

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION

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CONSUMER ADVISORY COMMITTEE

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MEETING

+ + + + +

WEDNESDAY
DECEMBER 11, 2019

+ + + + +

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

COMMISSIONERS PRESENT:
AJIT PAI, Chairman

COMMITTEE MEMBERS PRESENT:
STEVE POCIASK, Committee Chairman
DEBRA R. BERLYN, National Consumers League
ZAINAB ALKEBSI, Deaf and Hard of Hearing Consumer
Advocacy Network
SAM BRINTON, The Trevor Project
BARBARA BURTON, National Association of State
Utility Consumer Advocates
FARHAN CHUGHTAI, USTelecom
JOSLYN DAY, Massachusetts Department of
Telecommunications and Cable
B. LYNN FOLLANSBEE, USTelecom
MATTHEW GERST, CTIA - The Wireless Association
SUSAN GRANT, Consumer Federation of America *
JONATHON HAUENSCHILD, American Legislative
Exchange Counsel

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BRIAN HURLEY, America's Communications
Association - ACA Connects
JOHNNY KAMPIS, serving individually as a subject-
matter expert, Special Government Employee
ERIC KOCH, serving individually as a subject-
matter expert, Special Government Employee
SARAH LEGGIN, CTIA
VONDA LONG-DILLARD, AT&T
STEVEN MORRIS, NCTA - The Internet and Television
Association
SHIRLEY ROOKER, Call for Action *
MICHAEL SANTORELLI, serving individually as a
subject-matter expert, Special Government
Employee
BARRY UMANSKY, Digital Policy Institute *
LARRY WALKE, National Association of
Broadcasters*
BRIAN YOUNG, National Consumers League
BOHDAN ZACHARY, Milwaukee PBS

COMMISSION STAFF:

SCOTT MARSHALL, Designated Federal Official
CHRISTINE CLEARWATER, Deputy Designated Federal
Official
EDUARD BARTHOLME
DIANE BURSTEIN
RASHANN DUVALL
BARBARA ESBIN
JESSE JACHMAN
JULIUS KNAPP
LORI MAARBJERG
JACLYN ROSEN
MARK STONE
KRISTI THOMPSON
PATRICK WEBRE

*Present by teleconference

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

2 9:12 a.m.

3 CHAIR POCIASK: Well, welcome,
4 everyone, and thank you for attending the
5 Consumer Advisory Committee meeting today. So,
6 welcome to you all. Let me call the meeting to
7 order.

8 So, we're going to have introductions
9 in just a second. Let me just start. I have a
10 sign-in sheet, if you wouldn't mind just checking
11 off your name, and we'll check later on because
12 we do have a recommendation queued up later this
13 afternoon, so we want to make sure that we get a
14 quorum.

15 So if I can, let me just start it
16 around this way and we can come back. Just see
17 your name and check it off, if you're substituted
18 for someone else, just indicate that, and then
19 with that, let's begin.

20 Just one thing I just want to keep in
21 terms of protocol is if you have a question or a
22 comment you want to make, make sure you raise

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1 your hand. That also helps queue up the mics in
2 the back as well.

3 So let's begin the introductions. So
4 I'm Steve Pociask. I'm with the American
5 Consumer Institute and it's a pleasure to see you
6 all. Let me turn it over to Debbie, and let's
7 just go around and just do quick introductions.

8 VICE CHAIR BERLYN: Hi, I'm Debbie
9 Berlyn representing the National Consumers
10 League.

11 MEMBER HAUENSCHILD: Jonathon
12 Hauenschild representing the American Legislative
13 Exchange Council.

14 MEMBER KOCH: Indiana State Senator
15 Eric Koch serving as a subject matter expert.

16 MEMBER LEGGIN: Sarah Leggin
17 representing CTIA.

18 MEMBER LONG-DILLARD: Vonda Long at
19 AT&T.

20 MEMBER GERST: Matt Gerst with CTIA.

21 MEMBER MORRIS: Steve Morris, NCTA.

22 MEMBER FOLLANSBEE: Lynn Follansbee,

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1 USTelecom.

2 MEMBER CHUGHTAI: Farhan Chughtai,

3 USTelecom.

4 MEMBER SANTORELLI: Michael Santorelli
5 serving individually.

6 MEMBER BURTON: Good morning, I'm
7 Barbara Burton, the alternate for Thaddeus
8 Johnson who represents NASUCA.

9 MEMBER ZACHARY: Good morning, I'm
10 Bohdan Zachary from Milwaukee PBS.

11 MEMBER HURLEY: Good morning, Brian
12 Hurley, ACA Connects.

13 MEMBER ALKEBSI: Good morning, this is
14 Zainab Alkebsi from the National Association of
15 the Deaf representing the Deaf and Hard of
16 Hearing Consumer Advocacy Network.

17 MEMBER DAY: Good morning, Joslyn Day,
18 Massachusetts Department of Telecommunications
19 and Cable.

20 MEMBER KAMPIS: Johnny Kampis serving
21 individually with the Taxpayers Protection
22 Alliance.

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1 MEMBER BRINTON: Sam Brinton, Head of
2 Advocacy and Government Affairs for The Trevor
3 Project, the nation's LGBT suicide hotline.

4 MS. CLEARWATER: Christina Clearwater,
5 Deputy Designated Federal Officer.

6 MR. MARSHALL: And I'm Scott Marshall,
7 the Designated Federal Officer for the Committee.

8 CHAIR POCIASK: And do we have anybody
9 online, somebody who maybe called into the
10 bridge? Can we check?

11 MEMBER UMANSKY: -- Digital Policy
12 Institute.

13 MEMBER GRANT: Susan Grant, Consumers
14 Federation of America.

15 CHAIR POCIASK: Who was the first
16 person?

17 MEMBER UMANSKY: Yeah, Barry Umansky,
18 Digital Policy Institute.

19 MEMBER WALKE: Larry Walke from the
20 National Association of Broadcasters.

21 VICE CHAIR BERLYN: It was Barry?

22 CHAIR POCIASK: Yeah, it's Barry.

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1 VICE CHAIR BERLYN: Okay.

2 CHAIR POCIASK: Barry was the first
3 person.

4 VICE CHAIR BERLYN: He was the first
5 one? Okay.

6 CHAIR POCIASK: Yeah.

7 VICE CHAIR BERLYN: All right.

8 CHAIR POCIASK: Okay, good, so we'll
9 have to keep tabs on the attendance today. At
10 approximately 11:50 today, we'll need a quorum
11 for our, a recommended, a recommendation that
12 we're going to try to vote out.

13 So, with that, let me also take a
14 moment here to thank CTIA for our food that
15 they're providing us with, both the breakfast and
16 lunch today, so thanks so much for helping us
17 out.

18 (Applause.)

19 CHAIR POCIASK: So, now, I hope
20 everyone has an agenda in front. We have a lot
21 of things to do, a few slides and a video to
22 queue up, and some, I think, interesting

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1 discussions on issues of 5G, and the pilot
2 program, and things such as that, so that will be
3 one of the important items for the day.

4 So, Scott, did you want to start with
5 a video or --

6 MR. MARSHALL: I take it the Chairman
7 has not yet arrived?

8 CHAIR POCIASK: Not yet.

9 MR. MARSHALL: Okay, why don't we talk
10 about the, in the interim, meeting dates --

11 CHAIR POCIASK: Yeah, okay, so --

12 MR. MARSHALL: -- potential meetings
13 dates for the remainder of the year --

14 CHAIR POCIASK: Right.

15 MR. MARSHALL: -- or the remainder of
16 this term?

17 CHAIR POCIASK: So, a couple of
18 things, first, we're going to have a special
19 hybrid teleconference and it will also be
20 available as an in-person meeting on February 13
21 from 2:00 to 3:00, and this will deal with the
22 Robocall Report Working Group, and hopefully

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1 they'll have a recommendation for us, so it will
2 be a special hybrid meeting. Again, that's
3 February 13 from 2:00 to 3:00.

4 Our next plenary meeting will be
5 Friday -- tentatively, it's Friday, April 17, so
6 you want to mark your calendar and let me know,
7 so that's April 17. That's the tentative meeting
8 date.

9 And then the September meeting will
10 either be Wednesday, September 23 or Friday,
11 September 25. Again, these are all tentative
12 dates in terms of the -- our quarterly meetings
13 are concerned.

14 MR. MARSHALL: Does anyone have any
15 concerns about those dates?

16 CHAIR POCIASK: Yeah, does anything --
17 yeah, does --

18 MR. MARSHALL: Conflicts with
19 meetings, that kind of thing?

20 CHAIR POCIASK: Yeah, yeah, check on
21 that and let me know if there is a problem, so
22 that's kind of -- you know, all we've done on

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1 that part is really just check with the
2 availability of the room and that sort of thing,
3 so we're good to go as far as we know, all right,
4 excellent.

5 MR. MARSHALL: And we'll send out a
6 hold the date confirmation email --

7 CHAIR POCIASK: Right.

8 MR. MARSHALL: -- as well if we can't
9 decide these dates definitely today.

10 CHAIR POCIASK: Okay, good.

11 MR. MARSHALL: That takes care of
12 that.

13 CHAIR POCIASK: All right, should we
14 wait another minute?

15 MR. MARSHALL: Yeah, let's wait a few.

16 CHAIR POCIASK: We just have a minute.

17 We have the Chairman joining us for a few
18 comments and he should be here just any moment.

19 MR. MARSHALL: Don't go away.

20 (Laughter.)

21 MR. MARSHALL: Don't go away.

22 MS. CLEARWATER: He's on his way.

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1 CHAIR POCIASK: Okay, great, okay.

2 MR. MARSHALL: Steve, do I have a mic
3 in front of me? Oh, here it is. Here's the
4 microphone, yeah. Just one further comment.
5 We'll have lunch at 12:10 just after we consider
6 the Caller ID Authentication Working Group
7 proposed recommendation, and then we'll be back
8 in the afternoon for some further discussion and
9 also our last presenter, and then we probably
10 will adjourn shortly before 2:00. Okay, so
11 that's the remainder of the day.

12 We're also going to circulate, as an
13 experiment, a food and drink preferences sheet so
14 that we can order food more intelligently for the
15 April meeting in terms of your preferences and
16 all of that stuff.

17 I don't know if I can guarantee
18 anything as a result of that, but it will at
19 least give us an idea of how many of which
20 sandwich variety to order, and beverages, and
21 that kind of stuff, so let's see how that works
22 in terms of going forward. If it does, we'll do

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1 it for each meeting.

2 CHAIR POCIASK: So, starting us off
3 then, we have the Chairman to provide us some
4 remarks. Thank you.

5 CHAIRMAN PAI: Thanks so much, Steve,
6 and I apologize for being a little bit late. It
7 was a wild night for me, needless to say, but
8 that's why the traditional mug is not here. It's
9 a little hungover, so I've got the substitute
10 here this morning, but --

11 (Off-mic comment.)

12 CHAIRMAN PAI: Yeah, exactly. But I'm
13 really happy to be here this morning with all of
14 you. It's good to see all of you here at the
15 Commission, and I want to give a special thanks
16 to our distinguished chair, Steve, and our vice
17 chair, Debbie.

18 And as you know, Debbie previously
19 served as the chairperson of the CAC for three
20 terms. This is the fourth iteration, so I guess
21 that makes you the Franklin Delano Roosevelt of
22 the Consumer Advisory Committee, so --

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1 (Laughter.)

2 CHAIRMAN PAI: -- but many more terms.

3 You're not term limited in this regard.

4 But I did want to talk for a little
5 bit about our top consumer protection priority,
6 and I know it is something that you have thought
7 about a lot as well, which is tackling the
8 scourge of unwanted robocalls. I've already
9 gotten a couple this morning, and it just drives
10 all us of crazy.

11 In the month of October alone,
12 something like 5.7 billion robocalls were
13 launched at American consumers. That's something
14 like 2,115 every single second, and this is one
15 of the reasons why American consumers are so
16 frustrated every time they feel that phone
17 vibrate or hear it ring.

18 And again, that's why it's our top
19 consumer protection priority, but obviously the
20 FCC can't tackle this problem alone. We need the
21 assistance of folks like you, consumer advocates
22 who could help us address this issue.

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1 So we've done a few different things
2 that I'm sure you've heard of before, but I'll
3 just tick through very quickly. We've enabled
4 phone companies to block calls that are highly
5 likely to be illegal, coming from area codes that
6 don't exist, for example, which is a pretty good
7 sign.

8 We've also clarified that providers
9 can, voice providers can immediately start
10 offering call blocking services by default so
11 that consumers don't have to proactively call
12 their phone company and sign up for those
13 services.

14 We've closed a loophole by banning
15 malicious caller ID spoofing of text messages and
16 foreign calls. We don't want to see text
17 messaging, for example, become one of those
18 services that is inundated with spam.

19 We've also created a reassigned
20 numbers database so those legitimate callers who
21 are trying to call a number that has been
22 reassigned don't end up giving you the hassle

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1 that was meant for somebody else.

