

Congress of the United States
Washington, DC 20515

Wednesday, July 6, 2022

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The Honorable Jessica Rosenworcel
Chairwoman
Federal Communications Commission
45 L Street, NE
Washington, D.C. 20554

Dear Chairwoman Rosenworcel:

We write to express serious concerns about a proposal to amend the Commission's rules on FM broadcast booster stations, which seeks to allow the use of geo-targeting technology in the environment of free, over-the-air broadcast radio, including especially for advertising. We are deeply concerned about the potential harms of this technology on communities of color, which rely disproportionately on broadcast radio for news, emergency information and entertainment.

We know you share our strong commitment to ensuring that all communities are treated equitably and have full access to the many benefits free over-the-air broadcast radio offers. Radio broadcasters are licensed by the FCC to operate in the public interest and the Commission must not allow geo-targeting technology to be used as a tool for advertising redlining that will enable its users to "cherry pick" only the most affluent listening audiences in a station's market. The proposal before the Commission is cleverly marketed as a tool to serve Black and Brown communities, when in fact it can be used for just the opposite – to avoid serving those communities. Any potential benefit must be weighed against this significant risk for harm. As members of the Committee of jurisdiction in this matter, we also are concerned about any technology that could degrade free, over-the-air radio service by introducing harmful interference. As the Commission proceeds with this Rulemaking, it must take great care not to make any decision that somehow degrades broadcast radio. The record of this proceeding reveals significant concerns among broadcasters that the testing to date has not been sufficient, and that interference concerns have not been addressed sufficiently. We want your assurance that the Commission will not allow geo-targeting technology or FM boosters to degrade or interfere with the public's access to essential broadcast radio services, including news, traffic information, weather reports, and emergency alerts.

With these concerns in mind, we ask that you please answer the following questions:

1. We are already seeing the negative impacts of online targeted advertising in the real world, as communities of color, low-income, and immigrant communities are often disproportionately isolated from key housing, education, and economic opportunities online. Considering the natural similarities between online targeted advertising and geo-

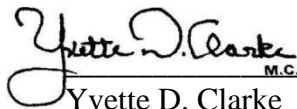
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targeting technology in broadcasting, how can we trust that this technology will not cause the same harms associated with targeted online advertising?

2. What is the Commission's plan to test the level of interference geo-targeting technology would cause if fully operational, including in a variety of geographic and population environments? Who is conducting the independent technical analysis and assessment to address this concern? What have the tests for interference revealed to date? Has the Commission received feedback on any potential technical concerns about geo-targeting technology from a broad cross section of broadcast engineers? What have they said about this issue?
3. To what extent have there been real-world listener impact studies of the admitted interference and whether that interference would degrade their experience to the point of turning to non-broadcast options? How will this impact lower income populations who can't afford satellite radio and other subscription services?
4. To what extent might geo-targeting technology interfere with the delivery of critical public safety information, such as weather or emergency broadcasting services? Has the Commission sought or received specific feedback on this issue from federal, state and local public safety entities? Has the FCC conferred with FEMA? Has FEMA otherwise weighed in on this issue and provided its opinion on any potential concerns or likelihood of interference in its ability to reach radio broadcast audiences during times of emergency?

We urge the Commission to carefully assess these issues as it considers the changes to its rules for FM Booster Stations. We look forward to your response.

Sincerely,


M.C.

Yvette D. Clarke
Member of Congress



Darren Soto
Member of Congress