4 site, some of it's on our colleagues at the FTC's
5 site.

6 And I want to acknowledge our stellar
7 summer intern, Gus Menny who was the project lead
8 on that and helped us get that out the door. So
9 thanks, Gus. We also launched a new series of
10 Consumer Help Center posts that detail a scam,
11 break it down and include actual scam audio. So
12 we're really happy that we're able to now let
13 consumers not only read through and understand
14 the scam, but listen to the scam so they can hear
15 how that call will start.

16 Following after the June workshop that
17 I think Barbara mentioned, where IGA and Public
18 Safety talked about emergency alerting, we really
19 ramped up our language efforts around our
20 emergency communication tips. So they are now
21 available in English, Spanish, Chinese, Korean,
22 Tagalog, Vietnamese, and French. And those are

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1 all audio, 30 second and 60 second PSAs. They've
2 all been uploaded to NAB's PSA site. We also
3 proactively have started reaching out to state
4 broadcasters that are potentially in the path of
5 a storm to remind them that these exist, to tell
6 them where they can find them, and they can grab
7 those and play the languages that are most
8 relevant in their community, even if it's an
9 English language broadcaster, they may find use
10 for playing Spanish or some of the other
11 languages based on the situation.

12 And I also want to acknowledge the
13 efforts and partnership with our colleagues in
14 DRO, because in addition to all of those
15 languages and audio, we have an ASL video that
16 shares those communication tips as well. So that
17 community can benefit from that information also.

18 And today we are launching a consumer
19 guide on phone port-out scams. This has been a
20 very heavily covered in the news media over the
21 summer. This is where people go into a cell phone
22 service provider basically convince them that

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1 they're someone else and then get their phone
2 number transferred to a device in their
3 possession. This really plays on the rise and the
4 importance of two-factor authentications for
5 access to financial accounts, social media
6 accounts. There have been a number of stories
7 where people have lost a significant amount of
8 money as a result of this. So we've put out some
9 consumer education to keep people on top of port-
10 out scams.

11 So we're educating people on how they
12 can protect themselves. Another interesting thing
13 that we've started to do over the summer is expand
14 our printed materials to now include versions in
15 Hmong. So that's another language where we've
16 got some of our most popular scam guides that
17 people can now order and we'll have at events as
18 we travel. Since we met in June, I've also started
19 to be more involved with our Consumer Complaints
20 and Inquiries Division. I think I got that
21 backwards, it's Consumer Inquiries and Complaints
22 Division.

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1 But they are the people that staff the
2 call centers. So when your call 888-CALLFCC,
3 that's who you're talking to. They also take the
4 online complaint forms that people submit through
5 the fcc.gov/complaints. They are continuing to
6 streamline internal processes as you all know,
7 many of you have been on the CAC for a while.
8 You've been instrumental in helping this CICD
9 staff to think through changes, tweaks,
10 improvements. We welcome that continued
11 engagement, that continued interaction.

12 If you have ideas, if you have
13 concerns, if you're hearing about things that you
14 don't think we're covering from an education
15 standpoint or that you think the complaint center
16 might be hearing about, reach out. Let's have a
17 conversation, and let's make sure that that's on
18 our radar as well.

19 Stay in touch. If you're not already
20 in touch, please reach out and get in touch. I
21 know most everyone at the table, and I've enjoyed
22 working with you, and I hope we can continue to

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1 do so. If you have events that we can support or
2 participate in, let us know. And if you have
3 ideas about future education topics, please let
4 us know. So thank you for your time this morning.

5 (Applause.)

6 CHAIR POCIASK: Thank you, Ed.

7 VICE CHAIR BERLYN: May I ask a
8 question?

9 CHAIR POCIASK: Yes, yes. Yes, just -
10 - yes, we're going to get questions at the end
11 --

12 VICE CHAIR BERLYN: Okay.

13 CHAIR POCIASK: -- but if you have a
14 quick one -- okay.

15 VICE CHAIR BERLYN: Well, we could --
16 he's going to start.

17 CHAIR POCIASK: Yes. Well, so let's
18 turn it over now to Zac Champ. He's the Chief of
19 Staff.

20 MR. CHAMP: Good morning, everyone.
21 My name is Zac Champ. Oh, I've got a placard,
22 nice. So you may not have met me in this capacity,

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1 but I'm relatively new to the FCC, started this
2 spring. I want to thank you all on the CAC for
3 your time and effort and expertise.

4 A little bit about my role, just look
5 at me as another point of entry to the Bureau.
6 We heard great things from all of my colleagues
7 about all the work they're doing. If you're a
8 little confused where to go, who to reach out to,
9 please see me as a resource for that. I'll make
10 sure that you find the right folks if you're
11 looking for meetings, those sorts of things in
12 the Bureau, or if you have other questions about
13 the FCC as a whole.

14 Beyond that, I just wanted to
15 introduce myself. Thank you, again, for the work
16 you're doing. Look at me as a resource, again.
17 And as was mentioned, we are available for
18 questions if you all have those. We're around,
19 we can take those now as well.

20 CHAIR POCIASK: Okay. So yes,
21 actually so now we have six speakers. So if you
22 have questions on anything that's been presented

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1 here, we have the experts in the room, we can
2 bring them forward. So all right.

3 Well, go ahead, Debra.

4 VICE CHAIR BERLYN: I have a question
5 for Ed. Calling Ed. So Ed, I'm interested in the
6 rural tour. And just wanted to know what you're
7 doing on the rural tour? And you know, are --
8 maybe you can just tell us a little bit more about
9 --- I know your next one that you've got, but
10 maybe you can just tell us a little bit about
11 what you did on the previous rural tour?

12 MR. BARTHOLME: So it does involve a
13 lot of driving. That might not surprise you.

14 (Laughter.)

15 MR. BARTHOLME: We were able to
16 identify a GPS inaccuracy when we were in Georgia
17 earlier this year that led us to a brick wall.
18 And we were like, I don't know that that's a good
19 route to take. So lots of things. But mainly
20 what we try to do is reach out to and work with
21 partner organizations to establish local events
22 where we invite the community to come in. We talk

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1 to them about pocketbook issues. As it might not
2 surprise anyone, robocalls are a concern for
3 people. So we hear about robocalls. And then we
4 share with them ways they can protect themselves,
5 things they can do, things that the FCC's doing
6 to help protect them.

7 On the upcoming tour that we're
8 leaving on later today, we have some great
9 partner coordinated events. I don't think AARP
10 is here this morning, probably because they're
11 working hard to make sure this partner event
12 we're doing with them is a success later this
13 week. But we're doing an event with them on
14 Wednesday that'll also involve the Nebraska
15 Attorney General's Office, people from the
16 Nebraska Public Service Commission. And then on
17 Saturday, we're doing an event with the Kansas
18 Attorney General in Leavenworth, Kansas.

19 So things like that where we invite
20 the community. And we do drop offs at libraries.
21 So that's another reason why we work, you know,
22 one of the things I did this summer was go to the

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1 Association of Rural and Small Libraries to learn
2 more about how we can leverage those partnerships
3 and work with them to create events.

4 It's a lot of interacting with, not
5 only consumers, but also local elected officials.
6 So hearing from the sort of local county run water
7 company about how scam phone calls are impacting
8 them and their customers.

9 And then we bring all that back, share
10 it with Mark and the policy team and others here
11 in the building to try to inform the things that
12 we do moving forward.

13 VICE CHAIR BERLYN: Thank you.

14 CHAIR POCIASK: So Ed, just to follow
15 up on that. So robocalls, of course, is the issue
16 --- the one issue. But what are some of the other
17 issues that are being raised in -- that you see
18 as sort of an area for more education and
19 outreach?

20 MR. BARTHOLME: Sure. So one of the
21 things that we're definitely planning on covering
22 on this upcoming tour is the port-out scam

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1 information. So that's a new thing for us to get
2 some education out there about, and I think it's
3 also for the small group of people that it is
4 happening to, it can be incredibly impactful. So
5 we want to make sure that people have tips on how
6 to protect themselves from things like that.

7 We're going to cover other things
8 about protecting your smartphone device, the FCC
9 rules on slamming and cramming and what you can
10 do if you think you've been a victim of that. We
11 talk about the importance of the, you know,
12 closing the digital divide and a host of other
13 really pocketbook issues that affect people day
14 to day.

15 And sometimes, it's one of those
16 things where, and I -- many of you do this, but
17 you get in a room and you've got a plan. And
18 suddenly, the crowd takes everything in a totally
19 different direction, and you're talking about the
20 things that they are focused on and that they
21 care about.

22 CHAIR POCIASK: Yes, yes, so I'm going

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1 to go to Irene, but just to kind of go back on
2 that, you mentioned in your earlier presentation
3 that consumers have suffered losses as a result
4 of this porting scam. But if the carrier actually
5 is responsible for giving that call away to
6 someone else, who really should be liable for
7 that? I mean, is it --

8 MR. BARTHOLME: So I am not going to
9 weigh in on liability. There are some --

10 (Laughter.)

11 MR. BARTHOLME: -- the non-lawyer of
12 the bench can assess the liability question.
13 There's some active things going on out there
14 around that, and you can look into some articles
15 that have covered that.

16 CHAIR POCIASK: Okay. So let me turn
17 it over to Irene Leech.

18 MEMBER LEECH: Ed, as you all are
19 doing your traveling, do you have anything set up
20 with the cooperative extension system and with
21 any of the local extension offices? Because
22 there should be one in every county you're

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1 visiting.

2 MR. BARTHOLME: So we've worked with
3 some of the coop providers, but I don't think
4 we've worked -- and I realize there's a
5 distinction there. I don't think we've worked
6 with coop extension offices and that's a great
7 flag for us as we're -- especially route planning
8 and sort of just reaching out to get a sense of
9 where we're going to be. And then also working
10 with them to have events. So I thank you for that
11 suggestion, and we'll definitely take that back.

12 MEMBER LEECH: Yes, because they can
13 help you with finding locations for meetings as
14 well as connecting -- because people in the
15 community know them. And so as you're coming in,
16 I would think that would be really good resource
17 to look at.

18 And I wondered that audio of the scam,
19 how are you letting educators who might be
20 working with the public know that that's out
21 there, and are there ways that you're being sure
22 that consumers can access that, especially those

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1 who may not use the Internet?

2 MR. BARTHOLME: So I'll ask for help
3 on getting the word out. So they do exist. We
4 started them in late August and the first week of
5 September. We did two posts, one focuses on
6 Medicare scam and what those sound like, and then
7 Patrick actually did a blog post on some personal
8 calls that came to his cell phone that were sort
9 of different -- two different variants of a call
10 back scam. So those are out there. We're adding
11 more. We've got some SSA call audio that we're
12 going to add to an existing SSA post that we did
13 earlier this year.

14 So please help us spread the word.
15 We're working with the Office of Media Relations
16 to do, you know, social around this and to get
17 the word out. You know, news coverage would also
18 be helpful and that's something that we're
19 coordinating with them to sort of push for a
20 little more around these. But we would welcome
21 your support in getting the word out as well.

22 CHAIR POCIASK: Okay. And Ed, we're

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1 going to keep you in the chair for a little bit.

2 Shirley, you have a question?

3 MEMBER ROOKER: Ed, tell me, is there
4 really life after Call for Action?

5 MR. BARTHOLME: No, absolutely not.

6 (Laughter.)

7 MEMBER ROOKER: Anyway, it's nice to
8 see you here and an excellent presentation.

9 But what I wanted to ask you about is
10 if we can play, at Call for Action, some part in
11 helping you to get the message out through our
12 media offices, since we do have in Kansas and
13 where else are you going to? Wisconsin?

14 MR. BARTHOLME: And Nebraska on this
15 one.

16 MEMBER ROOKER: Oh, Nebraska?

17 MR. BARTHOLME: We did Wisconsin
18 before.

19 MEMBER ROOKER: Yes.

20 MR. BARTHOLME: And I did reach out to
21 Colin and other folks in Wisconsin --

22 MEMBER ROOKER: Great.

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1 MR. BARTHOLME: -- when we were going
2 through there.

3 But yes, I would welcome the help.

4 MEMBER ROOKER: Absolutely.

5 MR. BARTHOLME: And we should be
6 coordinating with you.

7 MEMBER ROOKER: We would be more than
8 happy to offer any help that we can. So anyway,
9 and thank you for an excellent presentation.

10 MR. BARTHOLME: Thank you.

11 CHAIR POCIASK: Thank you, Shirley.

12 Debra?

13 VICE CHAIR BERLYN: Yes, I -- this is
14 repeating the same message, but I was just going
15 to say, Ed, that any organization that has access
16 to a membership should probably send out that
17 word that this is available. Because I think it
18 would be really great information.

19 MR. BARTHOLME: Yes, and you know,
20 another project we did over the summer was our
21 outreach team did sort of aggregate all of our
22 outreach contacts into a centralized database.

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1 So we are going to be working on how
2 do we leverage that better? How do we get things
3 out through that network to better help promote
4 and to better help plan activities and events?

5 VICE CHAIR BERLYN: Yes, so anything
6 we can do to help.

7 MR. BARTHOLME: Thank you.

8 CHAIR POCIASK: All right. Have
9 another question.

10 MEMBER LONG-DILLARD: This is for
11 anyone in relation to -- in CGB in relation to
12 your consumer complaints, inquiries and
13 complaints database. Is there some consideration
14 about tracking? So say, the same person is filing
15 complaints, but it could be over several years,
16 couple years, or whatever, to track that person
17 and the outcome of the situation? Because it
18 could be within a different department within the
19 Bureau. So I'm looking to see tracking and the
20 outcome and how that's counted. That would be
21 very helpful for those of us who are served with
22 complaints.