2 We've also taken aggressive
3 enforcement action against bad actors, including
4 the largest fines in the FCC's history. We've
5 issued advisories.

6 Every time we hear about one of these
7 scams, for example, the one-ring scam, where you
8 might get a call in the middle of the night from
9 Mauritania and it would ring just once and it
10 would try to entice the consumer into calling
11 back, and that's the kind of thing we've issued
12 advisories on.

13 And we've done a lot of webinars and
14 tele-town halls thanks in part to our fantastic
15 Consumer and Governmental Affairs Bureau.

16 And while we're on the topic of
17 outreach, I do want to say I look forward to the
18 recommendations that you'll be considering this
19 afternoon regarding consumer education about the
20 implementation of SHAKEN/STIR of STIR/SHAKEN.

21 I guess we have to go back to the Ian
22 Fleming books to figure out what the proper order

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1 of that is, but --

2 (Laughter.)

3 CHAIRMAN PAI: -- the important thing
4 is that it's an improvement to caller ID
5 authentication.

6 And along those lines, and I don't
7 blame you if you don't follow me on Twitter, but
8 you might have seen that I had the first official
9 cross border SHAKEN/STIR authenticated call with
10 my counterpart in Canada, the Chairman of the
11 CRTC, Mr. Ian Scott, and it was pretty
12 impressive.

13 When he called me, I could see on my
14 phone Ian Scott, or Chairman Scott is verified,
15 and it was something, I have to say, to be able
16 to answer the phone knowing, okay, it is
17 definitely Ian Scott.

18 It's not somebody purporting to give
19 me a free Marriott vacation, or speaking in
20 Chinese, or whatever. I mean, nothing against
21 Putonghua, but I don't want to hear a language I
22 don't understand.

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1 So anyway, this demonstrates our joint
2 commitment to this fight against robocalls, and
3 I'm determined that we continue to press this
4 issue domestically so that we can finally help
5 attack this problem.

6 And I've made clear that I expect
7 major voice providers to implement this framework
8 by the end of this year, and if they fail to do
9 so, we'll be taking action in the new year to
10 ensure that they do.

11 And so your recommendations on the
12 needs for caller ID authentication back in
13 February of 2018 was very helpful in getting us
14 to this point today.

15 I also want to thank you for a
16 recommendation that you made in September that
17 service providers should notify consumers if
18 calls intended for them are blocked, as well as
19 offer consumers a call log of blocked calls or
20 any similar tools that they can be able to
21 access, and our staff is looking at those
22 recommendations.

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1 So the bottom line is there is no
2 silver bullet to this problem. We have to take a
3 multi-pronged approach and a multi-stakeholder
4 approach, and so I just wanted to thank you again
5 for all of your efforts on this issue.

6 Now, despite the fact that it drives
7 everybody crazy, this isn't the only consumer
8 protection issue we are working on, and so I know
9 you're looking at other issues as well, and
10 continue to be in touch with us. Give us your
11 feedback and let us know what we can do to help
12 advance the ball on behalf of the public
13 interest.

14 With that, I don't want to belabor my
15 welcome, but I just want to thank you once again
16 for all of your work here at the Commission, and
17 I look forward to working with you in the time to
18 come, so thank you for inviting me.

19 CHAIR POCIASK: Yeah, do you have a
20 moment to just take a couple of questions?

21 CHAIRMAN PAI: Oh, sure, yeah.

22 CHAIR POCIASK: Yeah, so if anyone has

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1 a question, just, you know.

2 CHAIRMAN PAI: About any of the
3 topics, by the way. We have a lot of exciting
4 stuff going on, including, as some folks know,
5 tomorrow, rolling out my proposal, or hopefully
6 adopting my proposal to establish 988 as the
7 three-digit number for suicide prevention and
8 mental health assistance. A lot of good stuff
9 happening, so feel free to ask about anything
10 under the sun.

11 CHAIR POCIASK: Any questions? Anyone
12 on the phone?

13 CHAIRMAN PAI: If only Congressional
14 hearings were like this. This is great!

15 (Laughter.)

16 MEMBER BRINTON: Chairman, I'll humbly
17 ask one. So obviously robocalls -- oh, I'm
18 sorry.

19 PARTICIPANT: And identify yourself.

20 MEMBER BRINTON: Sorry, thank you.
21 I'm sorry. I'm still learning the process. Sam
22 Brinton, The Trevor Project.

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1 Chairman, obviously robocalls,
2 everyone is talking about them, right? They're a
3 nuisance. There's a lot of different solutions
4 that are coming forward. What do you think is
5 the best? What are some proposals that you've
6 heard on public education around this issue?

7 Because I think, especially as we talk
8 about suicide prevention, there's a lot of things
9 that -- our phones are our lifelines, right?

10 They're our way to connect to people
11 we really care about, and so educating ourselves
12 on why these robocalls are a problem that we're
13 dealing with, but, you know, also what we can do
14 about them, I think, is really important.

15 It's not just about the technology.
16 It's about the education. So what are some
17 things that you've heard at the Commission around
18 education on this issue?

19 CHAIRMAN PAI: Certainly part of it is
20 just getting out into the field and meeting
21 consumers on their own turf.

22 For example, I recently held a town

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1 hall in coordination with the AARP out in
2 Nebraska, and meeting with a bunch of consumers,
3 seniors who, they might not think about going to
4 the FCC's website. They're certainly unlikely to
5 visit the FCC's headquarters and watch our
6 proceedings.

7 So I think it's important for people
8 like me and our staff to get out there and to
9 hold these kind of fora where -- fora for you
10 Latin sticklers -- where we can tell people,
11 "Look, this is some of the things we're doing,"
12 but also just the basic stuff that a lot of us
13 take for granted.

14 If you don't recognize the phone
15 number, don't answer the phone. If you answer
16 the phone, don't give out personal information.
17 Don't say the word "yes." I mean, those are the
18 kinds of low-hanging fruit, so to speak, that I
19 think a lot of consumers would appreciate
20 hearing.

21 The other part is being just very
22 proactive in working with our federal partners.

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1 The Federal Trade Commission and state consumer
2 protection agencies do a great job in helping get
3 the word out.

4 And along those lines, when was it, a
5 month ago, I guess it was, I was in Boston,
6 Massachusetts where, along with Governor Baker
7 and state officials from Vermont, New Hampshire,
8 Massachusetts, and Rhode Island and Connecticut,
9 we held a forum about how all of the federal and
10 state partners can work together to advance the
11 ball on consumer protection, and part of it was
12 just making state officials aware of what we're
13 doing and me learning what they're doing so that
14 then we can push out a unified message.

15 And I look forward to any other ideas
16 that you've got that, but both in word and deed,
17 I really want to make sure that I'm a presence on
18 this issue here and across the country.

19 MEMBER BRINTON: Thank you.

20 CHAIRMAN PAI: And thank you, by the
21 way. Since you are here, I do want to thank The
22 Trevor Project for the support on 988, along with

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1 some of the other stakeholders.

2 I can't tell you how much I've heard
3 from folks who don't follow the nitty-gritty of
4 what we do, who have followed this issue and have
5 emailed or tweeted saying, "Hey, it's been a long
6 time coming, and this could mean the difference
7 between life and death for those who are
8 struggling with mental health issues," so we
9 really appreciate the support.

10 MEMBER BRINTON: We're honored to do
11 it.

12 CHAIR POCIASK: All right, anyone
13 else? Anyone online? All right, well, thank you
14 so much.

15 CHAIRMAN PAI: Thank you, folks.

16 CHAIR POCIASK: We appreciate you
17 coming.

18 CHAIRMAN PAI: Yeah, really good to
19 see you all. Thanks, all right.

20 (Applause.)

21 CHAIRMAN PAI: Oh, thanks.

22 VICE CHAIR BERLYN: I just want to say

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1 a thank you to you for your leadership on this
2 issue and other issues, and I just want to ask
3 you if you're going to dance out of this meeting?

4 (Laughter.)

5 VICE CHAIR BERLYN: For anyone who was
6 there last night, the Chairman did a dance out of
7 his remarks at the Chairman's Dinner last night,
8 so I just wondered if he was going to dance out
9 for us.

10 CHAIRMAN PAI: Well, I can say it
11 seemed like a good idea at the time.

12 (Laughter.)

13 CHAIRMAN PAI: But at 46 with some
14 shaky knees, I don't know. I may have torn an
15 ACL last night, so I'll probably just have to
16 hobble out at this point, so. Thank you
17 nonetheless for the invitation.

18 CHAIR POCIASK: Thanks again.

19 PARTICIPANT: Thank you very much.

20 CHAIRMAN PAI: My pleasure.

21 CHAIR POCIASK: Okay, all right, so
22 next, we're going to move up to our 9:30 update

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1 on 5G and what it means for consumers, and today
2 we have a presenter, Julius Knapp, the chief,
3 Office of Engineering and Technology, and with 45
4 years of experience, I understand. Thank you for
5 coming. Let me just get your card back there.
6 Thanks so much. It's a cued up video.

7 (Laughter.)

8 MR. KNAPP: Good morning, everybody.

9 VICE CHAIR BERLYN: Good morning.

10 MR. KNAPP: So as I was preparing,
11 because there's a lot of information out there
12 about 5G, and I was focusing a bit on consumers,
13 and I was amused by some of the headlines. So
14 one of them was, as 5G launches, consumers
15 couldn't care less.

16 (Laughter.)

17 MR. KNAPP: So I think we're done.
18 No, I thought before talking about 5G, I'd say a
19 little bit about what we've learned from our past
20 experiences with the prior Gs, so, and I've
21 actually kind of lived every one of these.

22 So, the first generation of phones, it

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1 was, we didn't even know we needed numbers for
2 Gs, so there was speculation about whether it
3 would ever get to be more than a million people
4 with phones, and we all know what happened after
5 that.

6 When we got to 2G and we went from
7 analog to digital -- and you got to remember at
8 the time, paging was big. You know, people
9 wanted to have pagers. So when we got to 2G,
10 there was short messaging service. Anybody have
11 a pager?

12 So when we got to 3G, we started to
13 see the first glimpses of internet connectivity
14 and it really kind of set the stage for the game
15 changer that came with 4G.

16 So why is 4G a game changer? Because
17 it provided a more fulsome internet access, a
18 higher level of connectivity, and data rates, and
19 so forth. So just look at what it has done,
20 whatever your perspective might be, to different
21 industries and the way we look at, we get books,
22 the way we make our hotel reservations,

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1 newspapers and the media that we access, our
2 retail, especially this time of year, everybody
3 ordering gifts, taxis and the massive change in
4 that service with the introduction of Lyft and
5 Uber, hotels, restaurants, wearables. It really
6 has changed all of our lives.

7 I went into a big box store a few days
8 ago and I was just struck that as I walked in,
9 all of the wireless devices, and granted, some of
10 them are Wi-Fi, but the beauty of the Gs is the
11 integration between the Wi-Fi and Bluetooth
12 connectivity, which provide a relatively short
13 range and coverage in hot spots and so forth,
14 with the connection through your smart phone for
15 wide area coverage.

16 So as I walked into this store, you
17 know, there were the wireless thermostats, the
18 video doorbells, so to speak, so you could sit
19 here in this room, and if somebody is knocking at
20 the door, and you purchased one of these things,
21 you could actually see who was there, and the
22 alarm systems that are there.

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1 So, as the technology has gotten more
2 robust, we're seeing more innovation and more
3 products that are being made available for
4 consumers.

5 So I think the one thing to take away
6 from all of this is what we should expect is the
7 unexpected. You know, going back again in 4G,
8 nobody had any idea the iPhone was coming, or the
9 apps marketplace and all of the opportunities
10 that that was going to hold.

11 So, what about 5G? So I will, without
12 the specifics, much greater speed availability,
13 much greater capacity for folks so that you're
14 always getting a highly reliable service, and I
15 think one of the things that's really a game
16 changer is the reduced latency.

17 What that means, you know, I've often
18 related to people it's what you experience when
19 you see the lips moving on the screen and the
20 voice is coming out a little later. That's
21 latency, and the idea here is to get it down.

22 Once you start to get down well below

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1 10 milliseconds, it allows for real time
2 interactions, and what real time interactions
3 does for you is suddenly you can actually control
4 machines and equipment at a distance and so
5 forth, and it opens up the kinds of applications
6 that need an almost immediate response.

7 So, let's talk about that a little
8 bit. It's much more than cell phones. You know,
9 folks focus on immediately what they're familiar
10 with and, you know, what is it going to do for my
11 phones?

12 It's certainly going to do more for
13 the phones. It's always hard to predict what new
14 innovations we're going to see from the phones
15 because they're just getting better and more
16 sophisticated every year.

17 Just a little story about how it's
18 affected at least my life, we have a little lunch
19 group that sits together each day, and sometimes
20 we get into debates over particular facts, and
21 what tends to happen is everybody pulls out their
22 cell phone to do a little research to make sure

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1 that they're the ones who are right.