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1 MR. BARTHOLME: And we do internal
2 tracking on things like that, obviously. So you
3 know, if somebody submits a second complaint,
4 they're able to tie that back to that same
5 individual from previous complaints they've
6 reported.

7 But because of the sort of rules
8 around PII and things like that, that's not
9 something that we would -- as it pertains to an
10 individual would be able to make public. But it
11 is something that's done internally to ensure
12 that we're meeting needs and covering issues as
13 a program.

14 MEMBER LONG-DILLARD: Thank you.

15 CHAIR POCIASK: Okay. Another
16 question?

17 MEMBER KOCH: Thank you, Steve.

18 Thank you, Ed, for your presentation.

19 Consumers often look to their state
20 legislators for help on these issues, even though
21 that's not really within the scope of what we do.
22 To what extent have you been able to reach out to

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1 state legislators across the country through our
2 organizations and let them know that you're
3 there, let them know their staffs, in particular,
4 that these resources are there? Or if not, how
5 could we help?

6 MR. BARTHOLME: Sure. I think I would
7 invite the how can we help. We have had some
8 success with that. In Nebraska, we were able to
9 work with a state legislator who had pushed some
10 robocall related legislation through the Nebraska
11 state process.

12 And we would welcome that opportunity
13 in other places. We also do work pretty well with
14 the public service and public utility commissions
15 which is our normal sort of touch point for
16 referrals and things like that at the state
17 level.

18 MEMBER KOCH: And thanks, Ed. And
19 just a follow up. Not so much legislation but
20 educating our staff on the consumer protection
21 resources that are out there.

22 MR. BARTHOLME: Sure, sure.

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1 MEMBER KOCH: And we can make sure we
2 get consumers to the right place for this
3 information.

4 MR. BARTHOLME: Right. And I don't
5 want to create the impression that we're working
6 with state legislators on legislation. My way of
7 using that example was that we were able to
8 identify this individual because of their heavy
9 involvement on a robocall related bill. So that
10 was sort of a, hey, reach out to this person, let
11 them know we're coming to town. There's going to
12 be an event and then they can help work with us
13 to do consumer education.

14 But yes, definitely to the extent that
15 we should have a conversation about how that
16 would make sense to do that.

17 CHAIR POCIASK: Okay, well, thank you,
18 Eric.

19 So since we have Ed on the seat right
20 now, let me just check the phone lines to see if
21 there's any questions. Anybody out there have a
22 question for Ed at this time?

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1 (No audible response.)

2 CHAIR POCIASK: Okay. Just -- just a
3 little bit of education for me. What exactly is
4 the AAA Awards event? I heard that mentioned and
5 I wasn't sure what that was.

6 MR. BARTHOLME: So this is probably
7 where -- yes, you want to take this one?

8 CHAIR POCIASK: Okay.

9 VICE CHAIR BERLYN: Diane?

10 CHAIR POCIASK: All right, Diane
11 Burstein.

12 MS. BURSTEIN: Hi, thanks. It's an
13 annual event that's been going on for a couple of
14 years now where various different providers of
15 accessible equipment might, or services, might
16 apply and get recognized by the Commission for
17 their work in this area.

18 CHAIR POCIASK: Okay. Was there
19 anything like notable like new initiatives, or
20 are these like equipment manufacturers and
21 service providers?

22 MS. BURSTEIN: Well, this year, there

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1 -- Cisco was one where they had introduced an
2 Enterprise phone that was accessible to blind
3 people, I believe was the advancement there.

4 And then eye tracking technology,
5 which was a group of people who also had submitted
6 applications in that area.

7 CHAIR POCIASK: Okay. That's very
8 helpful.

9 MS. BURSTEIN: Yes, it's great stuff.

10 CHAIR POCIASK: Yes, absolutely.

11 So we had six presentations. Were
12 there other questions that people had of the
13 earlier presenters? Anything else?

14 (No audible response.)

15 CHAIR POCIASK: Anyone online have a
16 question? Steve or Katie?

17 MEMBER HILDEBRAND: No.

18 CHAIR POCIASK: Okay.

19 VICE CHAIR BERLYN: Can I say
20 something?

21 CHAIR POCIASK: Yes.

22 VICE CHAIR BERLYN: I just want to

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1 thank the Bureau for giving us so much time today
2 and for the leadership you provide for consumers.
3 So thank you so much. Thank you all, great staff.

4 (Applause.)

5 CHAIR POCIASK: All right, so we're
6 back to a break time. So yes, so we'll be back
7 at 10:30. But come back early in case we start
8 early because we have a little bit of time here.

9 So, we'll see you then.

10 (Whereupon, the above-entitled matter
11 went off the record at 10:09 a.m. and resumed at
12 10:31 a.m.)

13 CHAIR POCIASK: Okay, well, let's get
14 started here in just a couple seconds. Everyone
15 take a seat.

16 First, let me just start with a couple
17 administrative things. If -- does anyone need
18 cups for water? I just wanted to make sure we
19 have some bottles coming shortly.

20 Also, just a reminder, in addition to
21 raising your tent card if you have a question,
22 when you begin, please announce your name and

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1 organization. It's sometimes helpful because we
2 are keeping a transcript just so we can follow
3 what's happening there.

4 Also, just another administrative
5 item, if, for some reason, you don't have an
6 agenda, it's on the back table if you want extra
7 copies. There's -- you might also find some of
8 the presentation PowerPoints back there as well.
9 So, if you want to grab that real quick.

10 Also, I just want to just stop as we
11 start here just to stop for a second now. I just
12 want to just thank Catherine Langston who's been
13 doing a lot of the planning to make things go
14 smoothly, the logistics, the food arrangements,
15 and things such as that.

16 So, Catherine, thank you very much for
17 doing that.

18 (APPLAUSE)

19 CHAIR POCIASK: So, let's start off
20 now.

21 So, we're going to get a presentation
22 here on the Ban on Malicious Caller ID Spoofing

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1 and Foreign Robocalls. This will be a very good
2 presentation brought to you by Pam Arluk.

3 She's the Chief, Competition Policy
4 Division. So, Pam, it's over to you.

5 MS. ARLUK: Great, hi. Can everyone
6 hear me? Great. Okay, thank you. So, thanks,
7 everyone.

8 So, as everyone knows, robocalling has
9 been just a huge issue at the Commission and for
10 everyone. I think it's one that everyone can
11 relate to.

12 And, you know, American consumers, we
13 continue to be plagued by nefarious schemes that
14 manipulate caller identification information to
15 deceive people about the name and phone number of
16 the party that is calling in order to facilitate
17 fraudulent and harmful activities.

18 In just the first six months of 2019,
19 the Commission received over 35,000 consumer
20 complaints about caller ID spoofing. It's the
21 number one complaint that the FCC gets.

22 So, on August 5th, 2019, the

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1 Commission released the second report and order
2 that revised the Commission's Truth in Caller
3 Identification rules to implement the amendments
4 to Section 227(e) of the Communications Act which
5 was adopted by Congress last year as part of the
6 RAY BAUM's Act.

7 So, I mean, the main thing, the second
8 report and order that we adopted in August, it's
9 actually a pretty narrow order. It mainly -- it
10 implements the amended Section 227(e) and it
11 continues the Commission's multi-pronged
12 approach to protecting American consumers from
13 illegally spoofed robocalls.

14 The main thing that the order does is
15 it revised the caller ID spoofing rules to cover
16 communications that originate outside the United
17 States directed at recipients within the United
18 States.

19 So, those communications are now
20 banned by the Truth in Caller ID rules. And then,
21 the Commission expanded the scope of
22 communications covered by the Truth in Caller ID

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1 rules beyond the telecommunications services and
2 interconnected VoIP services to include text
3 messaging and alternative voice services such as
4 one-way VoIP services.

5 And so, in doing that, the Commission
6 revised -- one of the big things the Commission
7 did was revised the definition of text message
8 and, in doing so, the Commission adopted a
9 definition that pretty much mirrors the statutory
10 language of Section 227(e).

11 The Commission also clarifies that the
12 definition of text messaging includes messages
13 sent to or from a person or entity using common
14 short codes. Short codes are a five or six digit
15 codes, typically used by enterprises for
16 communicating with consumers at high volume.

17 The Commission also incorporated the
18 exclusions from the definition of text message
19 from Section 227(e) which include a real-time
20 two-way voice or video communications and a
21 message sent over an IP-enabled messaging service
22 to another user of the same messaging service

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1 except for an SMS or MMS message.

2 The Commission also modified the
3 definition of voice services which was consistent
4 with the new statutory language.

5 So, for the purposes of the new Truth
6 in Caller ID rules, the Commission interpreted
7 the term voice service to be more expansive and
8 to include one-way VoIP services and any similar
9 IP-based or other technology-based calling
10 capability that furnishes voice communications to
11 an end user using resources from the North
12 American Numbering Plan or any successor to the
13 North American Numbering Plan adopted by the
14 Commission under Section 251(e)(1).

15 So, that is pretty much what we did in
16 August. If anyone has any questions, I am happy
17 to answer.

18 CHAIR POCIASK: Okay, let's open it up
19 then for questions. Anyone?

20 (NO AUDIBLE RESPONSE)

21 CHAIR POCIASK: Anyone on the phone?

22 (NO AUDIBLE RESPONSE)

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1 CHAIR POCIASK: Well, I think that did
2 it.

3 MS. ARLUK: Great, awesome. Well,
4 thank you so much.

5 CHAIR POCIASK: Thank you, Pam.

6 (APPLAUSE)

7 CHAIR POCIASK: All right. So, we
8 have Karen Schroeder here? All right, so let's
9 just take two minutes if anyone wants to just
10 stretch or refill and we'll be right back.

11 (Whereupon, the above-entitled matter
12 went off the record at 10:39 a.m. and resumed at
13 10:39 a.m.)

14 VICE CHAIR BERLYN: You mic's not on
15 yet. Raise your hand.

16 MEMBER ROOKER: These are wonderful
17 words, you need to hear them. Good lord.

18 Now, there you go, okay. I just had
19 gotten an email the other day and it had to do
20 with where the calls are going -- what carriers
21 are being used.

22 And, it turns out that this survey by

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1 the Transaction Network Services, I don't know
2 who they are, it's just something that I had
3 gotten and some information.

4 Anyway, they said that we are now
5 receiving 200 million calls a day, consumers, a
6 day. Now, what the point I wanted to make was,
7 of the six major carriers, their survey says that
8 the six major carriers provide 70 percent of the
9 service. But only 12 percent of these fraudulent
10 calls are going through these major carriers.

11 So, they are hitting the smaller
12 carriers in other parts of the country where you
13 may also have a more vulnerable population.

14 I just thought that was very
15 interesting. If anybody wants, I can send them a
16 link to the article. Does that startle anybody?
17 It startled me.

18 CHAIR POCIASK: Yes, and, you know,
19 I'm not sure that even when a lot of the robo
20 blocking rules take effect that much of that will
21 change because a lot of those are still on an old
22 POTs networks and not IP.

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1 MEMBER ROOKER: Right, right. But
2 that's the point the article's making is how much
3 can we do with -- because the smaller carriers
4 are probably not going to have the resources to
5 put in place all the sophisticated technology --

6 CHAIR POCIASK: Well, send the article
7 around, Transactions Network Services is a major
8 --

9 MEMBER ROOKER: Are they a major
10 player?

11 CHAIR POCIASK: -- network. It's a
12 major network of like credit card transactions.

13 MEMBER ROOKER: Okay.

14 CHAIR POCIASK: So, that -- I don't
15 know what else they do but --

16 MEMBER ROOKER: I thought it was -- I
17 thought the study was -- the survey was
18 fascinating.

19 VICE CHAIR BERLYN: Yes, that would be
20 helpful to see that.

21 MEMBER ROOKER: You want to see it?

22 VICE CHAIR BERLYN: Send it around.

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1 MEMBER ROOKER: I'll send it to you,
2 Steve.

3 VICE CHAIR BERLYN: Send it to Scott.

4 MEMBER ROOKER: I'll send it to Scott.
5 We send everything to Scott. Okay, I'll send you
6 the link to it, Scott.

7 MR. MARSHALL: Okay, great and I'll be
8 sure everybody gets it.

9 CHAIR POCIASK: Okay, okay. So, with
10 that, let's keep -- we'll just move ahead here.

11 So, we're going to hear now from Karen
12 Schroeder. We're going to hear a report on the
13 Deployment and Implementation of Call Blocking
14 and Caller ID Authentication. So, this is the
15 next big issue here for our working group.

16 MS. SCHROEDER: Hello, everyone.

17 VICE CHAIR BERLYN: Hi.

18 (OFF MICROPHONE COMMENTS)

19 MR. MARSHALL: Can someone back in AV
20 board there could help? Steve or Jeff or Greg?

21 CHAIR POCIASK: Yes, we need help with
22 the slide deck.

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1 MR. MARSHALL: Maybe they could help
2 with the deck. You shouldn't have to struggle
3 with it.