2 (Laughter.)

3 MR. KNAPP: So we're no longer arguing
4 people. It's our phones that are arguing with
5 each other. You really have all of the
6 information of the world at your fingertips, and
7 I think that's only going to get better with 5G.

8 So what's so different? It really
9 opens up connectivity for what people refer to as
10 the verticals. When in transportation, where if
11 we're going to have vehicle to vehicle technology
12 that's reliable, we have to get down to very low
13 latencies for the interactions between the
14 vehicles, so there's a lot of activity looking at
15 versions of 5G for transportation.

16 I think when you look across the board
17 in all of the sectors, healthcare, energy, and so
18 forth, it is going to open up new opportunities
19 that we haven't seen before.

20 Perhaps mistakenly, I sometimes think
21 of consumers as at home, but it really is we're
22 consumers in all facets of our life, and so we're

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1 already experiencing the changes from what have
2 come and there's only more to come.

3 So, here at the Commission, we've been
4 working hard to make sure that we are providing
5 all of the access that 5G is going to need for
6 spectrum, for dealing with things like
7 infrastructure and so forth, and it's, I would
8 say, one of the top priorities at the Commission
9 and across government in trying to make sure that
10 the U.S. leads on 5G.

11 One of the things that strikes me is
12 also this is sometimes not well understood. It's
13 critical for all of our factories. It is
14 critical for our economy. The factories of today
15 are automated. They have to change things on the
16 fly sometimes. This technology could enable that
17 as well.

18 Just a couple of myths, and then I'll
19 open it up for questions. So 5G is not a single
20 frequency band. So when you hear folks say, "Oh,
21 it's all millimeter wave band, these high
22 frequencies," and then you see the ad and

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1 somebody says it's 5G and you think, "Oh, it's
2 those millimeter wave bands." It's going to be
3 multiple frequency bands.

4 The carriers all have assets, spectrum
5 assets in different parts of the spectrum.
6 Likely they'll use the higher ranges for high
7 capacity at short distance. The mid-range, which
8 is what we're working hard on right now to make
9 more spectrum available, is kind of a sweet spot
10 because it's a good blend of coverage and
11 capacity. The lower bands are great for coverage
12 at distances, not as much total bandwidth.

13 If you look at any one in isolation, I
14 would venture to say that there is not one band
15 that is the total solution. It's the combination
16 of all of these things together that really
17 creates the power that you're going to need for
18 5G.

19 So I'll stop there and I'd be happy to
20 -- oh, one more point. We have a tendency, I
21 think, nowadays to, you know, the Commission does
22 the rule making and you think, "Gee, it's all

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1 there. It's all -- it's going to happen
2 overnight."

3 It takes time to deploy systems. What
4 you're seeing is kind of the early introductions
5 so far. It will take time to build out the
6 systems. So, you know, I would reserve
7 judgments, whatever judgments you have about 5G
8 and what it's going to do over time. So, I'd be
9 happy to take questions.

10 MEMBER KOCH: Eric Koch. Thank you
11 for your presentation. Can you comment on where
12 we are relative to other nations on 5G
13 deployment? There's a lot being written about
14 that too.

15 MR. KNAPP: Yeah, so some of these are
16 my personal thoughts as well. We had our
17 Technological Advisory Council just last week and
18 did a presentation on 5G and the Internet of
19 Things, and there's some terrific information in
20 there about comparing us to where we are in the
21 rest of the world.

22 China, kind of led through the

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1 government, has been heavily investing in base
2 stations and so forth. I think we're still in
3 the lead. Some might debate that, but I think
4 what the real strength is of the United States is
5 our innovation and what you do with it.

6 It's not just having the ability to
7 have a data rate. It's the creativity where I
8 think the United States has far outstretched
9 everybody else in the world, and I have every
10 expectation that's going to continue to happen.

11 MEMBER KOCH: Thank you.

12 CHAIR POCIASK: Go ahead.

13 VICE CHAIR BERLYN: Go ahead.

14 MEMBER GERST: Hi, Matt Gerst with
15 CTIA, so two comments. One, as we all heard, we
16 all know you're retiring, and so I just wanted to
17 again say thank you for your decades of service
18 and leadership.

19 (Applause.)

20 MEMBER GERST: My second comment is,
21 you know, as we're moving into this 5G world, we
22 continue to hear about challenges at the local

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1 level, and this being the Consumer Advisory
2 Committee, of local, folks at the local level
3 kind of understanding the value of 5G,
4 understanding, you know, why we need to have the
5 right policies in place to make 5G happen.

6 What are some of the things that you -
7 - how you think we can address those, you know,
8 by educating the public about what the value and
9 benefits of 5G are?

10 MR. KNAPP: Yeah, and let me just sort
11 of allude to it. I know sometimes there's
12 questions about the RF exposure compliance and so
13 forth, and last week, the Commission had released
14 an order which basically affirmed the standards
15 that we have in place.

16 And part of the tasking from the
17 Commission in there was to update our information
18 for consumers and the public to help them
19 understand the technology, because I know there's
20 a lot of speculation and not completely
21 understanding what that's all about.

22 The proper standards to protect people

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1 are in place, and I think there's a bit of work
2 we have to do on the consumer outreach side to
3 help people understand and reassure them that
4 things are fine.

5 CHAIR POCIASK: Any other questions
6 and anyone on the phone?

7 MS. CLEARWATER: Hi, this is
8 Christina. Julie, your pending retirement is
9 going to leave quite a gap for us here at the
10 Commission, and I know we're all sorry to see you
11 depart.

12 But I wanted to leverage your
13 expertise and ask a question about what are the
14 things you see coming down the line, down the
15 pike, that we need to watch out for or keep an
16 eye out for, things that are exciting or new and
17 novel that are really things that we can be
18 keeping an eye out for?

19 MR. KNAPP: Thank you, so how much
20 time do we have?

21 (Laughter.)

22 MR. KNAPP: So, you know, at risk of

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1 leaving anybody out -- and actually it's a
2 preview because I'm doing a session a little
3 later on today about the very same topic.

4 So, just off the cuff and feeding off
5 of what I said before about things happening, and
6 then we think there's a Commission rule making
7 that's finished and we're all done, I think
8 across every sector, you're seeing new services
9 and technologies that are being introduced.

10 So, in no particular order, I think
11 you're going to see the first ATSC 3.0 television
12 sets introduced probably next year. I expect
13 you'll hear more about it from the Consumer
14 Electronics Show, how that rolls out and exactly
15 what additional services it plays for consumers.

16 They're folks with some terrific ideas and we'll
17 see if they take hold.

18 On the satellite front, there are
19 going to be deployed massive networks of
20 satellites for internet connectivity and for
21 connectivity for the Internet of Things.

22 I was in a meeting not too long ago

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1 and, you know, having been at this for a while, I
2 think of a satellite as a giant thing, you know,
3 and the folks who were there said, "Do you want
4 to see my satellite?" and I said, "You know,
5 sure." They said, "It's in this box."

6 So these are the CubeSats that are
7 small, and then they can be launched, you know,
8 pretty economically. We've got students with
9 terrific experiments that are going up for
10 satellites, so there's a lot happening on the
11 satellite front.

12 We've talked about 5G. I think some
13 of the things also in that RF exposure, we made
14 some proposals about wireless power transfer
15 because we've got all of these devices.

16 It's particularly important for
17 sensors that would be deployed for the Internet
18 of Things and not having to go out and change
19 batteries in them every few years, so that's a
20 technology that's still unfolding.

21 The unmanned aerial systems and we're,
22 you know, we're wrestling a little bit with some

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1 of the spectrum issues, but the benefits of it
2 are clear for things like, you'll hear about the
3 package delivery and so forth, and you certainly
4 have the hobbyist sort of things, but if you have
5 an emergency out in an area, it's a fast way to
6 get medication to that site.

7 To inspect the bridges, we used to
8 have to have somebody go there, and to be able to
9 actually take an HD camera and get under there,
10 tower inspections, on and on, so that's another
11 exciting technology.

12 I think longer term, you're going to
13 see more stuff on the optical side just because,
14 you know, if you can -- what's clever about some
15 of the things that are happening optically is the
16 question was, well, I can have massive bandwidth
17 with an optical connection, but if something gets
18 in the way, it disconnects, so how do I deal with
19 this? If you build it as a network and if one
20 thing doesn't get through -- so some of that
21 technology has kind of been working into its way
22 on the satellite side.

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1 So I'm sure I'm leaving things out,
2 but unlicensed is going gangbusters, and WiFi. I
3 would venture to say that we accidentally created
4 the one technology you can use just about
5 anywhere in the world with your same device. It
6 just took hold.

7 For all of the efforts that go on,
8 it's a desirable outcome to harmonize spectrum
9 around the world. That's not always so easy
10 because of the existing encumbrances and so
11 forth. So, Wi-Fi is going gangbusters, as is
12 Bluetooth. So I'll stop there. That should be
13 enough.

14 And I do think, you know, being
15 mindful of all of the, as the technologies come
16 out, security, trying to build that in from the
17 start, privacy for consumers. All of those
18 things have to be accounted for too.

19 MS. CLEARWATER: Thank you.

20 MR. KNAPP: Yeah, good? Thank you.

21 CHAIR POCIASK: Thank you so much.

22 (Applause.)

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1 CHAIR POCIASK: That was so
2 interesting, so I really do appreciate that. So,
3 I think we're ready to go. All right, so now
4 we're going to go through a series of
5 presentations from the Consumer Governmental
6 Affairs Bureau, and starting us off then, we'll
7 have Patrick Webre.

8 MR. WEBRE: Good morning, everyone,
9 and welcome to the winter meeting of the Consumer
10 Advisory Committee. And I think for those of us
11 who live in D.C., winter may have finally arrived
12 for us. A lot of us woke up this morning to some
13 snow on our cars, snow on our lawns, snow on our
14 rooftops, so I think winter is finally here.

15 And thank you again for being here
16 with us this morning. You're wrapping up your
17 2019 work in some busy fashion today. You have a
18 very full agenda, and I'll highlight just a few
19 of those things.

20 First of all, you know, we kicked off
21 with Julie Knapp who has been with the Commission
22 for 45 years. He's just been a great and

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1 wonderful person to work with. I've worked with
2 him myself for about 15 of those years, and just
3 a really pleasant person, a person who can put
4 very complicated topics, I think, as we know,
5 into, you know, user friendly, consumer friendly
6 words and expressions, and it's very helpful for
7 us, especially those of us who are technically
8 challenged who are not engineers, and he's been a
9 great person.

10 I know he's leaving behind a good
11 legacy here. Lots of folks that worked with
12 Julie in the Office of Engineering and Technology
13 will carry on his legacy, but we all wish him
14 well and we will all miss him very much.

15 So, you know, it was great to hear
16 from Julie about what's coming up in 5G, what's
17 coming down the pike. I like to pick his brain
18 sometimes myself about -- I keep needling him
19 about when are self-driving cars going to get
20 here, you know?

21 The drivers in D.C. are not as good as
22 these computers could be, I think, at some point,

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1 and he's like, "It's going to be a while." He
2 keeps, you know, toning me down a little bit, but
3 I'm very excited about that possibility because
4 it seems like some people don't want to drive and
5 they'd rather be doing other things, and a lot of
6 times, they are doing other things while they're
7 driving.

8 So, after our briefing, you'll hear
9 from Jesse Jachman. I'm sorry, first you'll hear
10 from the Office of Legislative Affairs regarding
11 some pending legislation. The TRACED Act is one
12 of them. We've all heard some things about that,
13 so you'll get an update from our Office of
14 Legislative Affairs about that, as well as some
15 other legislation involving consumer-related
16 topics.

17 And then you'll hear from Jesse
18 Jachman who is the designated federal officer of
19 the Precision Connectivity Agriculture, sorry,
20 the Precision Agriculture Connectivity Task
21 Force. They just kicked off recently, so he'll
22 provide a description of what precision

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1 agriculture is, its value to consumers, and an
2 overview of the task force mission.

3 And then the Wireline Competition
4 Bureau will give you an overview of the FCC's
5 proposed three-year, \$100 million Connected Care
6 Telehealth Pilot Program.

7 After that, Kristi Thompson, the chief
8 of our Telecommunications Consumer Division in
9 the Enforcement Bureau will give you an update on
10 consumer, current consumer scams and other
11 related EB activities.

12 And then finally this afternoon, the
13 Wireless Telecommunications Bureau will cover the
14 FCC's recent NPRM proposing some changes to our
15 Universal Licensing System, ULS, including that
16 all filings be made electronically.

17 And I also look forward to the
18 recommendation that you'll be considering this
19 afternoon regarding consumer education
20 surrounding the implementation of SHAKEN and STIR
21 caller ID authentication.

22 I certainly appreciate all of the hard

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1 work you've done thus far and all of the hard
2 work yet to come. We appreciate the CAC, the CAC
3 members, the CAC members' time, and the CAC
4 members' input. It really matters as we work
5 together to protect consumers.