4 MS. SCHROEDER: Right, they put the
5 spotlight on me.

6 MR. MARSHALL: Sorry.

7 MS. SCHROEDER: No, it's all right,
8 I've dealt with things -- oops, something's
9 happening.

10 So, it's the presentation entitled
11 Call Blocking Report if anyone back there hears
12 me. Looks like this.

13 CHAIR POCIASK: There are a few copies
14 on the back table. Here we go. Now the much
15 awaited report.

16 MS. SCHROEDER: Good morning, sorry
17 for the confusion. I'm an attorney in the
18 Consumer Policy Division in CGB and I'm here to
19 talk about a call blocking report that I think
20 we're going to be asking you for some help with
21 which makes sense because it was originally your
22 idea.

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1 So, CGB has been working on the first
2 of two planned staff reports on call blocking.
3 In June of this year, the Commission directed us
4 to prepare these two reports in consultation with
5 WCB, Wireline Competition Bureau and with Public
6 Safety and Homeland Security Bureau.

7 And, the purpose of the report is to
8 study the implementation and effectiveness of
9 blocking measures. And, as I said, the report is
10 based, in part, on the CAC's recommendation
11 regarding unwanted call blocking from September
12 of 2017.

13 So, the report covers several topics.
14 And, in red are the two that we think you might
15 be able to help us with. The first of those is
16 availability of call blocking solutions and the
17 second is effectiveness of call blocking
18 solutions.

19 The report also covers the impact of
20 FCC actions, the deployment and impact of
21 SHAKEN/STIR, the impact on 9-1-1 and public
22 safety, and anything else, any other information

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1 that may inform the Commission's analysis of the
2 state of deployment of advanced methods and tools
3 to eliminate illegal and unwanted calls.

4 So, we expect that we'll be working
5 with you on a formal request for those two in
6 red. But one of the things I was hoping to talk
7 to you about today is, I'm going to go through
8 each of these and get you started on thinking
9 about what you might have to offer on any of them
10 with an emphasis on the first two.

11 So, availability of call blocking
12 solutions. We're wondering if the CAC has any
13 data or other information on the availability of
14 call blocking solutions offered to consumers,
15 what solutions are available? Are they opt in or
16 they opt out? Are they network level? Are they
17 third-party fees that are charged for the
18 solutions? How many consumers are subscribing?
19 Either in terms of proportion or a number? So,
20 just general information on call blocking
21 solutions that are out there.

22 And then, the effectiveness of those

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1 solutions. Wondering if the CAC has data or
2 anything on the number of -- total volume of
3 robocalls transiting our phone system, how that
4 number might be determined? We get different
5 estimates of that from different sources.

6 How effective the solutions are at
7 blocking illegal and unwanted calls? Does the
8 solution send an intercept message for blocked
9 calls? If so, how many does it send? What's the
10 rate of false positives? What's the rate of false
11 negatives? And, how many calls does the solution
12 block?

13 And, the other areas that you may or
14 may not have information on, is the impact of the
15 FCC actions that we've taken to date. Back in
16 November of 2017, we issued the call blocking
17 order which allows the voice service providers to
18 block calls in certain specific instances, namely
19 Do Not Originate calls where the originator of
20 the call has said, I only use this number to
21 receive calls, I never send outbound calls.

22 Also blocking invalid, unallocated,

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1 or unused numbers that can't be making calls.

2 We've also issued a declaratory ruling
3 back in June in the same item that produced the
4 request to do this report that lets voice service
5 providers default people into call blocking
6 solutions so that people can opt out of them
7 rather than having to proactively opt into them.

8 So, we're wondering, you know, how
9 effective were these measures? What's being done
10 in response to them? How is that going?

11 Another topic is the deployment and
12 impact of SHAKEN/STIR. We have an open
13 rulemaking on this. We did an NPRM so that if -
14 - suggesting that if voice service -- if the major
15 voice service providers haven't implemented by
16 the end of this year, we positioned to require
17 it.

18 We know industry has made progress on
19 SHAKEN/STIR and we're curious for an update on
20 the progress made.

21 And then, very important impact on 9-
22 1-1 services and public safety. We definitely

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1 want to make sure that any call blocking does not
2 block calls to or from emergency numbers. That's
3 a critical area of public safety.

4 So, we wanted to know if there's any
5 information on whether calls are being blocked in
6 error and then how that blocking is reported and
7 resolved, hopefully, quickly. And, hopefully,
8 not at all, if it's at all quickly.

9 And then, what's happening with public
10 safety entities? Are they experiencing unwanted
11 or illegal calls coming in that are interfering
12 with their mission?

13 And then, finally, if you have
14 anything that I haven't already asked for that
15 may inform our analysis on this topic, we would,
16 of course, welcome it.

17 So, we're going to be issuing a public
18 notice to seek input on this. We're also probably
19 going to be asking you for your help, as I've
20 mentioned.

21 We recognize that some of what we're
22 asking for is competitively sensitive. So, if

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1 anyone wants to aggregate information so it's not
2 attributed to specific organizations, we welcome
3 aggregated information, if that's the way we can
4 get it.

5 And, we're looking for both current
6 data and projected data through July 2020, if
7 it's available.

8 Does anyone have any questions?

9 CHAIR POCIASK: Okay. So, let's open
10 it up. Do we have any questions in the room?
11 Shirley?

12 MEMBER ROOKER: I'm supposed to be on
13 that group that -- and, truthfully, I'm sitting
14 here listening to you and I'm thinking, I don't
15 have a clue where to start.

16 Does anybody else who's going to be on
17 this call -- can't even say it -- feel the say I
18 do as to how do we even start on something like
19 this?

20 I mean, to me, the questions that you
21 asked are the essential ones. But where does the
22 data come from? Where does the information come

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1 from? How do you accumulate it? Those things
2 come to my mind when I'm sitting here listening
3 and thinking, these are the things that we need
4 to know but how in the world do we get it?

5 CHAIR POCIASK: Karen, do you have
6 thoughts on that?

7 MS. SCHROEDER: I have a few thoughts.
8 I confess, I had the same thought when I was
9 tasked with this.

10 MEMBER ROOKER: Thank you.

11 MS. SCHROEDER: We need to -- I
12 recognize that some of this data is difficult.
13 For example, the volume of robocalls across the
14 network. We just did a quick internal analysis
15 and you get numbers on that that are orders of
16 magnitude different, depending on what exactly
17 you call a robocall, what network you're looking
18 at, that you're going to get data from different
19 perspectives that's going to differ.

20 So, I think what we're probably going
21 to have to do with this report is gather the data
22 that we can find, recognizing that we're probably

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1 not going to have a definitive answer for every
2 question.

3 What we can do is we can say that, you
4 know, this industry group estimates this. And,
5 this industry group estimates this. And, I'm
6 hoping that the public notice will give us a good
7 range of organizations responding with those
8 different perspectives. And then, we can give
9 ranges and we can give those different
10 perspectives in the report.

11 CHAIR POCIASK: Shirley?

12 MEMBER ROOKER: Did you hear, by any
13 change, were you in the room when I was mentioning
14 earlier about a study, a survey by the
15 Transaction Network Services that they found that
16 consumers are receiving about 200 million
17 robocalls a day? And, that of those, only 12
18 percent of them come from the top six carriers,
19 through the top six carriers.

20 They were saying that the majority of
21 them come through the smaller carriers.

22 Now, I'm not that familiar with what

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1 that actually means, but to my mind, it says it's
2 going to be awfully hard to get real information.

3 I sent Scott a link to the article
4 that I'm referring to, the survey. And, Steve
5 says that these -- this company is a known player
6 so that we can put some validity, Steve, would
7 you say that, to what they're saying?

8 CHAIR POCIASK: Well, yes, they're a
9 main player in --

10 MEMBER ROOKER: Okay.

11 CHAIR POCIASK: -- credit card
12 transactions --

13 MEMBER ROOKER: Okay.

14 CHAIR POCIASK: -- for like point of
15 sales and things like that. So, they have their
16 own -- they have a network. But I don't know the
17 --

18 MEMBER ROOKER: Well, we don't know -

19 -

20 CHAIR POCIASK: -- methodology of the
21 survey but --

22 MEMBER ROOKER: Right, we don't know

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1 exactly how they came to all these figures. But
2 it was certainly startling to me when I saw it.
3 And, that's why I wanted to bring it to everyone's
4 attention today.

5 I've shared this with Scott and I'm
6 sure he can share it with you, Karen, just take
7 a look at it and see what you think about it.

8 MS. SCHROEDER: I'm familiar with TNS
9 and the report. I'm trying to remember how they
10 defined robocall because that's one of the -- not
11 all robocalls are bad.

12 MEMBER ROOKER: Right.

13 MS. SCHROEDER: If you get account
14 balance reminders, appointment reminders, things
15 like that.

16 MEMBER ROOKER: Let me see if they say
17 that.

18 MS. SCHROEDER: Things like that.
19 Those -- some organizations consider those to be
20 robocalls, others do not include wanted calls in
21 their data. So, that's part of that discrepancy
22 in the numbers I was telling you about.

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1 MEMBER ROOKER: They say unwanted
2 robocalls.

3 MS. SCHROEDER: Okay.

4 MEMBER ROOKER: Now, I don't know how
5 they define that.

6 MS. SCHROEDER: That's a difficult one
7 to define.

8 MEMBER ROOKER: Well, actually they
9 talk about scam and fraud robocalls.

10 MS. SCHROEDER: So, scam and fraud can
11 be more narrow but, again, that is one of the
12 issues that we've been having with the data is
13 exactly --

14 MEMBER ROOKER: I understand.

15 MS. SCHROEDER: -- what are you
16 measuring?

17 MEMBER ROOKER: Sure.

18 MS. SCHROEDER: Which is -- I can't
19 speak for the Commission's final determination on
20 this report. But in the past, what we've done is
21 give a range, give the different data points that
22 we get, what we know about what they're

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1 measuring. And, that sheds some light on the
2 situation.

3 So, I think there's value in pursuing
4 this even if we don't get the answer.

5 MEMBER ROOKER: Oh, agreed.

6 MS. SCHROEDER: But I understand your
7 concern with how do you provide that information?

8 MEMBER ROOKER: Oh, I'm quite
9 interested in how we approach this.

10 CHAIR POCIASK: Okay. Did we have
11 other questions?

12 (NO AUDIBLE RESPONSE)

13 CHAIR POCIASK: Okay. So, and also,
14 was there anyone on the phone who has a question?

15 (NO AUDIBLE RESPONSE)

16 CHAIR POCIASK: So, with that, Karen,
17 thank you so much.

18 MS. SCHROEDER: Thank you all. I
19 really appreciate it.

20 (APPLAUSE)

21 MEMBER ROOKER: Thank you.

22 CHAIR POCIASK: So, is Kirk here?

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1 Okay.

2 (OFF MICROPHONE COMMENTS)

3 CHAIR POCIASK: Yes, so, we're -- yes,
4 we're running early again. All right, so ---

5 (OFF MICROPHONE COMMENTS)

6 CHAIR POCIASK: So, you know, while we
7 do that, yes, what I was saying is they're one of
8 the major players that do the transactions for
9 credit card verification. And, so, I'd be
10 interested and look at the methodology to see the
11 extent that maybe the fraudulent calls are
12 actually going, you know, trying to make, you
13 know, trying to make, you know, credit sales and
14 things such as that.

15 MEMBER ROOKER: I don't know. I
16 haven't read it that much, I just saw it the other
17 day. And, I thought, gosh, a point we're going
18 to be talking about here. It'd be very
19 interesting to know what they're saying, so I
20 just read it.

21 And so, anyway, Scott can share it
22 with everyone and whether or not you want to read

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1 it, that's up to you.

2 CHAIR POCIASK: Yes, Debbie?

3 VICE CHAIR BERLYN: So, I assume the
4 questions --

5 MEMBER ROOKER: You're not on.

6 VICE CHAIR BERLYN: I'm not on? I
7 think I'm on now.

8 I assume the questions that the
9 working group will need to address will be
10 provided to them, you know, some of the issues
11 that the questions that she brought up will be
12 provided in a very specific way for the working
13 group so that they'll have that direction.

14 CHAIR POCIASK: Scott?

15 MR. MARSHALL: Yes, am I on here? Am
16 I on? I'll check, oh okay. Here we go.

17 Yes, we will -- the report topic is
18 not currently a working group, but will likely
19 become one. And, we are working on providing some
20 specifics on what the CAC could provide,
21 realizing that it may be a question of leveraging
22 information that our members or that some members

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1 around the table here have that we certainly, we
2 being CAC, don't have any independent research
3 capability.

4 So, this afternoon at 1:30, there's
5 going to be a group down the hall here in 402,
6 445, anybody that wants to talk about this, kick
7 it around a little bit, you're welcome to do that.

8 The Caller ID Authentication Group has
9 been already established. Many of you are on it.
10 And, that's a sort of a different topic than what
11 we're talking about in the report.

12 Because what the Caller ID group has
13 been charged to do, and there's specific language
14 in your packet of what that charge is and the
15 questions being asked is to look at what kind of
16 consumer education challenges or strategies
17 surround educating consumers about the
18 implementation of SHAKEN/STIR.

19 When they see the SHAKEN/STIR symbol
20 on the telephone screen, what does it mean
21 exactly? And, well, I'll stop there. I have a
22 story about an Uber driver who found out that I

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1 work for FCC and went on to say, and this was
2 about a major carrier that was sending out
3 messages that meant nothing to him about whether
4 -- one said likely scam. Another one said block.
5 But those terms didn't mean anything.

6 So, one of the things that the Caller
7 ID Authentication Group, that's Michael and
8 Thaddeus, under their leadership, will be doing
9 is trying to figure out how to message all that.

10 Does that help?

11 MEMBER ROOKER: Yes.

12 MR. MARSHALL: Okay, cool.

13 MEMBER ROOKER: I know nothing, so
14 anything helps.

15 MR. MARSHALL: Oh, stop it. Now, stop
16 it.

17 CHAIR POCIASK: So, at 1:45, is the -
18 -

19 MR. MARSHALL: 1:30.

20 CHAIR POCIASK: Oh, 1:30 is --

21 MR. MARSHALL: 1:30 these --

22 CHAIR POCIASK: The Caller ID

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1 Authentication will also --

2 MR. MARSHALL: Well, the Caller ID
3 group, whether that makes it easier to say,
4 right?

5 VICE CHAIR BERLYN: Yes.

6 MR. MARSHALL: That will meet here in
7 this room.

8 MEMBER ROOKER: I wasn't aware of
9 that.

10 MR. MARSHALL: And, then, the
11 discussion on the reporting requirements that
12 Karen talked about --

13 CHAIR POCIASK: Is that a break out?

14 MR. MARSHALL: -- that's a break out
15 session down the hall here. You go down the
16 corridor as if you're going outside and then 402,
17 445.

18 CHAIR POCIASK: What is it? What
19 room?

20 MR. MARSHALL: Room 402, 445.

21 MEMBER ROOKER: Which one is going
22 down the hall and which one is staying here?

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1 MR. MARSHALL: The Caller ID
2 Authentication is here.

3 MEMBER ROOKER: Okay.

4 MR. MARSHALL: And, the one that you
5 know you're on is here.

6 MEMBER ROOKER: That's it?

7 MR. MARSHALL: Yes.

8 CHAIR POCIASK: And, Karen's data
9 requirements then is the break out.

10 MR. MARSHALL: Discussion, that'll be
11 the break out and we'll show you where that room
12 is. It's very nearby.

13 MEMBER ROOKER: But the thing that
14 Karen just talked about?

15 CHAIR POCIASK: Yes.

16 MR. MARSHALL: Yes.

17 MEMBER ROOKER: But she just talked
18 about blocking and ID.

19 VICE CHAIR BERLYN: It's a discussion.

20 MR. MARSHALL: It's a discussion.
21 It's not a working group yet.

22 VICE CHAIR BERLYN: It's not a working

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1 group.

2 MR. MARSHALL: It'll be to talk about
3 what Karen --

4 CHAIR POCIASK: So, we may create a
5 new working group as a result of this?

6 MR. MARSHALL: Right.

7 CHAIR POCIASK: Okay? Yes, so the --

8 MR. MARSHALL: There's too many
9 authentications in the room.

10 CHAIR POCIASK: Right, right. So --

11 MR. MARSHALL: I understand it. I
12 understand perfectly.

13 CHAIR POCIASK: So, the current
14 working group -- the current ID working group
15 that will be here, they'll be kicking off because
16 they're under a tight deadline to move up --

17 MR. MARSHALL: Yes, they are.

18 CHAIR POCIASK: -- and to report
19 potentially a recommendation by December.

20 MR. MARSHALL: And, they've got a
21 messaging task, really, to figure out how to
22 message what the little SHAKEN/STIR emblem,

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1 whatever they use --

2 MEMBER ROOKER: Let me just --

3 MR. MARSHALL: -- means.

4 MEMBER ROOKER: I hate to be redundant

5 --

6 MR. MARSHALL: Sure.

7 MEMBER ROOKER: -- but are you telling
8 me that the call blocking and caller ID
9 authentication, which is the other working group,
10 as I understand it or is going to be, I think
11 that's where I asked to be.

12 MR. MARSHALL: That's where you are.

13 MEMBER ROOKER: That's going to meet
14 today?

15 MR. MARSHALL: Here.

16 MEMBER ROOKER: At 1:30?

17 MR. MARSHALL: Yes, ma'am.

18 MEMBER ROOKER: And, how long are we
19 scheduled to meet?

20 MR. MARSHALL: From about 1:30 to
21 about 3:00. It's totally flexible in terms of
22 how much discussion you want to do. Part of the

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1 activity will be to develop a work plan.

2 MEMBER ROOKER: Okay.

3 MR. MARSHALL: In terms of how much
4 time you want to spend on this topic and how many
5 meetings.

6 MEMBER ROOKER: And, who's leading
7 that?

8 MR. MARSHALL: The first speaker will
9 be Ed Bartholme who spoke earlier.

10 MEMBER ROOKER: Well, he doesn't know
11 anything.

12 MR. MARSHALL: And, he's a --

13 (LAUGHTER)

14 MEMBER ROOKER: You can tell him I
15 said that.

16 MR. MARSHALL: And, who's actually
17 leading that, it's Thaddeus and Michael.

18 MEMBER ROOKER: So, he'll be here at
19 1:30?

20 MR. MARSHALL: Ed will be back at --
21 I promise you, yes.

22 MEMBER ROOKER: Okay.

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1 CHAIR POCIASK: Right here.

2 MEMBER ROOKER: All right.

3 MR. MARSHALL: Yes, right here in this
4 very room.

5 MEMBER ROOKER: So, I just have to
6 make a change in my schedule of travel today.

7 CHAIR POCIASK: Okay.

8 MR. MARSHALL: Okay.

9 CHAIR POCIASK: And then, Karen's
10 issue will be in the break out.

11 MR. MARSHALL: Yes.

12 MEMBER ROOKER: Okay.

13 MR. MARSHALL: Does that help?

14 MEMBER ROOKER: No, but I'm still --
15 yes, thank you. You remember now, you have to
16 keep it for the slowest people in the group.

17 MR. MARSHALL: Oh, stop it.

18 MEMBER ROOKER: So --

19 CHAIR POCIASK: Yes, Matthew?

20 MR. MARSHALL: Hey, Matt. Somebody
21 just left the line, too, is what it sounds like
22 it.

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1 CHAIR POCIASK: There you go.

2 MEMBER GERST: At the risk of asking
3 an ignorant question, I don't recall that this
4 afternoon's meetings were noticed. So, some of
5 us actually have conflicting arrangements. Was
6 this sent out, these meeting notices?

7 MR. MARSHALL: Yes.

8 VICE CHAIR BERLYN: Yes.

9 MEMBER GERST: They were?

10 MR. MARSHALL: Yes.

11 MEMBER GERST: Does anybody --

12 VICE CHAIR BERLYN: As part of the
13 agenda.

14 MR. MARSHALL: Right. As part of the
15 agenda. The -- in my cover, you know, email also,
16 talked about the break out groups. I'm sorry if
17 we didn't make the message clear enough. But
18 they, you know, certainly if you can't meet --
19 make this meeting, there are others that will be
20 forthcoming, especially on the Caller ID
21 Authentication group. They're just getting
22 started today.

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1 MEMBER GERST: Oh, I see. There was a
2 sentence that said --

3 MR. MARSHALL: And, I forgot, there
4 was one member that couldn't attend is calling in
5 to the Caller ID Authentication group.

6 CHAIR POCIASK: All right. So --

7 MR. MARSHALL: And, there's also a
8 mailing list for that Caller ID Authentication
9 group, the Caller ID group just like we have for
10 the phone CAC. And that will be -- that's
11 operational, too. And, we have sheet this
12 afternoon about how to post messages there as
13 well.

14 CHAIR POCIASK: Okay, so, if there's
15 nothing else, then, let's move ahead on the
16 agenda.

17 We're going to hear an update on
18 Digital Opportunity Data Collection and the
19 presenters will be Kirk Burgee, Chief of Staff
20 and Garnet Hanly, she's the Chief at Competition
21 Infrastructure Policy Division.

22 So, with that, let me turn it over to

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1 those folks for the presentation. So, we need to
2 restart? Do you have a PowerPoint?

3 MR. BURGEE: No, we just --

4 CHAIR POCIASK: Okay, good.

5 MR. BURGEE: Good morning, everyone.

6 So, we're going to talk about the item
7 that the Commission adopted on August 1st which
8 did a number of things. I'll be talking about
9 the fix side of that.

10 So, on August 1, as some of you, I'm
11 sure, know, the Commission released a report and
12 order and a further notice of proposed rulemaking
13 concerning broadband data collection.

14 So, one of the most significant
15 aspects of that was the creation of the Digital
16 Opportunity Data Collection which is a new
17 broadband deployment data collection separate
18 from the Form 477 data collection which will
19 continue to go on at least for the near future.

20 The Digital Opportunity Data
21 Collection will collect broadband deployment data
22 from all providers of fixed broadband deployment

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1 services in the form of geospatial files which
2 will show on a geographic basis the specific
3 areas where they are providing coverage.

4 This is a change from what the Form
5 477 does which collects by census blocks which
6 has its limitations as I'm sure many of you know.
7 So, we see this as a significant improvement in
8 terms of the granularity and the precision and
9 the usefulness of the broadband deployment data
10 that we'll be collecting.

11 Another aspect of the DODC is that we
12 will establish a platform for the submission of
13 data from stakeholders, including consumers and
14 governmental entities who can dispute the
15 deployment data that is submitted by providers.
16 This is also a new feature that we think will
17 greatly improve the quality of the data that we
18 have available to make determinations about
19 policy and we'll be available to the public as
20 well.

21 The Universal Service Administrative
22 Company will be tasked with administering this

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1 platform and much of the day to day work
2 associated with the collection of the data and
3 the reporting will be subject to the close
4 supervision of the FCC in that process.

5 So, the initial filing in the DODC
6 will be six months after the FCC releases a public
7 notice that the platform is available.
8 Providers, filers will have an opportunity to
9 file any time after that public notice. But not
10 later than six months after the public notice.

11 And then, after that, providers will
12 be obligated to report revisions that would
13 affect the accuracy of their data on file within
14 six months of any change that results in that.

15 And then, there will be an annual
16 certification required every June 30 by every
17 provider that will certify to the accuracy of
18 their data as of the prior December 31st.

19 So, in the second further notice which
20 was also adopted on August 1st, the FCC asked a
21 lot of questions about how to implement this. One
22 of the key features is whether or not we should

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1 establish technical parameters for the submission
2 of the deployment data. That is, should we
3 specify how providers -- what they report based
4 on features of their network or other technical
5 specifications.

6 We also ask a number of questions
7 about how to establish the consumer -- the crowd
8 sourced platform that I referenced earlier.
9 There's a number of issues surrounding how --
10 what would be the appropriate way to affect that.

11 And, the FCC is also looking at the
12 next phase of deployment data which would be the
13 establishment of a location fabric database which
14 would establish a database that consists of every
15 broadband serviceable location in the country.
16 So, we would -- this would be a layer or
17 ultimately be a layer of the broadband deployment
18 data reporting that would establish where the
19 locations actually are with geographic precision
20 so that this would be ultimately added to the
21 coverage reporting to establish a full picture of
22 broadband deployment on the fixed side.

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1 We also ask in the second further
2 notice whether -- what we should, at some point,
3 sunset the Form 477 deployment data reporting
4 once the DODC platform is up and running and
5 established as a useful tool.

6 So, comments on the issues raised in
7 the second further notice will be due on
8 September 23rd and reply comments will be due on
9 October 7th.

10 MS. HANLY: Good morning, everyone. A
11 couple familiar faces.

12 So, I'm going to talk a bit about the
13 mobile side in the August 1 item. So, in the
14 report and order section, the Commission decided
15 to take steps to improve some of the existing 477
16 collections. And, also, to eliminate some of the
17 data required that the Commission believed was
18 unnecessary.

19 So, first, the Commission had decided
20 that it was necessary to make clear that the
21 wireless speed data was no longer going to be
22 deemed confidential. So, it made clear that the

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1 Commission would publish provider-specific
2 coverage maps on speed for -- and it would be
3 based on the technology used.

4 So, provider-specific maps with speed
5 and the coverage for LTE, GSM, CDMA, and 5G.

6 So, the -- in addition to that in the
7 report and order, the Commission recognized that
8 we were collecting some data on technology codes
9 that it deemed was no longer necessary like EVDO,
10 Rev-A, you know, various versions of 3G and so
11 forth.

12 And so, we streamlined that process.
13 We made clear that the service providers would
14 submit 5G NR which is the new technology for 5G.
15 And, R stands for new radio, LTE, CDMA-based,
16 GSM-based technologies.

17 So, there would be provider-specific
18 maps with speed for those different technologies.

19 In addition to that, in the report and
20 order, we -- the Commission took steps to provide
21 more granular data on subscriber data.
22 Previously, it was done at the state level. And,

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1 the Commission decided it was necessary to have
2 more granular data.

3 And so, we're now going to require
4 that the service provider submit wireless data at
5 the census tract level. And, this will be based
6 on the subscribers place of primary use for post-
7 paid subscribers and that pre-paid subscribers
8 will submit data based on the telephone number.

9 So, in addition, we -- the Commission
10 decided that it was going to eliminate the
11 collection of mobile retail availability data.
12 Previously, service providers would submit a list
13 of census tracts where they were offering
14 service.

15 This was a requirement that had been
16 in place for many years. And, really, it was
17 somewhat duplicative of requiring the deployment
18 data. So, the Commission decided it would
19 eliminate this requirement and look more towards
20 improving the deployment data.