6 So, as we've done in prior CAC
7 meetings, we will, I'll introduce some of the
8 deputies, deputy bureau chiefs, and our associate
9 bureau chief to give you an overview of their
10 areas of responsibility, kind of what's been
11 going on lately in those areas. So we'll start
12 it off with Mark Stone who is the deputy bureau
13 chief overseeing our Consumer Policy Division.

14 MR. STONE: Good morning.

15 CHAIR POCIASK: Good morning.

16 MR. STONE: I would say on the topic
17 of self-driving cars, having a daughter who just
18 got her driver's license --

19 (Laughter.)

20 MR. STONE: -- the idea of self-
21 driving cars sounds great. On the other hand,
22 riding a motorcycle myself, I'm curious whether

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1 those same sort of ideas apply to motorcycles and
2 whether that's even a possibility, so I look
3 forward to that.

4 Good morning. Since your last meeting
5 in September, my area of CGB has been busy on
6 robocalls just as you have. As you know, the
7 Commission in June made clear that voice
8 providers can block calls that are likely to be
9 illegal based on the reasonable analytics.

10 They do that before those sort of
11 calls can ever reach consumer phones, and they
12 can now do it by default, giving consumers the
13 ability to opt out if they decide they don't want
14 that type of blocking.

15 In that same action, the Commission
16 asked if it should allow providers, voice service
17 providers to block calls on other grounds,
18 including incorporation of caller ID
19 authentication metrics into their analysis.

20 That proceeding, as you might imagine,
21 has garnered a considerable record, and we're
22 working through those issues now and look forward

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1 to the next steps.

2 Now, that call blocking work, of
3 course, focuses on stopping illegal calls before
4 they ever reach consumer phones. If they do
5 reach consumer phones, we have the Telephone
6 Consumer Protection Act or TCPA, which we
7 administer to address those types of calls and
8 faxes.

9 So we continue to work through really
10 big picture TCPA issues that apply to virtually
11 all callers, but we also now have turned our
12 attention to individual petitions that often tee
13 up more discrete individualized questions.

14 And over the last week, our bureau has
15 released two such decisions, one related to the
16 names that businesses may use when they leave
17 prerecorded messages on consumer phones.

18 That name is particular important
19 because it lets the called party, the called
20 consumer understand who has called, and lets them
21 know who to contact if they want to make a do not
22 call request or revoke previous consent to

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1 receive that call.

2 Our second decision related to faxes
3 and how the TCPA's fax restrictions apply to
4 modern technologies that don't resemble the old
5 fax machines.

6 So those are just two things that
7 we've done recently, and we know there's a number
8 of other pending petitions before us, and we know
9 that consumers, and callers, and faxers alike are
10 looking forward to our guidance on that, so we're
11 working on that.

12 We'll also continue our work on the
13 Reassigned Numbers Database. You may recall that
14 the North American Numbering Council is advising
15 us on the details of that database, and we look
16 forward to getting their recommendations on it,
17 and then we, along with our colleagues and some
18 of the other bureaus, will be putting that out
19 for public comment, so that's something for you
20 all to keep your eye on.

21 So, that's it. That's the thumbnail
22 from where I'm at in CGB, and I'll hand it over

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1 to my colleague.

2 CHAIR POCIASK: Thank you. So next,
3 we have Barbara Esbin.

4 MS. ESBIN: Good morning. Mark is
5 modest. If there's one word that people
6 associate with our bureaus, it's robocalls, and
7 that is the man.

8 So, I think, as you know by this time,
9 I oversee the governmental affairs portion of the
10 bureau's work, the Office of Intergovernmental
11 Affairs and the Office of Native Affairs and
12 Policy.

13 So this past quarter has been
14 extremely busy for both of my groups. ONAP, in
15 conjunction with other FCC bureaus and offices,
16 has continued the Commission's outreach to tribes
17 and tribal organizations, including holding
18 tribal workshops in Albuquerque, New Mexico and
19 in Blue Lake, California. If you don't know
20 where Blue Lake is, it's in Humboldt County, a
21 rather remote little reservation there.

22 And the Commission uses these

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1 workshops to provide presentations on a broad
2 range of important agency programs and policies
3 that support the deployment of communications'
4 infrastructure and services in Indian Country.

5 Recent and upcoming events have
6 primarily focused on the recently recreated Rural
7 Tribal Priority Window for new licenses in the
8 2.5 gigahertz band, which has the potential to
9 significantly increase the deployment and
10 adoption of modern communication services on
11 unserved and underserved tribal lands.

12 ONAP, together with its colleagues in
13 the Wireline and Wireless Bureaus, made several
14 presentations at a September National Tribal
15 Broadband Summit, which was sponsored by the
16 Departments of the Interior and Education and the
17 Institute for Museum and Library Services here in
18 D.C. Chairman Pai delivered keynote remarks at
19 this event as well.

20 ONAP staff also participated in and
21 presented at external events held by external
22 tribal organizations, including the Internet

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1 Society's Indigenous Connectivity Webinar in
2 Hilo, Hawaii. Actually, Patrick Webre flew the
3 flag for the bureau at that event, self-sacrifice
4 that he made.

5 (Laughter.)

6 MS. ESBIN: The TribalNet conference
7 in Nashville, Tennessee and joint ONAP and
8 Wireless Bureau outreach efforts surrounding 2.5
9 gigahertz have including various workshops and
10 tribal events, including addressing the FCC's
11 Intergovernmental Advisory Committee and
12 participating in a number of intertribal
13 organization events, including the Affiliated
14 Tribes of Northwest Indians' annual convention,
15 Alaska Federation of Natives' corporation,
16 National Congress of the American Indian, Alaska
17 Telecom Association tech showcase, our FCC Native
18 Nations Communications Task Force meeting.

19 We had a 2.5 gigahertz workshop on
20 tribal lands in Gallup, New Mexico, the National
21 Tribal GIS Conference Albuquerque, and a Bureau
22 of Indian Affairs tribal providers conference in

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1 Anchorage, Alaska. We're definitely the
2 traveling group, but that's not all.

3 In terms of policy work, ONAP staff
4 prepared and issued a public notice seeking
5 comment on the effectiveness of the Commission's
6 tribal engagement guidance which seeks to
7 facilitate dialogue between tribes and carriers,
8 receiving high cost USF support for service on
9 tribal lands.

10 ONAP also oversees the work of the
11 Native Nations Communications Task Force. The
12 task force met here in November, its second in-
13 person meeting of the year, and at that time, the
14 members finalized and adopted their first report
15 to the Commission which identifies obstacles to
16 greater broadband deployment and adoption on
17 tribal lands, and offers some potential
18 solutions.

19 The task force has now turned to its
20 second task which was to evaluate the
21 effectiveness of the Commission's tribal
22 engagement guidance, offer us recommendations,

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1 best practices.

2 IGA has also been quite busy in the
3 past few months, attending and participating in
4 and presenting at a variety of national, state,
5 and local government organization meetings.

6 I'll read the acronyms. If you don't
7 know what one is, stop me. Otherwise, it will
8 take a very long time. There's NATOA, NASCIO,
9 NARUC, NASUCA, NLC, NAAG, and NCSL. That really
10 covers the waterfront on national, state, and
11 local organizations.

12 And like ONAP, IGA oversees the
13 administration of the Intergovernmental Advisory
14 Committee, the IAC. The IAC had its final
15 meeting of its term here in September, and it
16 adopted four reports, making recommendations to
17 the Commission on how to identify state, local,
18 and tribal regulatory barriers and incentives to
19 telemedicine, best practices to ensure that non-
20 English speaking communities receive emergency
21 alerts, best practices to fine-tune state, local,
22 and tribal coordination for disaster preparation,

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1 response, and restoration efforts, best practices
2 for communications between state emergency
3 managers and EAS state emergency communications
4 committees to ensure that EAS procedures,
5 including the initiation and cancellation of
6 actual alerts and tests, are mutually understood.

7 And my final message is that the
8 Commission has reauthorized the Intergovernmental
9 Advisory Committee for another two-year term.
10 We're currently actively seeking nominations from
11 state, local, and tribal governments to serve on
12 this committee, and I encourage you to go out
13 into your constituent worlds and encourage good
14 public servants to apply to work on our advisory
15 committee. So, any questions?

16 CHAIR POCIASK: Okay, oh, we can get
17 questions too at the end, after all the speakers
18 --

19 MS. ESBIN: Sure.

20 CHAIR POCIASK: So, thank you,
21 Barbara. I appreciate that. So, Diane Burstein,
22 I guess you're up.

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1 MS. BURSTEIN: Thank you.

2 CHAIR POCIASK: Yeah, we can get
3 questions too at the end of all of this.

4 MS. BURSTEIN: Great.

5 CHAIR POCIASK: Thank you, Diane.

6 MS. BURSTEIN: Sure, good morning.
7 I'm Diane Burstein and I am deputy bureau chief
8 of CGB overseeing the Disability Rights Office,
9 and I recognize many of you from that role.

10 I'm happy to be here today to
11 highlight some of the key things that the
12 Disability Rights Office has been working on
13 since your last meeting in September.

14 We've taken several steps to advance
15 the foundation of the Telecommunications Relay
16 Services or TRS, which provides services for
17 individuals with hearing or speech disabilities
18 so they can engage in communications in a manner
19 functionally equivalent to an individual who does
20 not have a hearing or speech disability.

21 So, in general, on September 18, the
22 FCC adopted an item to modernize the TRS rules by

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1 updating the Commission's definition of TRS to
2 match the definition in the 21st Century
3 Communications and Accessibility Act of 2010, the
4 CVAA, and issued a further notice of proposed
5 rulemaking looking to eliminate some outdated
6 rules relating to equal access and multiple
7 billing options requirements in light of changes
8 in the marketplace.

9 Just a few weeks ago, in November, the
10 Commission adopted a report in order to expand
11 the TRS Fund contribution base for support of IP
12 CTS, Internet Protocol Captioned Telephone
13 Service, lots of acronyms in this area.

14 As you may know, IP CTS is a form of
15 TRS that permits a person who can speak, but has
16 difficult hearing over the phone, to use a phone
17 and an IP-enabled device via the internet to
18 simultaneously listen to the other party and read
19 captions of what the party is saying.

20 Prior to the ruling, IP CTS was funded
21 based only in interstate telecommunications
22 revenues. In this recent order, the Commission

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1 provides that TRS Fund contributions to support
2 IP CTS will be calculated based on the total
3 interstate and intrastate and user revenues of
4 each telecommunications carrier and VOIP service
5 provider.

6 This puts the fund for IP CTS on a
7 solid footing, and the new funding approach will
8 start with the 2020 and '21 TRS Fund year.

9 Also in the IP CTS area, the FCC is
10 examining comments filed earlier this year on
11 whether to grant applications from certain
12 providers to begin offering IP CTS solely using
13 automatic speech recognition, ASR technology.

14 Currently, IP CTS is typically
15 provided through a combination of ASR and a
16 person sitting in the middle of the call to
17 revoice the conversation. The applications are
18 seeking to provide IP CTS using ASR only.

19 With respect to the Video Relay
20 Service, on October 30, CGB released an order
21 extending the VRS at-home call handling pilot
22 program through April 30 of next year or the

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1 effective date of an FCC decision on its notice
2 of proposed rulemaking proposing to make this
3 pilot program permanent.

4 The pilot program permits certified
5 VRS providers to use sign language interpreters
6 working from home workstations so long as certain
7 rules are followed to safeguard service quality,
8 call confidentiality, and to prevent waste,
9 fraud, and abuse.

10 In October, the Commission also
11 adopted a notice of proposed rulemaking to update
12 its suspension and debarment rules, and apply
13 these rules to TRS programs and the National
14 Deaf-Blind Equipment Distribution Program.

15 Specifically, the notice proposes to
16 adopt new rules consistent with OMB's guidance
17 for government-wide debarment and suspension to
18 keep fraudsters away from programs like this, and
19 comments are being -- the comment date for that
20 has not yet been issued.

21 DRO has also been active on areas
22 related to the accessibility of video

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1 programming. In October, the FCC released its
2 second report to Congress on video description as
3 required by the CVAA.

4 The CVAA was designed to help ensure
5 that individuals with disabilities can fully
6 engage in communication services and equipment,
7 and better access video programming.

8 The October report examines various
9 aspects of video description, including the
10 amount and types of described video programming,
11 consumer usage and benefits, the costs of
12 creating described video programming, and the
13 need for additional described programming.

14 DRO in this area is also reviewing
15 comments that were filed this fall relating to a
16 petition submitted by representatives of the
17 disability community on caption quality issues,
18 including the use of ASR for captioning live
19 programming.

20 Finally, the Disability Advisory
21 Committee is scheduled to meet in February of
22 next year where we'll be taking up additional

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1 issues of interest to consumers.