21 So, in the further notice, the
22 Commission did ask a lot of questions about

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1 improving the collection of mobile coverage data.

2 The Commission decided it wasn't time
3 yet to transition the mobile coverage data to the
4 DODC or Digital Opportunity Data Collection Fund,
5 as Kirk had described. There were still a lot of
6 things that the Commission needed to understand.

7 You know, the Commission did Mobility
8 Fund Phase II, Universal Service Collection, and
9 it's still learning from that. And, we recognize
10 we probably needed to refresh the record on these
11 issues.

12 Given the complexities with
13 collecting mobile coverage data, the Commission
14 asked a lot of questions. In particular, it asked
15 comments on standardizing the parameters for
16 coverage maps. In the Mobility Fund Phase II
17 Program, it did standardized parameters.

18 The Commission requested detailed
19 information about what the industry and outside
20 parties have learned from that process is to
21 inform the Commission for future data collection
22 and, you know, that the Commission, on an ongoing

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1 basis should require.

2 So, it asked a lot of questions about
3 that. It asked about the format, what kind of
4 GIS polygon data it should request.

5 It also asked for questions about
6 whether the Commission could -- should consider
7 collecting infrastructure information, whether
8 that would help provide more granularity for the
9 Commission in analyzing wireless coverage data.

10 And also, as Kirk had explained, the
11 Commission asked a lot of questions about what we
12 refer to as crowd sourcing data, whether it's,
13 you know, consumers doing speed test apps and
14 submitting that data or whether it's drive tests
15 on the ground data.

16 On drive tests, we ask questions about
17 drone data and whether that would help enlighten
18 the Commission in better -- providing more
19 verification and accuracy of wireless coverage
20 data.

21 The Commission had noted that after
22 the hurricanes in Puerto Rico, the Commission did

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1 some drive testing and drone testing data,
2 recognizing that drone testing data is new in the
3 industry and, you know, it's especially helpful
4 in areas where you can't take a car.

5 And, you know, there are some unique
6 factors that the Commission needs to consider
7 because of drone testing. But wanted to seek
8 comment on those type of issues as, you know, a
9 tool that the Commission could use to further
10 verify accuracy of wireless coverage data.

11 In addition to the requests for
12 information about improving wireless coverage
13 data, the Commission also asked further questions
14 about getting more granular subscriber data from
15 service providers.

16 More specifically, the Commission
17 asked about breaking out some of the subscriber
18 data by, you know, who the service provider
19 serves, enterprise, wholesale, government, pre-
20 paid, post-paid. So, the Commission sought
21 comment on getting, you know, whether it should
22 consider requiring some of that more detailed

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1 subscriber data.

2 And then, finally, the Commission also
3 sought comment about sun setting Form 477 data
4 and transitioning it over to the Digital
5 Opportunity Data Collection, similar to what Kirk
6 had talked about that USAC is start -- well, it's
7 putting up this new system to collect the fixed
8 data.

9 So, those are some of the issues that
10 the Commission both addressed in the report and
11 order and teed up for further notice on wireless
12 coverage data and subscriber data.

13 The comment cycle is the same for the
14 mobile side as it is for fixed. So, I guess we're
15 going to receive comments in the next week and a
16 half. And, I think from the wireless bureau's
17 perspective, we certainly encourage as much, you
18 know, outside input on these issues.

19 We recognize, you know, wireless
20 coverage data is extremely difficult because of
21 the uniqueness of wireless, the fact that, you
22 know, just even coverage and speed data can

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1 differ depending on who's on the network, the
2 topography, when the leaves are the tree, it
3 could impact, you know, the speed and coverage
4 and so forth and signal strength.

5 So, we recognize there's a lot of
6 complexity with the probabilistic nature of
7 wireless and the networks. So, we encourage a
8 lot of input on that as the Commission moves
9 forward in, you know, setting new parameters
10 around collection of wireless coverage data.

11 So, that's all I have. And, open for
12 any questions that anyone has.

13 CHAIR POCIASK: Okay, thank you.
14 Well, wait, I have some questions.

15 MS. HANLY: Oh, sure.

16 CHAIR POCIASK: So, you mentioned the
17 speed accuracy issue like as it relates to --

18 MS. HANLY: For wireless?

19 CHAIR POCIASK: For wireless.

20 MS. HANLY: Sure.

21 CHAIR POCIASK: And, I guess it could
22 be for other networks as it relates to -- that

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1 are subject to congestion. How do you envision
2 something like that being reported? I mean, I
3 can tell you what my maximum might be, but if
4 everyone's hitting carriage return at the same
5 time, you know, the network, you know, slows
6 down.

7 And so, how do you -- what were you
8 thinking how would something like that work?

9 MS. HANLY: Well, currently, right
10 now, the requirement for the submission of speed
11 data is based on minimum average or expected
12 speed.

13 CHAIR POCIASK: Okay.

14 MS. HANLY: So, if parties have
15 suggestions of different ways that we should
16 better seek information from service providers on
17 how to calculate, you know, at the end of the
18 day, what consumers could reasonably expect in
19 terms of speed.

20 But to keep in mind, again, it's --
21 nothing's going to be perfect when it comes to
22 the wireless because of the, you know, the

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1 uniqueness of wireless and all the different
2 factors that could impact speed at certain times
3 of the day.

4 So, right now, again, we go back to
5 minimum advertised or expected speed, which is
6 what is currently required. And, if parties have
7 suggestions of better ways to get at what
8 consumers could reasonably expect and how we
9 should collect that information, then we
10 encourage folks to submit that to us.

11 CHAIR POCIASK: And, just a quick
12 follow up, too, and like in regard to small
13 providers, WISPs and others --

14 MS. HANLY: Yes.

15 CHAIR POCIASK: -- are there
16 exemptions that say a certain size, is there --
17 are they exempt from reporting requirements or
18 does everyone --

19 MS. HANLY: Everyone has to submit.

20 CHAIR POCIASK: Everyone will, okay.

21 MS. HANLY: That's under current
22 requirements.

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1 CHAIR POCIASK: Okay. All right.

2 So, we have a question over here.

3 Irene?

4 MEMBER LEECH: As a consumer who has
5 to get broadband wirelessly, and that's the only
6 option, census tract is an awfully big
7 measurement level.

8 MS. HANLY: Are you talking about for
9 calculating subscriber data? Because that's for
10 subscriber data. Because the ultimate goal is,
11 if you have a coverage map that the map has the
12 capability to zoom in within addresses and so
13 forth.

14 But when I talked about census tract,
15 that was on subscriber data.

16 CHAIR POCIASK: So, it'll be block
17 level potentially?

18 MS. HANLY: Well, I mean so, again, I
19 think the ultimate goal is to have maps that could
20 zoom in within like if you have an address.

21 CHAIR POCIASK: Okay.

22 MS. HANLY: I mean, it's -- I mean,

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1 currently, service providers have on their
2 websites maps that you typically can put in your
3 address and zoom in. And, I recognize your
4 smiling and saying, but you're not sure how
5 accurate those are.

6 MEMBER LEECH: Correct.

7 MS. HANLY: But then, that goes
8 towards --

9 MEMBER LEECH: Based on my experience.

10 MS. HANLY: I recognize. And, the FCC
11 doesn't necessarily know the methodologies that
12 the service providers are implementing to create
13 those coverage maps. But the FCC has sought
14 comment on setting standardized parameters of the
15 methodologies that service providers will
16 implement to submit the shape files or polygon --
17 GIS polygons that they will submit to us.

18 And, that might not necessarily
19 represent the same methodologies they use to
20 create the coverage maps on their websites.

21 So, we will decide the standardized
22 parameters and that's what we have sought comment

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1 on.

2 CHAIR POCIASK: But it'll provide in
3 that manner, it'll provide a common format across
4 different providers so we can, you know, there's
5 basically, we're talking one definition one
6 language?

7 MS. HANLY: That's correct. We're
8 talking standardized methodologies. Because,
9 currently, under the 477 requirements --

10 CHAIR POCIASK: Okay.

11 MS. HANLY: -- the service provider
12 has the discretion to decide the methodology of
13 how they submit the shape files to us. And, we
14 ask for a brief description of how they do it,
15 but they have the discretion right now. And, we
16 have sought comment on standardizing those
17 methodologies.

18 Because we recognize that is a way we
19 can improve the accuracy of the wireless maps.

20 CHAIR POCIASK: All right, thank you.

21 So, we have another question from
22 Vonda.

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1 MEMBER LONG-DILLARD: Okay. I'd like,
2 if you could, please, describe to me more about
3 the DODC, the Digital Opportunity Data
4 Collection. You said geospatial and something
5 else. I'm very interested in a little bit more
6 about that, please?

7 MR. BURGEE: Okay. So, what the
8 providers will be submitting to the FCC are
9 essentially maps of coverage. So, it's a very
10 precise and specific method of conveying
11 coverage.

12 And, our intention is to make this --
13 beg your pardon?

14 MEMBER ROOKER: I said that sounds
15 like it would be much better data.

16 MR. BURGEE: We think it will be. We
17 think it's going to be a big improvement in the
18 sense that you'll be able to look at the display
19 of the data and it will show you where coverage
20 is and isn't in a very specific way that isn't
21 available now.

22 MEMBER LONG-DILLARD: Using

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1 satellites? Or, I'm aware about shape files and
2 census tract.

3 MR. BURGEE: It would shape files,
4 that's another way to say it.

5 MEMBER LONG-DILLARD: But using
6 satellite imagery or --

7 MR. BURGEE: No, it's the providers
8 will determine the shape of their coverage based
9 on the characteristics of their networks. They
10 may use satellites in that process, satellite
11 information, but they will be based on the
12 information on the ground.

13 MEMBER LONG-DILLARD: Okay. I know
14 that there can be bleed over because sometimes if
15 someone's on the border, you as a service
16 provider may provide coverage to those people
17 over your border, network border.

18 So, but this, you all feel this will
19 be more accurate?

20 MR. BURGEE: Absolutely.

21 MEMBER LONG-DILLARD: Okay.

22 CHAIR POCIASK: Okay. Irene, did you

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1 want to get one in here?

2 MEMBER LEECH: There are two more
3 things I wanted to ask about. With the -- we have
4 what's known as fixed wireless. And, very often,
5 our speeds and so forth vary.

6 But it's not at all unusual for say,
7 10:30 in the morning in a very rural area or 10:00
8 to 11:00 at night, to be low times which makes no
9 sense to us because we don't think those are times
10 in the area that there would be lots of usage.

11 But just be aware that there are these
12 drops and it can go for 30 minutes to an hour. I
13 don't know what's going on, but I know we can't
14 -- are having trouble with that.

15 The other thing, as you're talking
16 about the maps, and with the wireless, I used to
17 be able to use my cell phone consistently on a
18 13-mile drive that now drops calls five or six
19 times in between there.

20 And, I think that whole area is shown
21 as served and yet, it's not, you know, something
22 we can count on.

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1 MS. HANLY: Sure. In regards to the,
2 you know, the --

3 MEMBER LEECH: Time of day?

4 MS. HANLY: -- the time of day issue
5 and so forth, I mean, so, we have -- we recognize
6 that having, you know, outside sources come in
7 and tell us where they think the coverage isn't
8 accurate and so forth.

9 So, we have sought comment on
10 utilizing crowd sourcing data. And, again, I say
11 crowd sourcing data, maybe it's more like a term
12 of art within the industry. But it's basically
13 getting input from whether it's local governments
14 or state governments submitting data saying, you
15 know, this company's coverage data is inaccurate.
16 It says on their map on their website that they're
17 serving, but that's not consistent with what the
18 constituents are saying.

19 And, so, we are seeking comment on
20 having a process so that outside parties have an
21 opportunity to submit data to us indicating that
22 these coverage areas are inaccurate.

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1 So, we recognize the things that
2 you're raising and we're seeking comment on how
3 to create a resource for third-parties to come in
4 and let us know where the coverage is inaccurate.

5 CHAIR POCIASK: Okay. Let me see,
6 Johnny?

7 MEMBER KAMPIS: I was just kind of
8 curious what the map would look like. Would it
9 be a single map showing both wired and wireless?
10 Like if I punch in my address, is it going to
11 show me every provider that provides service
12 alphabetically by speed or what's the map or maps
13 going to look like?

14 MR. BURGEE: So, right now, the DODC
15 will just be the fixed side of the equation which
16 will include fixed wireless but it will be fixed
17 technologies.

18 We have -- there's a lot to be decided
19 about the map. We want to try to make as useful
20 as possible to as many stakeholders as we can.

21 I think the things you described, it's
22 pretty reasonable to think we would put those

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1 features into it. But that's something we're
2 still looking at and working on right now.

3 CHAIR POCIASK: All right, Johnny,
4 does that help?

5 Is there anyone online that have any
6 questions? Anyone on the phone?

7 (NO AUDIBLE RESPONSE)

8 CHAIR POCIASK: Okay, well, thank you
9 very much. That was very informative.

10 Let me just ask you before you leave,
11 if you want to just wrap through what the
12 progression, the time deadlines are for, you
13 know, what's happening in terms of the notice.

14 It might be helpful just to get a
15 quick update on that before you leave.

16 MR. BURGEE: Sure. So, as I
17 mentioned, the comment deadline is coming up.
18 It's September 23rd. And, then, after that,
19 reply comments will be due on October 7.