2 These are the key highlights, and
3 thanks for your time this morning.

4 CHAIR POCIASK: Thank you, Diane.

5 MS. BURSTEIN: Sure.

6 CHAIR POCIASK: Okay, and we have one
7 more here for Ed. Here he is. Good to see you.

8 MR. BARTHOLME: Good morning, everyone.

9 VICE CHAIR BERLYN: Good morning.

10 MR. BARTHOLME: So, I want to start by
11 echoing some of the thank yous that you've heard
12 earlier today.

13 We appreciate the time that you give
14 to this Committee and the FCC, as well as the
15 pace that you have been working to provide us
16 with useful recommendations on some important
17 consumer protection issues.

18 And I too look forward to your
19 recommendation later, or upcoming later today on
20 caller ID authentication and SHAKEN and STIR
21 education.

22 A couple of quick highlights. So, as

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1 you probably know by now, I work with our
2 Complaints Division here, our Web and Print
3 Publishing, or as I like to call them Education
4 Division, and our Outreach Division at the
5 Commission.

6 Our Complaints Division recently
7 signed a new call center contract that's now been
8 awarded. So, Gettysburg is not going anywhere.

9 There will still be people there
10 taking phone calls directly from consumers and
11 helping them navigate FCC issues.

12 We're also about to hit the five year
13 anniversary of our online Consumer Complaint
14 Center later this month. It actually sort of
15 soft launched on Halloween a little over five
16 years ago.

17 And it fully launched, I believe
18 December 20 something five years ago. James
19 Brown, who you've heard from many times is the
20 sort of lead in keeping that together. And we
21 appreciate his efforts.

22 And many CAC members provided valuable

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1 input as that program was developed five years
2 ago. You know, candidly I was one of the CAC
3 members. So that's a little bit of a pat on my
4 own back, at the time.

5 (Laughter.)

6 MR. BARTHOLME: But many of the rest
7 of you provided input as well too.

8 And five years is a milestone worth
9 noting. And we do have some things in the works
10 for the coming months. So stay tuned on that
11 front.

12 On the Education front, you heard from
13 our expert on 5G already this morning. And
14 you've probably seen the commercials.

15 And research is showing that consumers
16 are a little bit confused about 5G. As Julie
17 mentioned we can help clear up that confusion.

18 As a start, we'll be launching a 5G
19 consumer FAQ soon. It will be part of a package
20 of content designed to highlight the evolution of
21 wireless communications.

22 In addition to the online FAQ, we plan

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1 to do a tip card and develop some outreach
2 materials around understanding what are the G's.

3 Other recent posts that we've done,
4 just in time for holiday travel, we did a
5 consumer alert about juice jacking. It doesn't
6 involve steroids at all.

7 It involves using public charging
8 ports. So you see the little USB things in the
9 airport and other places. You stick it in.

10 Scammers being an innovative lot have
11 figured out how to load malware into those. How
12 to get information off your devices. Or even put
13 programs onto your devices simply by you plugging
14 in and charging.

15 Our top tip on that is, just carry the
16 wall outlet thing. Most of them are pretty
17 small. And plug it into a wall outlet and you
18 should be fine.

19 There are other innovative products
20 that can also help protect you. Some have very
21 intriguing names. I encourage you look into that
22 on your own.

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1 We did a recent post on open
2 enrollment season scams. So, phone calls are up.

3 Email data showing that healthcare related calls
4 was one of the top -- was the top issue for their
5 October report.

6 And we've got some great consumer
7 education around some of the things that scammers
8 are trying when it comes to open enrollment
9 issues.

10 We have more scam posts to come. And
11 we're looking to do more with data driven
12 content. Including some data visualizations that
13 might highlight some of the scam information
14 we're seeing.

15 Earlier this fall we released our
16 second in-house animated video. And it was on
17 emergency communications.

18 It features a great character called
19 Moe. I encourage all of you to check it out.
20 But, it goes through the same tips that we
21 include in our audio PSAs and on our consumer
22 education portal, FCC.gov/emergency.

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1 Things like charging your device when
2 you know a storm is coming. Making sure that you
3 have emergency contacts identified in your phone.

4 Non-emergency numbers so you can call the local
5 sheriff instead of 911, depending on the
6 situation and what the need that you have is.

7 We did provide Spanish translation
8 support for our outage reports during the
9 California wild fires and tropical storm Dorian
10 earlier this year.

11 A fun fact, our consumer guides web
12 page monthly growth is up 5 percent from June to
13 November. So, we're happy that we're getting
14 increased traffic. More people are coming and
15 checking out the great materials we have.

16 Along those lines, earlier -- I'm
17 sorry, in November we launched a download-ables
18 page. So you can now download pdf versions of
19 all our tip cards and use them to support your
20 efforts.

21 As I like to say, you've already paid
22 for them through your tax dollars. So, you're

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1 welcome to grab them. You're welcome to use the
2 tips.

3 You're welcome to take the cards and
4 personalize them in a way that you -- that makes
5 sense for you. But they're all now up there.
6 And can be downloaded. And please make use of
7 them.

8 We recently redesigned our Outreach
9 web page. So if you go to FCC.gov/outreach, you
10 can see that new fresh look. And you know, kind
11 of poke around and find some good materials
12 there.

13 The last time we were together we
14 talked about how we were working to get Hmong
15 versions of a lot of our content. We now have
16 that available.

17 We -- we're working with our
18 supermarket chain partner in California to get
19 those distributed. We've sent it to partners in
20 Minnesota and other parts of the country where
21 there are pockets of Hmong.

22 And Bohdan just reminded me that we

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1 owe Milwaukee some as well. Because there's some
2 Hmong population in that part of the country
3 also.

4 As the Chairman mentioned earlier,
5 partnership are important for our robocall work.

6 And also all of our outreach and education work.

7 We launched monthly partner calls in
8 September. And those have quickly transitioned
9 to a webinar format.

10 Our December webinar was yesterday.
11 And included a guest presenter from the National
12 Cyber Security Alliance's Stop, Think, Connect
13 initiative, with a focus on holiday consumer
14 protection tips.

15 Last month we were guests on an FTC
16 Facebook live that focused on military and
17 veteran consumer topics.

18 We have a few guides that are focused
19 on if you're being deployed overseas. You know,
20 what can you do with your cell phone contract.
21 Things like that.

22 We're working with USAC to do some

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1 outreach and education around the National
2 Verifier that's rolling out across the country.
3 We've gone some national presentations at NAG's
4 Conference, which is the -- our partner for the
5 supermarket program.

6 We exhibited at the Wisconsin State
7 Broadcasters Association Conference, the
8 Association of Late Deafened Adults Conference,
9 presented at FOSI's Conference on just a couple
10 of weeks ago here in D.C.

11 Did a grand opening of a new Operation
12 Hope Center in Baltimore. And they're a great
13 partner for us too in getting the word out about
14 robocalls and other consumer issues.

15 We've also done a lot of good local
16 events. We were able to participate in the HUD
17 ConnectHome Summit.

18 And we're really excited about the
19 potential partnership there. Because what we
20 found is that the sort of housing leaders and the
21 admin structure in HUD facilities is a really
22 great consumer touch point.

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1 They're who the people living in those
2 buildings go to with questions and with problems.

3 So, getting tip cards, getting information in
4 those offices, is a great way to inform a group
5 that may not always hear from, you know, the
6 content that we've got out there.

7 Rural tours. As you know, I like to
8 tell you about when we go places. So in
9 September we were in Kansas and Nebraska. And as
10 the Chairman mentioned, we were able to do an
11 event with the Chairman in Nebraska.

12 We did 17 public meetings. We did
13 nine drop offs. Got some great local media
14 coverage. Covered hundreds of miles. Tried
15 something called a Runza, which is a fast food
16 place in Nebraska.

17 In both states we were able to have
18 events with representatives from the State AG
19 office -- State Attorney General's office
20 participating.

21 And a big thank you to AARP for
22 helping us to plan and coordinate the consumer

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1 facing event that we did with the Chairman in
2 Freemont, Nebraska. Great turn out. Really good
3 event. Really nice panel discussion in addition
4 to some great remarks.

5 Upcoming rural tours. So, we are
6 actively planning Arizona and New Mexico in
7 January 2020. So that's coming up quickly.

8 The one after that will be Arkansas
9 and Louisiana in March. So, if you have
10 contacts, if you have members or partners in
11 those states, please let us know. We'd be happy
12 to work with you on a joint event.

13 Another thing that falls into our
14 outreach category are actually is our 504
15 compliance officer and the interpreters.

16 So, we're really want to just say
17 thank you to everybody who provided comments in
18 the recent 504 proceeding where, you know, we
19 sort of put out a refresh of the -- right. And
20 got some feedback on what we're doing well and
21 what we're not doing well.

22 Really appreciated the good feedback

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1 there. And the kind remarks that were said about
2 the great interpreter staff that we have here at
3 the FCC.

4 Coming up next, we are launching soon,
5 and working towards getting together public
6 facing outreach toolkits.

7 So the concept here is that any
8 librarian, any you know, local senior center or
9 other community serving institution could come to
10 the FCC website and download everything they
11 would need to do a presentation in their building
12 to their audience on things like robocalls,
13 rescanning your television for the repack, or any
14 other relevant consumer issue.

15 So, hopefully those are going to be up
16 and ready in the spring. That's our goal. And
17 I'll probably be back here to tell you about it
18 when it's there.

19 Also, keep an eye on our social media
20 platforms. We're planning some holiday themed
21 consumer education posts. Moe from the Emergency
22 Communications video may make an appearance in

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1 some of those.

2 And stay in touch if you -- and if
3 you're not already in touch, please reach out.
4 If you have events we can support, let us know.
5 Happy to participate.

6 And if you have ideas about education
7 topics, we're always willing to hear those and to
8 work with you.

9 So, thank you.

10 CHAIR POCIASK: Well, thanks Ed. So,
11 we had a good update on the issues of outreach
12 and scamming and complaints. And we heard from
13 the other speakers on various topics of
14 disability and travel issues, and so on.

15 So, does anyone have any questions
16 here before we break, regarding what we've just
17 heard from, from the Consumer and Governmental
18 Affairs Bureau, before they leave?

19 So, please? Debra?

20 VICE CHAIR BERLYN: Yeah. Debbie
21 Berlyn, National Consumers League. I have a
22 question for Ed.

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1 I was just wondering, when you were
2 talking about the scams and work on that, I was
3 wondering if you coordinate with the FTC, who
4 would also have an interest in some of these same
5 campaigns and issues?

6 MR. BARTHOLME: So, we do. And I
7 think, you know, the spoofing work that we did
8 over the past year was heavily coordinated with
9 them.

10 The Facebook live that we did on
11 military and veteran's issues is another example
12 where there's coordination.

13 We do work with our colleagues over
14 there. We have good dialog about the things that
15 we're working on, that they're working on.

16 I don't -- we don't fully sort of like
17 say, you're going to do this on Wednesday and
18 we're going to do this on Thursday kind of thing.

19 But there is a good back and forth.

20 And I think, like you said, we have
21 joint goals when it comes to scam and fraud
22 education on protecting consumers.

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1 CHAIR POCIASK: All right. Any other
2 questions? Anyone here from the Bureau? Please,
3 Johnny?

4 MEMBER KAMPIS: Ed, when you say
5 consumers are confused about 5G roll out, I'm
6 curious what kind of things they are confused
7 about?

8 MR. BARTHOLME: So, what we've seen in
9 some recent research is that, you know, I think
10 that there's a little bit of misunderstanding
11 about where we're at in the deployment cycle.

12 So, one thing that I saw in an article
13 recently is that a lot of consumers think that
14 the latest version of an Apple product already
15 has 5G built into it. Like that's just an
16 assumption that's being made.

17 So, you know, it's -- you see the
18 commercials. You kind of see the products coming
19 out there.

20 And I think that there's maybe a
21 misunderstanding about how ubiquitous it
22 currently is. And also, our focus is really to

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1 make sure that consumers have relevant
2 information so that they can make, you know,
3 informed purchasing decisions so that when
4 they're out there considering, you know, do I
5 upgrade now, do I wait a few months to upgrade,
6 they know what it is.

7 So, for example, one of the things in
8 our frequently asked questions guide is my home
9 Wi-Fi router says 5G in the title. Does that
10 mean I already have 5G, right?

11 So it's clearing up things like that.
12 It's a diff -- that's a different type of
13 technology. It's not the same as the cellular 5G
14 that we've been talking about this morning.

15 So just making sure that there's a
16 good consumer base line of knowledge. It's not
17 meant to be anywhere near as technical as the
18 information Julie provided to you today.

19 We're not going to talk about which
20 waves travel further than others. And then
21 things like that.

22 (Laughter.)

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1 MR. BARTHOLME: That's not really a
2 consumer touch point. But there does seem to be
3 some things out there.

4 CHAIR POCIASK: All right. Last
5 chance. Any other questions here or on the phone
6 for anyone here at the bureau? Okay. So, thank
7 you. Thanks to all of you.