20 There are no fixed time frames after
21 that that I'm aware of. We'll have to go through
22 a Paperwork Reduction Act process that will last

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1 about six months I think.

2 MS. HANLY: Yes.

3 MR. BURGEE: And, we'll be working to
4 create these platforms and we're very interested
5 in doing it quickly, but there's quite a bit to
6 it. It's a very complicated process, as you can
7 probably imagine.

8 So, I'm afraid it's not as a most
9 satisfying answer, but we are trying to get it
10 done as quickly as we can.

11 CHAIR POCIASK: Thank you very much.
12 Thank you both.

13 Okay, is Lori here? Excellent. So,
14 now we're going to get an update on pending
15 legislation of interest to consumers.

16 So, our presenter today is Lori
17 Maarbjerg. She's with the Office of Legislative
18 Affairs. Lori?

19 MS. MAARBJERG: Hi.

20 CHAIR POCIASK: I'll turn it over to
21 you. I glanced ahead on this and this is a pretty
22 interesting slideshow. So, thank you for being

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1 here.

2 MS. MAARBJERG: Good morning. How's
3 everybody? I'm great for a Monday morning. The
4 sun is shining, it's still 90 degrees in
5 Washington.

6 I'm from Legislative Affairs, as they
7 said. I deal with consumer and governmental
8 affairs bureaus, media bureau, and international
9 bureau issues. So, my main focus is keeping track
10 of what Congress is doing in helping
11 congressional offices answer questions from their
12 constituents when they have issues with the
13 Commission.

14 And so, I'm here to talk to you about
15 the consumer related bills. I'll go in great more
16 specifics about the robocall bills, the Senate
17 bill and the House bill. And, I also have in my
18 slides information on all the privacy bills that
19 are making their way around the Senate.

20 I know you all are probably interested
21 in those. While they don't have as much to do
22 with the FCC, there's a brief description of each

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1 of them and I can give you some general background
2 on where they're at and what Congress is thinking
3 of doing in those areas.

4 But, first, we can talk about the
5 TRACED Act. So, this is the bill that Senator
6 Thune introduced. It has passed the Senate
7 pretty overwhelmingly, 97 to 1.

8 It is specific in that it requires the
9 FCC to implement SHAKEN/STIR, call
10 authentication, and that has to be done within 18
11 months.

12 We have to report to Congress on the
13 implementation within one year of enactment and
14 then we have to give Congress an assessment every
15 three years.

16 It would require the creation of an
17 interagency working group, so it would require
18 the FCC to work with other government officials
19 to come up with a way to that, again, just to
20 talk as an entire government of how to deal with
21 the robocall problems.

22 It also increases the forfeitures for

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1 intentional violations. So, it would take the
2 base forfeiture currently in the statute and, for
3 intentional robocall violations would require an
4 additional \$10,000 forfeiture on top of that.

5 The bill also increases the statute of
6 limitations to three years for intentional
7 robocall violations from the current one year
8 statute of limitations. That would give the FCC
9 more time to investigate and go after intentional
10 robocallers.

11 It requires the FCC to start a
12 rulemaking on spoofing protection within one year
13 of enactment. And, requires the FCC to start a
14 rulemaking on access to a number of resources
15 within a 180 days of enactment.

16 And then, finally, there's an annual
17 report on TCPA enforcement. So, the Senate bill,
18 like I said, moved pretty quickly through the
19 Senate and is currently awaiting -- we'll get to
20 that, but the staffs are talking with each other.

21 Because they have to negotiate with
22 the House side now. So, the House has their own

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1 version of the Stopping Bad Robocalls Act.
2 Again, it passed on suspension on the House back
3 in July overwhelmingly, 429 to 3. So, it's a
4 bipartisan effort, moved pretty quickly, again,
5 once they figured out what they wanted to do.

6 It is a bit different than the Senate
7 bill. As you can see, there's a few more bullets
8 on this slide. They make us do a few more things,
9 more reporting it seems.

10 But the -- one of the major
11 differences between the two bills is that the
12 House bill doesn't dictate what type of call
13 authentication technology the Commission is
14 required to implement. And so, they kept it more
15 technology neutral. They wanted to give the FCC
16 the ability to decide what would be best.

17 We would have to enact within one
18 year. And then, require the providers to
19 implement to consumers within six months after we
20 establish our rules. So, it's along the same sort
21 of time frame they believe as the Senate bill,
22 just in a different way of getting there.

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1 It requires the same interagency
2 working group creation. So, it's -- the language
3 is virtually identical, so that shouldn't be an
4 issue going forward.

5 It also increases the forfeitures for
6 intentional violations, similarly to the Senate
7 bill.

8 On statute of limitations, there's a
9 few differences here. The House bill gives a
10 three-year statute of limitation for general
11 robocall violations, and it gives a four-year
12 statute of limitation for intentional violations.

13 And then, it also provides at a four-
14 year statute of limitations for caller ID
15 spoofing violations, which is something that
16 would be helpful to the Enforcement Bureau here.

17 It requires annual reports on
18 enforcement, annual robocall report on the status
19 of private led efforts on trace back.

20 Requires the FCC to establish a
21 process to streamline voluntary information
22 sharing. And, requires us to take final action

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1 within one year of enactment on free robocall
2 blocking services. So, that's, again, a big
3 difference between the House bill and the Senate
4 bill.

5 And, requires the FCC to start a
6 proceeding on one-ring scams within a 120 days of
7 enactment. And, we have to report to Congress
8 within one year.

9 So, those -- that's just -- those are
10 the major sort of things. There might be a few
11 other minor things here and there between the two
12 bills. But, right now, the staffs are talking
13 with one another, the Senate and House staff. So,
14 they're trying to figure out how to move forward.

15 It was reported I think at the end of
16 last week that they believe those talks are going
17 well. Again, like I said, the biggest difference
18 between these two bills is the requirement to, on
19 the one hand on the Senate bill to implement
20 SHAKEN/STIR versus having a more general
21 requirement for the FCC to implement call
22 authentication technology.

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1 And so, it'll be interesting to see
2 what -- which way they end up going, if they're
3 going to get to a final agreement.

4 Statute of limitations, while it
5 shouldn't be an issue to resolve those given that
6 the Senate didn't have the same exact language,
7 they would have to work through those as well.

8 So, we're kind of in a wait and see
9 mode to see where the staff come out and then,
10 ultimately, what type of language is going to
11 result that they might be able to act on.

12 There's great incentive for them to do
13 it. They want to do it. So, we fully anticipate
14 that they're going to continue to work towards
15 that goal. But there's not any clear indication
16 of when that actually might happen.

17 All right. I know y'all wanted to
18 talk about Senate privacy bills or just the
19 privacy bills in general. So, I've taken a few
20 pages in my -- there's 12 Senate privacy bills.
21 And so, this, again, it's a big issue that
22 everybody is interested in.

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1 While we here in legislative affairs,
2 we're monitoring this, virtually all of these
3 bills are pointed towards the FTC. There's not
4 an FCC role here. So, we are just kind of in a
5 monitoring situation where we keep track of them.

6 The reason why a lot of bills have
7 been introduced is because there isn't one
8 framework that they've settled on yet. Now,
9 Senator Wicker, the Chairman of the Senate
10 Commerce Committee is very interested in getting
11 a national privacy frame work bill completed.

12 He has said in the past that he wanted
13 to have a bill done and out for public consumption
14 by Labor Day. But, again, at the end of last
15 week, he's reported as saying that, well, they're
16 probably not going to make that deadline. So,
17 yet to be seen what is going to happen with that.

18 We have, you know, again, reporting
19 indicates that they had a bipartisan working
20 group of several Senators that had been earlier
21 this year. They've held hearings and then,
22 earlier this year before August recess, the talks

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1 had then just resulted between Senator Wicker and
2 Senator Cantwell. And so, they are trying to
3 focus on getting a bill done.

4 I understand that Senator Cantwell
5 wants to have a private right of action included
6 in any bill. So, again, that might be one area
7 where it would take a little bit of negotiating
8 between the two sides.

9 Also, recently reported that Senator
10 Blumenthal and Senator Moran are working on their
11 own bill. So, they were part of the bigger
12 working group earlier in the year and they are
13 still working towards having something as well.

14 Again, like I said, I won't run
15 through all of the specifics of all these bills
16 because you have copies of it. But a lot of it
17 just is focusing on notification to consumers,
18 you know, a lot of the different bills,
19 notification to consumers is the biggest issue,
20 getting their consent as well.

21 Some of the bills talk about having
22 the consumers right to get their data back and

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1 delete their data. A lot of them talk about
2 having options or preferences that consumers can
3 establish for their privacy and their data
4 online.

5 Like I said before, most -- virtually
6 all of them, except for one, are going to be
7 implemented by the FTC.

8 There is one that's towards the back
9 here, the DASHBOARD Act. That one's the only one
10 that's been referred to a different committee.
11 It's been referred to the Senate Banking
12 Committee because there's SEC rules involved as
13 well. Because it's -- they're tying it back to
14 how the data's being collected and how it's being
15 used for profit. And so, that's why it's been
16 referred to a different committee on the Senate
17 side.

18 So, there's lots of activity on the
19 Senate side. Many bills. We'll see how many of
20 these different aspects -- I think everybody's
21 introducing their own bill to kind of lay their
22 marker down and to see if they can make it into

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1 a larger framework bill that's being worked on.

2 On the House side, not quite as much
3 action. So, we've got two bills, two major bills
4 that are introduced. One of them is a companion
5 bill to one of the Senate bills, that's the -- I
6 can never say it -- the Clarke bill, we'll just
7 say H.R. 2231.

8 So, that deals with the algorithms and
9 that's a companion bill to Senator Wyden's bill
10 in the Senate.

11 And then, the only other like major
12 privacy bill has been introduced by
13 Representative Delbene. The, again, talks about
14 opt in consent for the collection, storing,
15 processing, selling, or sharing of sensitive
16 data.

17 Representative Delbene is not on the
18 Energy and Commerce Committee where it's been
19 referred to. So, that might have an impact on
20 its -- on whether or not there will be hearings.

21 But I think that's it. It's pretty
22 much what I have to say. Anybody have any

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1 questions?

2 CHAIR POCIASK: Questions, anyone?

3 (No audible response.)

4 CHAIR POCIASK: Online, on the phone,
5 any questions?

6 (No audible response.)

7 CHAIR POCIASK: So, the prospects, I
8 mean, there's a lot of things out there but, I
9 mean, it doesn't look like much will happen this
10 year.

11 MS. MAARBJERG: They want -- well,
12 they want to do a bill. So, but again, the time
13 line, given that Senator Wicker said that his
14 time line has kind of shifted, so he's not going
15 to make his original goal of Labor Day. Unclear
16 as to when they'll -- they might have something
17 done.

18 But there's a lot of Senators who are
19 very interested and so they'll keep on pushing.
20 But not clear.

21 CHAIR POCIASK: Great, thank you for
22 the update. Anyone else? Any questions?

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1 (No audible response.)

2 CHAIR POCIASK: Lori, thank you so
3 much.

4 MS. MAARBJERG: Thanks.

5 (Applause.)

6 MR. MARSHALL: Thank you very much.

7 CHAIR POCIASK: All right, so let's
8 turn our attention to the next item on the agenda.

9 So, what we'll hear now is an update
10 on the Electronic Comment Filing System, ECFS and
11 its redesign. The presenter will be Marlene
12 Dortch. Is it Sheryl or Marlene?

13 MS. DORTCH: It's Marlene.

14 CHAIR POCIASK: Marlene? Okay.
15 Marlene Dortch, how about that?

16 It seems like I write to you so many
17 times but --

18 MS. DORTCH: I know, I'm so popular.

19 CHAIR POCIASK: So, all right.

20 (Off-microphone comments.)

21 CHAIR POCIASK: So, she's on the
22 redevelopment team. So, all right, well, thank

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1 you Marlene. I'm glad you could come.

2 MS. DORTCH: So, thank you. I feel so
3 special, I'm excited to be here, too.

4 So, I'm here to talk to you today
5 about what's new with the Commission's Electronic
6 Comment Filing System. And, I also have here with
7 me today Sheryl Segal who is the Associate
8 Secretary for Information Resources.

9 So, for those who -- I'm not sure who
10 is or is not familiar with the Electronic Comment
11 Filing System, or ECFS, as we call it here at the
12 FCC.

13 But it's actually just what it says,
14 the Comment Filing System. And that allows
15 people to submit comments electronically to the
16 FCC. And it's also used internally as well by
17 the bureaus and offices here at the Commission to
18 access filings before the Commission.

19 So, previously, we've upgraded the
20 system. But this time, we are actually going to
21 create a newly developed system. So, it will be
22 tailored to current concerns and issues. And so,

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1 rather than just upgrading something that's old,
2 we're going to redevelop a brand -- to develop a
3 brand new system. And, we're really excited
4 about that opportunity because that really is
5 what it is, a great opportunity to use technology
6 to develop a new system.

7 So, what you can do with ECFS, for
8 searching databases, for filings within
9 proceedings, you know, we're going to improve
10 with the current demands.

11 And so, we think that this will be a
12 significant upgrade from where we are currently.

13 So, even though we are fixing some of
14 the issues that occur, right now, our focus is on
15 developing a brand new system.