8 (Applause.)

9 CHAIR POCIASK: And we'll take --
10 we're going to take a short break. So let's try
11 to get back here in, you know, 10:35.

12 So, let's make a quick break. Thank
13 you.

14 (Whereupon, the above-entitled matter
15 went off the record at 10:27 a.m. and resumed at
16 10:40 a.m.)

17 CHAIR POCIASK: Okay. We're going to
18 start back up here in just a couple of seconds.
19 We have a video with -- from Commissioner
20 O'Rielly.

21 So, what we're going to do is we're
22 just going to take a moment and go through and

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1 hear the message that he's given here for the CAC
2 today.

3 All right. Let's get that moving.
4 All right. Here's the video.

5 (Video played.)

6 COMMISSIONER O'RIELLY: Good morning
7 and welcome back to the hardworking members of
8 the Consumer Advisory Committee. I apologize for
9 not being able to address you personally, but I
10 have a prior speaking engagement that has kept me
11 from meeting with you in person today.

12 First of all, let me extend my thanks
13 to the members of the CAC. I have said this
14 before, but sincerely, thank you for taking time
15 out of your busy schedules and spending time away
16 from your families to serve this important
17 function.

18 The Commission relies on public input
19 to make the most informed decisions possible.
20 And the CAC serves to channel this critically
21 important views and sentiment of American
22 consumers on key policy matters.

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1 I truly value your contributions to
2 the FCC's process, even if I may not always agree
3 on each and every substantive suggestion or
4 recommendation.

5 In terms of the work facing the CAC
6 right now, the agenda for today's meeting wasn't
7 finalized at the time of this taping, but I
8 suspect it involves a healthy dose of robocalls
9 and discussions of 5G, telehealth, and future
10 projects for the CAC.

11 The varied membership of the CAC will
12 have a world of views on these issues and others.

13 I hope you keep two thoughts in mind as you go
14 about your work today and until we can next meet
15 in person.

16 First, I consider one of your
17 priorities to be looking out for the paying
18 public. There are tons of groups and advocates
19 all looking to spend more USF monies, or managing
20 this or that initiative.

21 Yet no one is designated to look out
22 for the average Americans. The ones struggling

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1 to get by in the improving but ever complex
2 economy.

3 These are the people working hard to
4 feed their families. To keep their
5 communications service bills paid and up to date.

6 They do not have high-powered lobbyist
7 advocating on their behalf. Every extra dollar
8 taken from their household budget means something
9 else has to give.

10 And every new burden imposed on the
11 communications industry is passed onto these
12 consumers in one form or another through higher
13 costs, fewer services, decreased access and the
14 like.

15 As you consider the important
16 Commission matters before you, please keep this
17 in front of your mind. You are charged with
18 advising the Commission on behalf of the American
19 consumer.

20 Second, please try to recognize the
21 unintended consequences of government
22 intervention and why FCC action needs to be

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1 narrowly tailored to address the immediate
2 problems that have been identified.

3 Take for instance robocalls. Many
4 robocalls are beneficial to American consumers
5 and should not be halted or disrupted just
6 because bad actors are abusing the network.

7 Absolutely we must go after the
8 perpetrators of criminal activity and those
9 carrying out illegal consumer practices.

10 But no one should want to block
11 pharmacy notifications, doctor test results,
12 school closings, power disruptions, and so many
13 other good legal robocalls as a result of overly
14 broad policy changes.

15 You see this exact point addressed in
16 new legislation on the Hill. And that's why I've
17 pushed so hard to ensure that the Commission is
18 mindful of the far reaching impact of its
19 actions, both positive and negative.

20 The CAC must do the same. If you keep
21 these two principles in mind, look out for the
22 little guy and be mindful of the reach of

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1 Commission actions, you'll do great service to
2 American consumers.

3 Thank you so very much for your
4 attentiveness. And I wish you well for the rest
5 of the day.

6 CHAIR POCIASK: All right. Okay.
7 Here we are. Okay, so now with that we're going
8 to, I guess back by popular demand, you just did
9 this the last time.

10 But, everyone was so interested in the
11 topic, we thought we should do this again and get
12 an update on the pending legislation.

13 So, today we have our presenter is
14 again, Lori Maarbjerg. She's the Chief of Staff
15 and Senior Attorney Advisor for the Office of
16 Legislative Affairs.

17 So Lori, let me just turn that over to
18 you.

19 MS. MAARBJERG: Great. It's so great
20 to be back with you. I guess a long time ago one
21 of my first bosses, I think he's a member of the
22 Committee, Barry Umansky, said something to me

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1 once like no good deed goes unpunished.

2 (Laughter.)

3 MS. MAARBJERG: So, I don't think
4 Barry's here today though unfortunately.

5 VICE CHAIR BERLYN: He's on the phone.

6 CHAIR POCIASK: He's on the -- yeah,
7 he's on the line.

8 MS. MAARBJERG: Oh, see. There you
9 go. But I'm really glad to be here. Good
10 morning.

11 I do want to correct the record from
12 Ed's presentation. Obviously no one is from
13 Nebraska like me. But it's not a Runyon, it's a
14 Runza.

15 A Runza. It's a Runza. But, you all
16 should go to Nebraska and try one, because
17 they're very, very good.

18 But anyway. Moving on. So again,
19 it's great to be back. And I actually have
20 updates to give you.

21 So, Congress has been moving along
22 steadily. Slowly but steadily on certain aspects

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1 of the things that I updated you on in September.

2 The main one being, of course, the
3 robocall bill. And so this is just kind of the
4 slide that I had back in September that kind of
5 said this is what the Senate bill says. This is
6 what the House bill says. Just a quick recap.

7 They weren't too far off. The Senate
8 bill wanted to implement SHAKE and STIR
9 specifically. Whereas the House bill originally
10 was silent on the type of technology.

11 They both created an interagency
12 working group. They both increased forfeitures
13 for intentional violations. They both increased
14 statute of limitations for intentional robocall
15 violations, but they did it in a different way.

16 From that point on in the bills, they
17 differed. So, there was different things between
18 the two. I won't run through those specifically
19 because neither one of these bills really matters
20 anymore, because we have a compromise bill.

21 So, the staff had worked through the
22 different language, and they came up with a

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1 compromise bill.

2 That bill passed last week in the
3 House overwhelmingly, 417 to 3. It was a vote
4 that they wanted to take just to show how much
5 support there is for this bill.

6 So, the major provision and again,
7 this is not everything that's contained in the
8 bill. This is my caveat. These are just some of
9 the things that are there.

10 If you really want to know, you should
11 read the bill yourself. It's only 44 pages long.

12 (Laughter.)

13 MS. MAARBJERG: Wait until we get to
14 the House one. I'll tell you all about that one.

15 That was a little bit longer.

16 But again, it generally adopts the
17 Senate language on STIR/SHAKEN. So, it decided
18 to -- they decided to go specifically with that
19 particular technology.

20 Part of the Senate language was that
21 the Commission is tasked with evaluating that
22 every three years and reporting to Congress. So

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1 if there's changes or things that need to be done
2 differently, there is a mechanism for them to
3 tell Congress.

4 Retains the language that creates the
5 interagency working group. So that was similar
6 and that was the same in both, so they kept that
7 in there.

8 It adopts the Senate language to
9 increase forfeitures for intentional violations.
10 And it removes the statutory citation
11 requirements.

12 So currently a citation has to be
13 given before you can enforce. But they removed
14 that for intentional robocall violations.

15 It adopts the Senate language to
16 retain the statute of limitations as opposed to
17 the House language, which was a little bit more
18 broad.

19 So, it retains the statute of
20 limitations for one year for general violations.

21 But if it's an intentional robocall violation,
22 it has a four year statute of limitations.

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1 Now this is something that originally
2 the House bill had three years. And now we have
3 a four year, potentially a four year statute of
4 limitations for intentional robocall violations.

5 It also adopted the House language to
6 increase the statute of limitation for truth in
7 caller ID violations from two years to four
8 years.

9 Retains the House language on an
10 annual report to Congress on enforcement. But a
11 key provision of that, it does not, the language
12 does not allow the FCC to collect additional
13 information from providers when it has to make
14 that report.

15 It retains the House language to
16 require an annual robocall report to Congress on
17 privately led efforts to trace back the origins
18 of unlawful robocalls.

19 It maintains the House language that
20 requires the FCC to establish a process to
21 streamline voluntary information sharing with the
22 FCC.

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1 It retains the House language that
2 requires the FCC to take final action within one
3 year of an act meant on free robocall blocking
4 services.

5 It retains the House language that
6 requires the FCC to start proceeding -- to start
7 a proceeding on one ring scams within 120 days of
8 enactment. And report to Congress within one
9 year.

10 And it also retains the House language
11 that requires the creation of an advisory
12 committee called the Hospital Robocall Protection
13 Group.

14 So those are the major provisions.
15 Like I said, there's a lot in this bill that you
16 can take a look for yourself.

17 The Senate wants to pass this. It's
18 unclear when they're going to get around to it.
19 So, they're working really hard to figure out a
20 time.

21 Senator Thune has been quoted he
22 wanted to get it done this week. If it doesn't

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1 happen this week, they have next week.

2 And then we'll see from there. The
3 end of the year doesn't really mean anything.
4 We'll just move into the next session of this
5 Congress and they can take it up in January if
6 they need to. But they do want to get it done as
7 soon as they can.

8 Privacy bills. I think when I was
9 last here with you in September, we talked about
10 how the Senate wanted to have a bill soon.

11 We now have two bills. And so
12 competing measures. So again, most of this year
13 on the Senate side, the Democrats and Republicans
14 have been trying to work together to come up with
15 a bipartisan bill that they could all support.

16 Ultimately we now have a bill that's
17 been introduced by Senator Cantwell, Schatz,
18 Klobuchar, and Markey. It was introduced last
19 week. It's been referred to the Senate Commerce
20 Committee.

21 It would require covered entities to
22 provide individuals with the right to

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1 transparency regarding privacy policies, a right
2 to delete, to correct, to control individual
3 information. And a right to data security.

4 So, CEs are defined as any person or
5 entity that is subject to the FTC act, or
6 possesses or transfers covered data.

7 But there is an exclusion that for any
8 entity that falls within the Act's definition of
9 small business.

10 So there is some specific things that
11 you would have to meet. And then those entities
12 would be excluded from these provisions.

13 So, covered entities are not allowed
14 to process or transfer covered data beyond what's
15 reasonably necessary and limited to specific
16 purposes that they've -- and where they've
17 obtained express, affirmative consent.

18 CEs would not be allowed to condition
19 a provision of a service or product on an
20 individual agreement to waive privacy rights.
21 So, you can't say, I'll give you something extra
22 if you waive your rights.

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1 And these provisions would supersede
2 any state law in direct conflict, but not to be
3 construed to limit any standing state or federal
4 law. There's some issues with regards to a
5 privacy law that's going into effect in
6 California soon.

7 This bill also would require CEs to
8 designate at least one privacy officer and at
9 least one data security officer.

10 And then some of them would have to
11 certify annually to the FTC that they maintain
12 adequate controls and that they're complying with
13 the Act.

14 This bill is significant in that it
15 provides individuals with a private right of
16 action. It provides the FTC and state's attorney
17 generals with enforcement powers.

18 Requires the FTC to establish a
19 privacy bureau within two years of enactment that
20 is dedicated to privacy, data security, and other
21 related issues. And gives the FTC some rule
22 making authority to establish processes for opt

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1 out, and to identify privacy protection
2 requirements for biometric information.

3 In comparison, we have a draft bill
4 from Chairman Wicker. He has not introduced this
5 yet, but he did release the text around the same
6 time that Senator Cantwell introduced her bill.

7 Again, it would require covered
8 entities to publish a privacy policy and make
9 available, make that available to individuals.

10 In this case, CEs are defined as any
11 person who operates in, or affects interstate or
12 foreign commerce. There is a -- that provides
13 for a right to delete, correct, and the
14 portability of covered data.

15 But those -- that particular provision
16 does not apply to CEs that meet the bill's
17 definition of small business. It's the same
18 definition in both of the bills. So this
19 obviously is something that they had worked out,
20 you know, working on it earlier.

21 CEs are not allowed to process or
22 transfer covered data beyond what's reasonably

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1 necessary without obtaining express, affirmative
2 consent from the individual. Again, this
3 provision in this bill specifically does not
4 apply to those CEs that meet the definition of
5 small business.

6 It requires CEs to designate at least
7 one privacy officer and at least one data
8 security officer. And they have to register with
9 the FTC each year if they acted as a data broker.

10 Again, it provides FTC and state's
11 attorney generals with enforcement power. So
12 there is no private right of action in the
13 Republican bill. That's the major difference.

14 It preempts all state law. That's
15 another difference. And supersedes any other
16 federal law.

17 It requires the FTC to issue
18 guidelines on best practices for CEs to comply
19 with data collection minimization requirements.
20 And it requires the FTC to issue guidance to CEs
21 to assist with identifying and assessing
22 vulnerabilities in data security.