16 So, where are we? So, for the last
17 year or so, the Office of the Secretary, the
18 Consumer and Governmental Affairs Bureau and
19 Information Technology, we've collaborated in
20 what we call our discovery phase.

21 And it's really a term of art for
22 analyzing and documenting in detail all the

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1 things that we use ECFS for to accomplish our
2 work here at the FCC.

3 So, that includes all the bureaus and
4 offices here in the Commission and we've worked
5 together to kind of incorporate any suggestions
6 and to make sure that we document how people
7 internally use the system.

8 And, we've incorporated all of those
9 processes and suggestions. We've included the
10 Inspector General's Office, the General
11 Accountability Office, and really had a clear
12 understanding of our core functions.

13 So, that's -- we can make sure that we
14 have everything incorporated in the new system.

15 So, and that has, you know, taken an
16 extended amount of time. So, where we are now in
17 discovery is we're working on our second phase.
18 And, that includes our external stakeholders.

19 And so, once we've completed
20 determining all those issues with the external
21 stakeholders, we think we will have a system that
22 would allow us to best serve the public.

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1 So, what types of improvements have we
2 already thought about? So, we focused on various
3 areas. There's the authentication and roles.
4 And so, that would be similar to like a commercial
5 user, like online shopping where a user can
6 interact with the system, either as a registered
7 user or as a guest.

8 The idea being it will be convenient
9 for people who frequently file, but would also
10 not require those people who aren't -- really
11 don't want to register. So, making it convenient
12 for all types of users.

13 Security of incoming filings and
14 processes. We plan to use CAPTCHA or something
15 similar, a software to distinguish from machine
16 input or spam in ECFS which has happened in the
17 past. And so, we're looking to make sure that we
18 avoid those types of issues that have happened in
19 the past and to keep pace with technology.

20 We also have looked at the petition
21 for rulemaking and docket creation, docketed and
22 nondocketed filing process, how we can make those

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1 processes easier for both internal and external
2 users and much more automated than it has been in
3 the past.

4 And, another area we've looked at is
5 reporting and analytics. They're -- we have a
6 lot of data and valuable data in our system. And
7 so, how can we provide software that's used to
8 access that data in a way that makes it easier to
9 offload and so that internal and external users
10 can more easily, you know, analyze the data
11 according to whatever needs you have.

12 I think our idea basically is, how can
13 we make it more user friendly with this data that
14 we collect every day?

15 So, how do we plan on doing external
16 outreach? While we will be hosting in October
17 and early November a roundtable session, several
18 roundtable sessions because we really do value
19 the input from external stakeholders. And we
20 want to have a comprehensive approach, and so we
21 need your feedback to help us make the system the
22 best it can be.

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1 And, we want it to be as helpful as
2 possible and so we need your input to do that.
3 So, if you are interested in attending a
4 roundtable session, we would love to hear from
5 you and we're here today to take any suggestions
6 or questions that you might have.

7 So, thank you.

8 CHAIR POCIASK: Okay. Do we have any
9 questions from the floor here?

10 Johnny?

11 MEMBER KAMPIS: I was going to say if
12 you're doing the security, I don't know if this
13 counts as CAPTCHA or not, but you're doing a thing
14 where you've got to identify the cars in the
15 photos, don't do that. It's always like, is that
16 a car in the background? Those things are
17 impossible.

18 MS. DORTCH: I know what you mean.

19 CHAIR POCIASK: Anyone else in the
20 room? Anyone on the phone, any questions?

21 (Off-microphone comments.)

22 CHAIR POCIASK: Yes? Yes. Yes,

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1 identify yourself, please.

2 MR. MAKE: Hi, everyone, I'm Jonathan
3 Make in the Communications Daily. Obviously,
4 we're, you know --

5 VICE CHAIR BERLYN: We can't hear you.

6 MR. MAKE: Hi, everyone, Jonathan Make
7 at Communications Daily. Obviously, we're always
8 interested in ECFS enhancements.

9 I just wanted to ask Marlene or
10 Sheryl, when you talk about automation, could
11 that also or will that likely also include OIOA
12 filings to be posted more in real time like EDGAR
13 is an example at the SEC where there doesn't
14 necessarily have to be staff intervention, staff
15 can still see the filings and, you know,
16 manipulate and sort them but don't necessarily
17 need to, you know, trigger them to be posted. So,
18 I was just curious about that.

19 CHAIR POCIASK: So, the redesign --
20 about the redesign, you know, will things be
21 posted? I mean, how will that, more timely, how
22 will that be affected?

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1 MS. DORTCH: I appreciate your input
2 and I didn't quite hear exactly what you said,
3 but I know that that is something that we do now.
4 And that we will definitely take down what you've
5 said and make sure that we consider that in our
6 development process.

7 CHAIR POCIASK: Okay.

8 MS. DORTCH: So, we do have currently
9 we have a two-hour delay. And, the delay is for
10 support to those who do file to make sure that we
11 post what is accurate.

12 So, yes, sometimes, a filer may have
13 made a mistake. Sometimes, every now and then,
14 so we want to make sure that we are timely, but
15 that it gives the filer the opportunity to file
16 what they intend to file.

17 CHAIR POCIASK: So, there's a buffer
18 there.

19 MS. DORTCH: Right.

20 CHAIR POCIASK: Okay, Christina, you
21 have a --

22 MS. CLEARWATER: Oh, yes. Marlene, is

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1 this on? Yes. So, my question to you is about
2 the consideration of a verification process so
3 that, are you guys considering looking at any
4 kind of enhanced verification process so that
5 there is a way to authenticate that the filer is
6 actually the filer of the particular document?
7 Are you guys exploring that at all?

8 MS. DORTCH: Yes, we have, if you want
9 to elaborate on the technology?

10 MS. SEGAL: There's a balance between
11 authentication and free -- allowing people to
12 freely file without having a chilling effect.
13 So, we have to be careful not to inhibit people
14 from filing and that sometimes means that we get
15 filings that are perhaps frivolous, to be kind.

16 And, we rely on the discretion of the
17 attorneys who analyze the incoming filings to
18 differentiate. But we also are looking at the -
19 - we are hoping that the roles that we establish
20 will help minimize those kinds of filings.

21 MS. CLEARWATER: Thank you.

22 CHAIR POCIASK: Okay. Vonda, do you

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1 have a question?

2 MEMBER LONG-DILLARD: Hi, this relates
3 to searchability. Do you expect improvements to,
4 say, you know, Rulemaking can be extremely long,
5 over a year's time.

6 So, if something -- if one pulls up,
7 you know, an order or an NPRM and an FMPRM, and
8 it goes back, so they know the most current one,
9 but it may have started, say, in 1998. Will there
10 be some kind of branch association with all of
11 this?

12 I'm not speaking to the comments,
13 because that would be extremely difficult. But
14 just associate a given rulemaking documents that
15 the FCC releases would be great, all of them.

16 MS. DORTCH: Thank you for that
17 suggestion.

18 CHAIR POCIASK: Okay.

19 VICE CHAIR BERLYN: Steve, I've got a
20 --

21 CHAIR POCIASK: Yes.

22 VICE CHAIR BERLYN: I think my

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1 question was even more basic than that, Vonda.
2 Mine was just -- am I on?

3 CHAIR POCIASK: No.

4 VICE CHAIR BERLYN: No, I'm not on.

5 CHAIR POCIASK: There you go.

6 VICE CHAIR BERLYN: Now I'm on.

7 My question was even more basic about
8 improving the search capabilities. And, I didn't
9 know if that was part of what you were also
10 working on was helping consumers to be able to
11 search for filings and by subject matter, which
12 is sometimes very challenging. So, I wasn't sure
13 if that was part of this as well.

14 MS. DORTCH: Again, thank you for the
15 suggestion. Yes, that is what we are looking at
16 how we can use technology now that, you know,
17 before we did the best we could with what we had.
18 So, I think with technology now, we can certainly
19 improve on our search capabilities and that is
20 one of the major focuses of what we hope to do
21 with this new system.

22 CHAIR POCIASK: Okay. We have another

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1 question? Yeah.

2 MEMBER WEIN: Hi, Olivia Wein,
3 National Consumer Law Center.

4 I just wanted to know a little bit
5 more about the next step processes. So, if groups
6 or stakeholders were interested in providing
7 input and sort of what are these entry points?

8 So, will there be a notice sent out
9 about the October, November roundtables? Will
10 there be particular questions you're interested
11 in feedback on?

12 And then, sort of post roundtable
13 discussions if there are outside groups that
14 would like to provide some input. What would be
15 their best avenue into providing them, you know?

16 MS. DORTCH: I think our next phase is
17 the external stakeholder meetings. And, we will
18 be sending out invitations to external groups who
19 are -- and if you are interested, please let us
20 know and we will make sure that we reach out to
21 you specifically.

22 And, that's our next phase. And, as

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1 each -- as we move forward, we will determine
2 what the phase after that will look like. So,
3 but in each process, making sure that we get input
4 from as many people as possible, groups as
5 possible.

6 CHAIR POCIASK: Yes, thank you,
7 Olivia. Just -- Scott?

8 MR. MARSHALL: Yes, it's Scott
9 Marshall.

10 And, I'm here hopefully. Marlene, we
11 have an electronic distribution list for CAC.
12 So, if you have a notice about these external
13 meetings that you're inviting people to, I'd be
14 happy to send it out.

15 It would not be a CAC activity because
16 we have to, as you probably know, post in the
17 Federal Register when we meet and all the rest of
18 that stuff.

19 CHAIR POCIASK: It's informational.

20 MR. MARSHALL: As you well know, but
21 it's informational and individual members of the
22 CAC can, as they have done in the past,

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1 participate in roundtables and provide you with
2 the information you need and do it quite quickly.

3 MS. DORTCH: Thank you, that's very
4 helpful.

5 CHAIR POCIASK: Okay. So, just let me
6 check the phone if there's any questions?

7 (No audible response.)

8 CHAIR POCIASK: And, hearing none,
9 thank you Marlene and Sheryl. I appreciate you
10 coming out and giving us an update on that.

11 MS. DORTCH: Thank you and thank you
12 for your input.

13 (Applause.)

14 CHAIR POCIASK: So, we have another
15 item here on our agenda is the consideration of
16 robocall blocking recommendation.

17 Before I turn it over to Brain Young,
18 Sam's not here today, so it'll be up you. But I
19 just wanted to note, again, up front that the
20 Robocall Working Group has done an incredible
21 job, put in a lot of hard work, two calls a week.

22 Just been a dedicated effort to meet

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1 a very, very short timeline and thanks to
2 everyone in that working group for contributing
3 and participating and work.

4 And, thank you and Sam for the
5 leadership in getting this done. So, we've come
6 up with a -- the working group has come up with
7 a recommendation on the robocall blocking.

8 And so, at this time, let me call on
9 Brian Young to explain the recommendation to the
10 CAC.

11 MR. MARSHALL: And, Brian will also
12 move adoption for the working group and we'll
13 need a second to get discussion started.

14 MEMBER YOUNG: There we go. Thank you
15 for those -- am I on? Yes. Thank you for those
16 kind words, Steve.

17 Good afternoon, as Steve mentioned Sam
18 is unavailable to join. He's in London
19 experiencing some technical difficulties in
20 joining the bridge.

21 But the Robocall Working Group was
22 tasked with determining how consumers should be

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1 educated about the types of calls that may be
2 blocked, how providers could notify consumers
3 that calls have been blocked, what types of calls
4 should be included on the critical calls list,
5 and how the Commission should define outbound
6 numbers of 9-1-1 call centers.

7 Now, over a period of eight weeks, the
8 working group met 11 times and solicited feedback
9 from several CAC members that were not serving on
10 our working group to ensure that all perspectives
11 could be included in this document.

12 Now, you all have the recommendation
13 in front of you so I won't bore you by going
14 through it line by line. But generally, our
15 recommendation suggests that service providers
16 clearly disclose the types of calls that can be
17 blocked as well as the risks that a legitimate
18 call could be blocked as well.

19 Now, this information should be
20 followed with clear instructions on how to opt
21 out if the consumer should choose to do so.

22 Similarly, the recommendation

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1 suggests that consumers should be able to manage
2 their choices through a customer portal of some
3 sort via trained store employees or other options
4 that are provided by the provider.

5 The recommendation also suggests that
6 once the opt out program is introduced, that
7 consumers should be notified of its presence at
8 the point of sale, in consumer bills, online, by
9 mail, as well as other means that the provider
10 chooses.

11 The recommendation also suggests that
12 consumers should be appropriately notified when
13 a call is blocked and have access to a blocked
14 call log or a similar tool that consumers can
15 access at will to find out if calls intended for
16 them are indeed blocked.

17 Similarly, the recommendation states
18 that consumers should have options to easily
19 report numbers that have been erroneously
20 blocked.

21 Now, the working group felt the FCC
22 has a role to play in educating consumers. As

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1 such, the Commission should collaborate with the
2 Federal Trade Commission, consumer groups,
3 industry, state attorneys generals, libraries,
4 broadcasters, as well as to utilize social media
5 methods to help ensure that the word is getting
6 pushed out about the types of options consumers
7 have as well as the rights to opt out if they
8 should choose to do so.

9 After much deliberation, the working
10 group determined that critical call lists should
11 remain as narrow as possible and include
12 government numbers only with a few carefully
13 considered exemptions for genuine emergency
14 calls.