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1 It gives the FTC the ability to issue
2 regulations on procedures for allowing consumer -
3 - customers to provide and withdraw consent. And
4 requirements for CEs when handling data
5 verification requests.

6 Those are requirements, but on the
7 other hand it only allows -- it allows, but
8 doesn't require the FTC to establish regulations
9 regarding privacy standards for the transfer of
10 sensitive biometric information.

11 There's some reporting requirements
12 for the FTC in the Republican bill. To submit to
13 Congress an annual report in enforcement, an
14 algorithm transparency study and report within
15 three years, and a biannual digital content
16 forgery reports.

17 So, those are the major things, the
18 major provisions of the Senate bills. Again,
19 we'll see in the new year if they start to take
20 up this issue and work towards trying to come to
21 agreement on some of these issues.

22 Again, on the House side, we -- last

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1 time around we had a few bills that had been
2 introduced by various members, but not one that
3 was introduced by the Energy and Commerce
4 Subcommittee on consumer protection.

5 And we still don't have a bill from
6 that particular Subcommittee. They -- reports
7 are that they're working on something.

8 Instead we have a bill that was
9 introduced by Representative Eshoo and Zoe
10 Lofgren, both members from California. The
11 Online Privacy Act of 2019.

12 Now, I would encourage you to read
13 this bill too. But it is 132 pages. So, that
14 might take you a bit to get through it.

15 So, I condensed it down a little bit
16 to five bullets. So obviously there's a lot of
17 things in this bill that are not covered by this
18 summary.

19 But the major provisions, again,
20 rather than kicking this to the FTC, this bill
21 would create a new independent agency called the
22 Digital Privacy Agency.

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1 And that would be charged with
2 enforcing privacy rights and have authority to
3 hire up to 1,600 full time equivalent employees.

4 It would provide individuals with the
5 right to access, correct, delete and transfer
6 data. To be informed if a CE has collected
7 information. And to choose how long the data can
8 be kept.

9 Covered entities are required, and
10 again, this is a -- there's a lot longer list.
11 These are some of the major ones. They would be
12 required to establish the need and -- the need
13 for and minimize the user data they collect,
14 process, disclose, and maintain.

15 They are not allowed to disclose or
16 sell personal information without explicit
17 consent. CEs would have to use objectively
18 understanding privacy policies and consent
19 processes.

20 And they have to employ reasonable
21 cyber security policies. And then they have a
22 notification requirements to the DPA if there

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1 were any breaches or data sharing abuses.

2 The DPA would have the authority to
3 issue regulations to implement the provisions in
4 the bill and to issue fines for violations. It's
5 the same amount as the FTC, \$42,530 per incident.

6 State's attorney generals can bring
7 civil actions under this language. It does
8 provide an individual right to sue for
9 declaratory or injunctive relief.

10 And it does allow individuals to sue
11 for damages. But it does not allow them for
12 class action suits.

13 And that's it. Easy.

14 (Laughter.)

15 MS. MAARBJERG: Easy stuff. Again,
16 the FCC is really not involved in the privacy
17 side of things. But, we're happy to track it and
18 keep you all updated on it.

19 CHAIR POCIASK: Let me ask you a
20 couple of quick questions. So that House bill
21 you just looked through on privacy by the two
22 California legislators, it doesn't preempt the

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1 bill that they have right now, do they? In
2 California?

3 MS. MAARBJERG: No. No.

4 CHAIR POCIASK: Okay. So that's
5 wrong. What about the algorithm transparency,
6 what is that related to?

7 MS. MAARBJERG: Oh, gosh. See now
8 you're asking me questions that I can't talk to.

9 CHAIR POCIASK: Is that like saying,
10 like a Google would have to be transparent with
11 its searches.

12 MS. MAARBJERG: I think it -- yeah.
13 So yeah, and how -- right. And how they're using
14 their algorithms to track and to keep track of
15 things.

16 CHAIR POCIASK: Okay.

17 MS. MAARBJERG: Yeah.

18 CHAIR POCIASK: Were there any
19 questions in the room or on the phone?

20 MEMBER UMANSKY: Good morning. Hi,
21 this is Barry Umansky. I'm sorry, I --

22 CHAIR POCIASK: Is that Barry?

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1 VICE CHAIR BERLYN: That's Barry.

2 CHAIR POCIASK: Yeah. All right.

3 Barry, can you speak up a little?

4 VICE CHAIR BERLYN: Yeah, we can't
5 hear you.

6 CHAIR POCIASK: Hey Barry, can you
7 speak up?

8 MEMBER UMANSKY: I appreciate it.

9 CHAIR POCIASK: Hey Barry?

10 MS. MAARBJERG: We'll never know.
11 Barry was my first boss out of law school.

12 CHAIR POCIASK: Hey Barry, are you
13 there? Can you speak up? We didn't get your
14 question.

15 MEMBER UMANSKY: Yeah. I'm here
16 Steve.

17 MS. MAARBJERG: I don't know if he's
18 hearing us.

19 CHAIR POCIASK: All right.

20 VICE CHAIR BERLYN: I have a very --
21 just a -- oh sure. Sorry. I was just wondering
22 if we could get copies of those summaries of the

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1 bills. It would be very helpful.

2 MS. MAARBJERG: Yeah. I think you all
3 have a copy of this.

4 VICE CHAIR BERLYN: Oh, do we have
5 this in our --

6 MS. MAARBJERG: I don't know if you
7 have it in your folder.

8 MS. CLEARWATER: I don't think it's in
9 the folder. But, we can certainly provide an
10 electronic copy and distribute it that way to
11 everyone.

12 VICE CHAIR BERLYN: Okay. Thank you.

13 CHAIR POCIASK: Okay. Were there any
14 other questions here or on the phone? Last call.
15 I guess we'll have you back soon enough, right?

16 (Laughter.)

17 MS. MAARBJERG: Probably, yeah. I am
18 now a regular?

19 CHAIR POCIASK: I guess so. Yeah,
20 we'll have -- we'll just give you a seat next
21 time. Thank you Lori.

22 MS. MAARBJERG: Sure. Thank you.

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1 MEMBER UMANSKY: Yeah, hey Steve?

2 CHAIR POCIASK: Yes?

3 MEMBER UMANSKY: Can you hear me now?

4 CHAIR POCIASK: Yes. I can hear you.

5 MEMBER UMANSKY: Okay. I'll yeah, I
6 just wanted to point out that Lori, it was a
7 great presentation.

8 And at this instance, your good deed
9 is appreciated.

10 (Laughter.)

11 CHAIR POCIASK: All right.

12 MS. MAARBJERG: Thank you.

13 CHAIR POCIASK: Thank you Barry.
14 Thanks.

15 (Applause.)

16 CHAIR POCIASK: All right. Let me
17 just reload this here. Yes, that we're going
18 with ag. Okay. So, next on our agenda here we
19 have, our presenter is Jesse Jachman. He's the
20 designated Federal Officer and attorney and
21 advisor for Telecommunications Access Policy
22 Division. That's the wire line bureau.

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1 So, yep, Jesse.

2 MR. JACHMAN: Okay, thank you. Good
3 morning everybody. So yes, I am -- my name is
4 Jesse Jachman. I am the DFO, or the Designated
5 Federal Officer for the Precision Ag Connectivity
6 Task Force, which has a longer name, which I'll
7 give you in a second.

8 And when I'm not doing my role as a
9 DFO for the task force, I am a legal advisor. I
10 was previously in the Telecommunications Access
11 Policy Division.

12 Now I'm in the front office of the
13 Wireline Competition Bureau as a legal advisor,
14 and working on all aspects of the universal
15 service fund.

16 So, before I get a little bit more
17 into the task force, I wanted to just talk a
18 little bit about what precision agriculture is.
19 I figured that would be a little bit useful.

20 And for that information, I pulled
21 some -- I pulled a document that's available
22 online, that is made available by our

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1 counterparts at the Department of Agriculture.

2 And they have what's called a Case for
3 Rural Broadband. So, precision ag technology is
4 basically using technology to improve
5 agricultural production.

6 Finding new ways or new technologies
7 and ways of working to combine to improve yields,
8 reduce costs, improve labor efficiency, and
9 increase revenues through greater market access.

10 So, a couple of examples, common
11 examples of precision ag technology are, you
12 know, GPS. You use GPS technology to guide or
13 steer your tractor in the field.

14 You can have sensors in the ground to
15 monitor things like soil quality, moisture
16 levels. And also drones. You have drones that
17 are used to fly over large crop fields to
18 identify pest problems and look at overall crop
19 health.

20 So, how are these technologies applied
21 to stages of agricultural management? So, as
22 USDA describes here, there's stage one, which is

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1 the planning stage.

2 And these aren't all my slides, but --

3 CHAIR POCIASK: Oh, okay.

4 MR. JACHMAN: Yeah. So, I just, you
5 know, wanted to give some background this morning
6 on these. So you have data collection and
7 decision support to make better choices about
8 what, where, and when to produce using data
9 analytics, yield prescriptions, fertility
10 planning.

11 Then during the production stage,
12 precision agriculture also comes in. Monitoring
13 the growth cycle, managing inputs and optimizing
14 the products. Health and harvest, you're talking
15 about real time censoring, automated harvesting,
16 things like that.

17 And then finally, there's market
18 coordination. This is stage three that they
19 have. Creating access to new customers and
20 channels.

21 Differentiating products and shaping
22 consumer preferences. This is online sales,

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1 targeted advertising, and optimizing
2 distribution.

3 So, what are the societal benefits of
4 precision agriculture? In other words, you know,
5 how are these technologies going to benefit
6 consumers?

7 Well, a few things that are listed
8 here. Seven point five percent fewer people at
9 risk of hunger in developing countries. Two
10 seconds to trace food products using block chain
11 enabled records.

12 Forty percent less fuel burn. Lower
13 water usage or being more efficient with water,
14 20 to 50 percent or more. And up to 80 percent
15 reduction in chemical applications.

16 So, all these are kind of the benefits
17 of precision agriculture. But this doesn't
18 really work. In other words to realize the
19 benefits of precision agriculture we need
20 connectivity on agricultural lands.

21 So, that's kind of where the task
22 force comes in. And so the formal title of the

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1 committee is the Task Force for Reviewing the
2 Connectivity and Technology Needs of Precision
3 Agriculture in the United States.

4 So essentially what the task force is
5 charged with is providing advice and
6 recommendations to the FCC, to the USDA, and
7 others on how to assess and advance the
8 deployment of broadband internet access on
9 unserved agricultural land in order to promote
10 precision agriculture. In other words promote
11 connectivity.

12 So this is actually a statutory
13 committee. Congress directed the FCC in the 2018
14 Farm Bill. So this was a little less than a year
15 ago, to establish a task force in consultation
16 with USDA, the Department of Agriculture.

17 The task force is, just like they are
18 subject to the Federal Advisory Committee Act.
19 And members have a two year term. And under the
20 Statute the Federal Advisory Committee is going
21 to run to the end of 2025.

22 So this is kind of just broad what the

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1 task force is assessed with. So it must access
2 the current state of broadband in agricultural
3 lands along with the broadband needs of precision
4 agriculture technologies and agricultural lands.

5 So the task force is required to
6 submit reports to the Chairman annually
7 consistent with Sections 125.11 of the 2018 Farm
8 Bill. So this is the section of the Farm Bill
9 directing the FCC to establish this task force.

10 And so this part -- this section of
11 the Farm Bill also lays out in detail what the
12 goals of the task force are.

13 So in addition to these reports that
14 are mandated in the Statute itself, the task
15 force is also going to produce reports that are
16 not expressly required by the bill, but are
17 consistent with the duties of the task force.

18 So if you look at the Statute there
19 are some duties and there are some reports. And
20 these are the things that the task force is going
21 to produce.

22 All these reports will be made public.

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1 And the task force was actually officially
2 established just recently, December 4, 2019.

3 So, just a little bit about the makeup
4 of the task force. So, as your all aware,
5 membership balance plan is an important aspect of
6 any federal advisory committee.

7 You have to have diverse point of
8 views and everything like that. Fortunately for
9 us, this was laid out in the Statute for us.

10 So, we knew exactly the kind of
11 categories of people that were going to make up
12 this task force. And it's an interesting group
13 of people.

14 Very diverse and something that you
15 wouldn't typically think would be coming to the
16 FCC. So we've got to meet a really interesting
17 group in that respect.

18 So we had agricultural producers
19 representing diverse geographic areas, different
20 types of farms. Small farmers. An agricultural
21 producer representing tribal agriculture.

22 Internet service provider, fixed,

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1 mobile. And infrastructure providers as well.
2 So you can think of tower companies.

3 Representatives of the electric coop
4 industry. Representatives of the satellite
5 industry. Equipment manufacturers, drone
6 manufacturers, any manufacturers that are
7 involved in precision ag technology.