15 The list should include outbound
16 numbers employed by public safety answering
17 points, or PSAP as well as the backup PSAP
18 numbers, FEMA, the Department of Homeland
19 Security, as well as all government numbers used
20 to make emergency calls regarding threats to
21 physical safety or that are needed for benefits
22 and government services.

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1 We believe that the list should be
2 reviewed periodically and to add new numbers and
3 to remove redundant numbers.

4 During the review process, we urge the
5 Commission to remember that the FCC is to remain
6 cognizant to that as the lists -- the size of the
7 list increases as does its potential to become
8 more vulnerable to fraud and abuse.

9 Further, it is our suggestions that
10 the operators of the critical calls list should
11 rely on emergency entities themselves to report
12 the relevant numbers back to the database and
13 then that the database operator must employ a
14 vetting process to ensure that the numbers fall
15 into one of the categories I listed above.

16 And, that, in brief, is our
17 recommendation. So, are there any questions?

18 CHAIR POCIASK: Well, before we do
19 that, the working group should move to adopt
20 them.

21 MEMBER YOUNG: And, with that, I move
22 to that the full CAC adopt the recommendations.

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1 CHAIR POCIASK: Okay, now, we have a
2 second?

3 MEMBER UMANSKY: Second.

4 CHAIR POCIASK: Okay, with that, now
5 let's open it up for questions, discussions, and
6 amendments or whatever, if we're ready to go.
7 Anyone have any questions?

8 (No audible response.)

9 CHAIR POCIASK: Or any discussion?
10 This is well vetted I think.

11 Anyone on the call still?

12 (No audible response.)

13 CHAIR POCIASK: Okay.

14 MEMBER HILDEBRAND: No questions.

15 CHAIR POCIASK: Okay, no questions, no
16 discussion, no amendments?

17 (No audible response.)

18 CHAIR POCIASK: Shall we call for a
19 vote?

20 VICE CHAIR BERLYN: Call for a vote.

21 CHAIR POCIASK: Okay. Okay, so, with
22 that, do we -- yes, all in favor, say aye.

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1 (Chorus of aye.)

2 CHAIR POCIASK: Okay. Those opposed,
3 nay?

4 (No audible response.)

5 CHAIR POCIASK: Okay. And,
6 abstentions? Any abstentions?

7 (No audible response.)

8 CHAIR POCIASK: Unanimous.

9 (Applause.)

10 CHAIR POCIASK: Wow, so with that --

11 MR. MARSHALL: Congratulations,
12 everybody.

13 CHAIR POCIASK: Yes, so, with that
14 then, we have adopted the recommendation that had
15 come out of the Robocall Block Working Group.
16 And, that recommendation will be -- I will file,
17 you know, with the FCC and send it to the
18 Commissioners for their attention.

19 So, thank you everyone for your hard
20 work.

21 Before I do anything else, let me just
22 give Debbie the microphone for a second.

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1 VICE CHAIR BERLYN: Yes. I'm glad I
2 can say this after it passed unanimously rather
3 than during the discussion time, I just want to
4 pour many accolades on this working group for all
5 the hard work that went into producing an
6 excellent document in record time.

7 It was a group effort but I also want
8 to thank my colleague, Brian Young, National
9 Consumers League Alternate on this working group
10 for stepping up and leading and ably partnered
11 with Sam for this great effort.

12 So, you know, thank you so much,
13 Brian. Sam's not here today to also get the
14 thanks, but thank you so much for everything that
15 you did to make this a superb effort.

16 You know, I also want to thank a
17 couple of other members of the working group who
18 participated with writing drafts and, you know,
19 stepped up to volunteer to do that. So, it was a
20 great group effort. So, thank you everyone in
21 this working group for the great product that you
22 produced.

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1 CHAIR POCIASK: Yes.

2 VICE CHAIR BERLYN: It's honestly
3 wonderful, so thank you.

4 CHAIR POCIASK: Here, here.

5 (Applause.)

6 VICE CHAIR BERLYN: And a great
7 presentation, yes. Thank you, well done.

8 CHAIR POCIASK: Yes, thanks so much.

9 So, with that, as we wrap up, I just
10 want to, first, let me just open it up, see if
11 there's any comments from the public.

12 (No audible response.)

13 CHAIR POCIASK: And, hearing none, let
14 me just note that the CAC next meeting will be
15 December 9th. Okay, and just a reminder as well,
16 that at 1:30, we'll have a private working group
17 meeting on the call authentication issue as well
18 as the robocall reporting requirements.

19 So, the authentication ID will be in
20 this room. Okay? And then, the robocall
21 reporting requirements will be in Conference Room
22 C, 402, 445.

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1 MR. MARSHALL: And I will show you
2 where it is.

3 CHAIR POCIASK: So, and, I'll have an
4 announcement in just a second, but, yes, Steven?

5 MEMBER MORRIS: Just one question
6 about the possible new working group. Will there
7 be a process for volunteering? If I can't go to
8 the meeting you're having at 1:30.

9 CHAIR POCIASK: Yes. The answer is
10 yes, there will be a process for volunteering for
11 that.

12 VICE CHAIR BERLYN: What is the
13 determination for whether or not that becomes a
14 working group?

15 CHAIR POCIASK: I'll let you do that.

16 MR. MARSHALL: Okay, sure, sure. I
17 think it will become a working group. As we did
18 for the previous two working groups, Patrick will
19 send you and Steve a letter with the charge, with
20 the questions to be considered for the working
21 group. And, I think you should have that probably
22 this week. It's in the works.

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1 And then, we will go on to do the
2 volunteer solicitation --

3 VICE CHAIR BERLYN: I see. Got it.

4 MR. MARSHALL: -- for whether people
5 want to work on that group or not.

6 But the other group, the caller ID
7 group, that's already established, ready to go
8 and has its 13 members, that's as many as we can
9 have on a working group, by the way.

10 And they're going to launch today.
11 But, and we'll get the other group up and running
12 as quickly as possible and the idea there also is
13 to ideally have a recommendation of -- for the
14 December 9th meeting.

15 But we realize that may not be
16 possible, but that's the goal.

17 CHAIR POCIASK: Okay.

18 VICE CHAIR BERLYN: Okay. Michael has
19 a question.

20 CHAIR POCIASK: Michael?

21 MR. MARSHALL: One of the co-chairs of
22 the caller ID group. Hi, Michael.

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1 MEMBER SANTORELLI: Okay, well, thank
2 you.

3 So, Thaddeus and I are co-chairs of
4 the working group as was mentioned. First of all,
5 we look forward to hopefully hearing from Brian
6 and Sam offline as to best practices for getting
7 this done because I think we have a similarly
8 compressed timeline.

9 But we were just curious as if it
10 makes sense to maybe see who in our working group
11 is planning to join us today, just given the
12 confusion around the meeting time, wondering if
13 folks could indicate if they were planning to
14 stay.

15 And, if we don't have a --

16 CHAIR POCIASK: Yes, a show of hands.
17 Let's do that.

18 MR. MARSHALL: You also have one
19 person who's going to be calling in on the phone
20 that I'm aware of.

21 MEMBER SANTORELLI: Okay, great.

22 So, is that --

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1 (Off-microphone comments.)

2 MEMBER HILDEBRAND: Kyle Hildebrand
3 will call in.

4 VICE CHAIR BERLYN: How many?

5 MR. MARSHALL: Hildebrand and another
6 one, Brian Hurley will call in.

7 (Off-microphone comments.)

8 MEMBER SANTORELLI: Okay. So, I'm
9 wondering if we might do this remotely then,
10 given that only less than half of the members are
11 -- would be able to join or --

12 MR. MARSHALL: So, yes, if there's not
13 enough people, you don't think it would be
14 valuable --

15 CHAIR POCIASK: Well, let's see,
16 Thaddeus, you had a comment?

17 MR. MARSHALL: Thaddeus, go ahead.

18 MEMBER JOHNSON: Yes. So, what was
19 the final number of people? Did we have six
20 people?

21 MR. MARSHALL: Thirteen you have in
22 the group.

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1 MEMBER JOHNSON: Thirteen? And, a
2 total of six people today were able to make it?
3 Seven?

4 VICE CHAIR BERLYN: I saw six hands.

5 MR. MARSHALL: Yes, that's a quorum.

6 VICE CHAIR BERLYN: I saw six hands
7 myself. I don't know. How many people are here
8 -- well, we don't have to go through it. We've
9 got to do this differently.

10 CHAIR POCIASK: So --

11 (Off-microphone comments.)

12 MEMBER JOHNSON: Okay, so maybe we'll
13 chat among the group members immediately
14 afterward and see what everyone's schedules are.

15 VICE CHAIR BERLYN: Can I ask how many
16 people are planning to stay for the discussion on
17 -- the other discussion?

18 CHAIR POCIASK: So, on the caller ID
19 authentication?

20 VICE CHAIR BERLYN: Caller ID
21 authentication, raise of hands, how many are
22 planning to stay for that?

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1 MR. MARSHALL: The reporting
2 requirements you're talking about?

3 CHAIR POCIASK: Yes, yes.

4 VICE CHAIR BERLYN: Not the caller ID,
5 I'm sorry, not that. The name of the other one?

6 CHAIR POCIASK: Oh, reporting
7 requirements.

8 MR. MARSHALL: Reporting
9 requirements.

10 VICE CHAIR BERLYN: What are we
11 calling that one?

12 MR. MARSHALL: Reporting
13 requirements.

14 VICE CHAIR BERLYN: Reporting
15 requirements, thank you. We need a new name.
16 Okay, reporting requirements.

17 MR. MARSHALL: That's what you can
18 call it, you can come up with a better name than
19 that.

20 VICE CHAIR BERLYN: Yes, we need a
21 good name for that.

22 CHAIR POCIASK: Okay.

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1 MR. MARSHALL: All right.

2 (Off-microphone comments.)

3 MR. MARSHALL: It's what Karen was
4 talking about, Karen Schroeder.

5 VICE CHAIR BERLYN: How many are
6 staying for that? One, two --

7 CHAIR POCIASK: Two, three --

8 VICE CHAIR BERLYN: Three, four. One,
9 two, three, four, five.

10 CHAIR POCIASK: Six.

11 VICE CHAIR BERLYN: Five, six.

12 CHAIR POCIASK: I make seven.

13 VICE CHAIR BERLYN: I may stay. Okay.

14 MR. MARSHALL: So, we'll continue to
15 do it or are we postponing things?

16 VICE CHAIR BERLYN: Lunch is not here
17 is it? I don't see lunch.

18 MS. CLEARWATER: Not yet. It should
19 be here about -- in about 20 minutes.

20 CHAIR POCIASK: Okay. Well, I mean,
21 maybe it's just worthwhile, you know, if we want
22 to, we can just have an informal discussion and

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1 then talk about, you know, maybe setting up, you
2 know, a next call or something like that just to
3 kind of get things moving.

4 VICE CHAIR BERLYN: Is it possible to
5 start this now?

6 CHAIR POCIASK: We could.

7 VICE CHAIR BERLYN: Instead of waiting
8 until 1:30? It's 12:30.

9 CHAIR POCIASK: Right.

10 VICE CHAIR BERLYN: It's 12:20, why
11 are we waiting until 1:30?

12 CHAIR POCIASK: Okay.

13 VICE CHAIR BERLYN: Anybody want to do
14 that?

15 MEMBER SANTORELLI: Well, I think the
16 working group sessions are private. They're not
17 public, so.

18 MEMBER ROOKER: I've already called my
19 driver twice.

20 VICE CHAIR BERLYN: Well, we need to
21 know when we're starting in order to know when we
22 stop.

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1 MEMBER ROOKER: When it's going to
2 end? Can we just kind of get something here so
3 that --

4 CHAIR POCIASK: How about -- let's
5 just do this then, then if --

6 (Simultaneous speaking.)

7 CHAIR POCIASK: If we're set today
8 with the full, you know, CAC, then why don't we
9 move to adjourn and then we'll continue
10 discussion as break out groups so we can keep
11 things private?

12 MEMBER ROOKER: Well, how long are we
13 going to do that is what I'm asking?

14 VICE CHAIR BERLYN: No, your point is
15 well taken, let's adjourn.

16 MEMBER ROOKER: We adjourn and then
17 we'll have the discussion group, the one that
18 we're going to do the ID --

19 CHAIR POCIASK: We'll go immediately
20 after and we'll just see if it has legs, we'll
21 continue with it, or we'll just, you know.

22 MEMBER ROOKER: That doesn't help me

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1 in terms of when I'm leaving because I've got an
2 appointment to get to.

3 VICE CHAIR BERLYN: But, Shirley, his
4 point is let's adjourn and have it and then
5 continue the discussion on logistics.

6 MEMBER ROOKER: I understand that. I
7 understand that, okay, never mind.

8 CHAIR POCIASK: Okay.

9 MR. MARSHALL: We're scheduled to
10 originally --

11 VICE CHAIR BERLYN: Ask for a motion
12 to adjourn.

13 CHAIR POCIASK: All right, so, let's
14 ask for a motion to adjourn.

15 VICE CHAIR BERLYN: So moved.

16 CHAIR POCIASK: And second.

17 And, with that, this session has
18 ended.

19 MR. MARSHALL: All in favor?

20 CHAIR POCIASK: All right. All in
21 favor?

22 (Chorus of aye.)

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1 CHAIR POCIASK: And, we have
2 adjourned.

3 (Whereupon, the above-entitled matter
4 went off the record at 12:22 p.m.)

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