8 Representatives from state and local
9 governments. And representatives with relevant
10 expertise in data, broadband mapping, geospatial
11 analysis and coverage mapping.

12 And again, fairly balanced in terms of
13 their viewpoints, technology, things of that
14 nature.

15 Now the Statute also does limit us to
16 15 members. So you can see we had a bit of work
17 to do on trying to figure out how do we get 15
18 members within that?

19 If you kind of add it up, it doesn't
20 really equal 15. But we were able to get 15
21 members representing these different areas.

22 In addition to those 15 members, we do

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1 have one member of the task force, a USDA ex-
2 officio non-voting member. So this person sits
3 on the task force representing the USDA.

4 And then finally, a little bit about
5 the working groups, which we are in the process
6 of setting up, but we have announced what they
7 will be.

8 The working groups will be the mapping
9 and analyzing connectivity on agricultural lands.

10 Examining the current and future connectivity
11 demand for precision agriculture.

12 Encouraging adoption of precision
13 agriculture and availability of high quality jobs
14 on connected farms. And then finally,
15 accelerating broadband deployment on unserved
16 agricultural lands.

17 So, those are the four working groups
18 that we have. So we actually just had our first
19 meeting earlier this week, on Monday. And the
20 members have been really excited to get started.

21 We are also in the process of standing
22 up these working groups. We have the chairs and

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1 vice chairs of the working groups, which we
2 announced Friday of last week on the 6th.

3 And the FCC and USDA teams are
4 actively working to review applications to stand
5 up the working groups. And so that's where we
6 stand today.

7 CHAIR POCIASK: Okay. Do we have any
8 questions for Jesse? All right Matthew?

9 MEMBER GERST: Hey Matt Gerst with
10 CTIA. Thanks, this sounds like it's very, going
11 to be a very interesting task force.

12 Particularly with the announcement of
13 last week on the FIG fund, and how the Commission
14 maybe thinking about allocating funding for
15 agricultural events as well.

16 Two questions, when are the
17 applications for the working groups due?

18 MR. JACHMAN: So the applications for
19 the working groups were actually due December 3.

20 MR. GERST: So, that's closed.

21 MR. JACHMAN: They are. But, I think
22 we would be willing to entertain additional

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1 applications.

2 MEMBER GERST: Okay. And how does the
3 -- can you help us understand how the Farm Bill
4 defines agricultural lands, and opposed to just
5 general rural areas?

6 MR. JACHMAN: Yes. Well one thing
7 also about the working groups, if people had
8 already applied but weren't selected, they will
9 also be in the running for the working groups.

10 So in terms of the agricultural lands,
11 we're really -- so a lot of the things, I think,
12 in the Statute themselves aren't necessarily
13 answered in the Statute or defined.

14 And so that's -- a lot will be tasked
15 for the task force to do and the working groups
16 within there, are to kind of go out and figure
17 out what, you know, what is -- what does
18 agricultural lands mean?

19 So, those are things that we're
20 looking for the task force to find. I think -- I
21 don't have a good definition in front of me, but
22 this is something I think we would defer to USDA

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1 on, as they are -- they keep a wealth of data and
2 information on agricultural lands, what's
3 cropped, what crops are planted where.

4 So, you can kind of think about it as
5 at least initially possibly taking their, USDA's
6 data on agricultural lands and somehow merging
7 that or overlaying data on broadband deployment.

8 And kind of getting initial sense on that, yeah.

9 But yes, those are all questions that
10 the task force will look at.

11 CHAIR POCIASK: Okay. Any other
12 questions here in the room or on the phone?

13 Okay, Jesse, thank you so much.

14 MR. JACHMAN: Thank you. Thank you
15 for having me.

16 CHAIR POCIASK: All right.

17 (Applause.)

18 CHAIR POCIASK: Okay. So, next we're
19 going to get an update on the Connected Care
20 Grant Pilot Program.

21 And here to present is Rashann Duvall.
22 She's an attorney advisor with Telecom Access

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1 Policy Division with the Wireline, not wireless,
2 Communications Bureau.

3 And with that, let me turn it over to
4 you.

5 MS. DUVALL: Hi, good morning
6 everyone. I'm glad to see so many familiar faces
7 in the room. I see you guys are learning a lot.
8 I've learned a little bit since I've been
9 sitting back here as well.

10 As you mentioned, I'm Rashann Duvall.
11 I'm an attorney advisor with the Wireline
12 Competition Bureau Telecommunications Access
13 Policy Division.

14 And I'm pleased to be here today to
15 give you a brief overview of the -- thank you,
16 the notice of proposed rulemaking that the
17 Commission adopted in July for a Connected Care
18 Pilot Program.

19 Many of you may already be familiar
20 with this proceeding. And I know some of the
21 organizations have filed comments in this
22 proceeding as well. So we're very thankful and

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1 grateful for that always.

2 If you haven't had a chance to review
3 the notice of proposed rulemaking, it is
4 available in Docket Number WC 18-213. FCC 1964
5 is the document number.

6 And feel free to reach out to me
7 afterwards and I can send you a link directly to
8 the NPRM if you'd like that.

9 So as many of you aware, the
10 Commission has supported healthcare providers
11 access to communications technologies through the
12 rural healthcare programs.

13 The rural healthcare support program
14 is comprised of two distinct components. The
15 Telecommunications Program and the Healthcare
16 Connect Fund Program.

17 In July 2019, the Commission adopted a
18 notice of proposed rulemaking that proposed and
19 sought comment on a pilot program that would help
20 defray eligible healthcare providers' costs of
21 providing connected care technologies to low
22 income Americans and veterans.

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1 During my talk I will refer to this
2 notice of proposed rulemaking either as the
3 connected care notice or NPRM.

4 Healthcare providers are increasingly
5 using broadband to provide connected care medical
6 services to patients in their homes. So this is
7 moving beyond the traditional brick and mortar
8 facilities.

9 And providers are just able to do
10 really just amazing things with these new
11 technologies. These services however require
12 both the provider and the patient to have
13 connectivity.

14 Some examples of the types of
15 connected care services that are being provided
16 include video visits with physicians, as well as
17 remote patient monitoring, which requires devices
18 that might collect a patient's data such as, you
19 know, a blood pressure monitor or a glucose
20 monitor.

21 And then that data would, the device
22 would collect that information and then transmit

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1 that information to medical professionals.

2 There are just a lot of really
3 interesting technologies being developed in
4 connected care services right now. And it's just
5 really an exciting area to -- just really
6 exciting area.

7 There are also a lot of growing
8 evidence of the benefits of connected care
9 services, including improved health outcomes and
10 reduced healthcare costs.

11 The proposed connected care pilot
12 program would actually be separate from the
13 existing telecommunications program and the
14 healthcare connect fund program.

15 By way of background, for the
16 telecommunications program, which is one of the
17 existing rural healthcare programs, that program
18 was created in 1997 to ensure that eligible rural
19 healthcare providers pay no more than their urban
20 counterparts for telecommunication services.

21 As part of that program, eligible
22 rural healthcare providers receive a discount on

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1 eligible telecommunication services, which is
2 determined by the difference, if any, between the
3 urban and rural rates for telecommunication
4 services.

5 For that program, the supported
6 services include, but are not limited to,
7 traditional telephone service, voice and
8 facsimile services.

9 The healthcare connect fund program is
10 also an existing rural healthcare fund program
11 that was created in 2012 to expand eligible
12 healthcare provider access to broadband
13 especially in rural areas. And encouraged the
14 creation of state and regional broadband networks
15 for healthcare.

16 Through that program, eligible
17 healthcare providers and consortium applicants
18 receive a flat 65 percent discount on an array of
19 advanced telecommunications and information
20 services, including but not limited to internet
21 access, dark fiber, business data, traditional
22 DSL service, private carrier services, and

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1 network equipment necessary to make the supported
2 service function.

3 With the connected care notice, as I
4 mentioned, the proposed connected care pilot
5 would be separate from those existing programs.
6 The connected care notice proposed establishing a
7 pilot program with 100 million dollar budget for
8 a three year funding period duration.

9 As proposed in the connected care
10 notice, the following services and equipment
11 could potentially be supported through that
12 program, broadband internet access services to
13 provide connected care services.

14 This would include the healthcare
15 providers own internet access service, and
16 internet access service that patients would use
17 in their home or on a mobile device.

18 As I previously mentioned, the
19 existing rural healthcare programs primarily
20 focus on the healthcare providers connectivity.

21 So, extending it to -- allowing
22 healthcare providers to purchase connectivity

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1 that the patient could then use at her home would
2 be -- at their homes would then be something
3 different from the existing programs.

4 For the connected care pilot program,
5 the NPRM also propose funding network equipment
6 necessary to enable connectivity for the purposes
7 of connected care. And this could include things
8 like routers and servers.

9 It also proposed supporting packages
10 or suites of services that are considered
11 information services uses to provide connected
12 care services.

13 I will note that the connected care
14 notice did not propose funding end user devices,
15 for example, tablets, cell phones, medical
16 devices, or mobile applications unless they were
17 part of an information services that would be
18 supported, or healthcare provider administrative
19 expenses associated with participating in the
20 pilot program.

21 And these are things that the
22 Commission has not traditionally funded through

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1 the existing USF programs or prior pilots that
2 the Commission has established.

3 The connected care notice envisioned
4 that participating healthcare providers would
5 purchase the supported services equipment. So as
6 the notice envisions that this would be more of a
7 healthcare provider driven type of program.

8 And it sought comment on whether
9 healthcare providers should be required to
10 competitively bid for the supported services and
11 equipment.

12 With respect to eligible healthcare
13 providers and broadband providers, the connected
14 care notice proposed limiting the pilot program
15 to nonprofit and public healthcare providers that
16 fall within the following statutory categories
17 that are currently used for the Commission's
18 rural healthcare programs, the existing programs.

19 And this would be post-secondary
20 educational institutions offering healthcare
21 instruction, teaching hospitals and medical
22 schools, community health centers or health

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1 centers providing healthcare to migrants, local
2 health departments or agencies, community mental
3 health centers, not for profit hospitals, rural
4 health clinics, skilled nursing facilities, and
5 consortia of health care providers consisting of
6 one or more of the above types of entities.

7 The connected care notice proposed not
8 limiting the pilot program to broadband providers
9 that have obtained a designation as an eligible
10 telecommunications carrier.

11 The connected care notice proposed
12 giving healthcare providers flexibility to design
13 the pilot projects. And does not propose
14 limiting pilot projects to specific geographic
15 areas or health conditions.

16 With respect to the discount level,
17 the connected care notice proposed that
18 participating healthcare providers will receive a
19 flat 85 percent discount on the supported
20 services and equipment eligible for support
21 through the pilot program.

22 Healthcare providers will be

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1 responsible for the remaining portion of the
2 costs.

3 The connected care notice proposed not
4 to set a fixed number of pilot projects, or set a
5 limit on the amount of funding that can be
6 provided to a single project.

7 The connected care notice also sought
8 comment on funding sources that eligible
9 healthcare providers could use to pay their share
10 of the costs.

11 And under this structure, I think what
12 the notice envisions is that the healthcare
13 provider would be receiving a discount on its
14 bill and the service provider would be reimbursed
15 for the eligible discounted costs.

16 And this is very similar to the way
17 the funding structure currently works under the
18 existing rural healthcare programs.

19 The NPRM envisions that there would be
20 an application process for the pilot program.
21 Healthcare providers would submit an application
22 to the Commission that would address the various

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1 application criteria in order to participate in
2 the pilot program, including identifying the
3 participating patients.

4 And the connected care notice also
5 sought comments on the factors that should be
6 used to evaluate the pilot program applications.

7 And it also proposed awarding
8 additional points to pilot projects that serve
9 certain geographic areas or populations where
10 there are healthcare disparities, for example,
11 rural areas, tribal areas, or just healthcare
12 providers that might be located in urban areas
13 but might primarily serve a rural population.

14 And also proposed awarding additional
15 points to pilot projects that would treat certain
16 health crisis or chronic conditions. Some
17 examples are opioid dependency, high risk
18 pregnancies, heart disease or diabetes.

19 Finally, the connected care notice
20 proposed and sought comment on four goals. This
21 is improving health outcomes through connected
22 care, reducing healthcare costs, supporting the

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1 trend towards connected care everywhere, and
2 determining how universal service support can
3 positively impact existing telehealth
4 initiatives.

5 With respect to current status, which
6 I know is always something that people are always
7 interested in. So, as many of you know, in
8 August and September, interested parties sought
9 comments and replied comments in our proceeding.

10 And the official comment cycle for the
11 connected care notice has closed at this point.
12 We are still reviewing and evaluating the
13 comments and reply comments.

14 And in terms of next steps in order to
15 move forward, the Commission would need to issue
16 an order for the pilot program.

17 And with that I'll open up to any
18 questions anybody might have about the proposed
19 program. Yes?

20 MS. CLEARWATER: Hi, this is Christina
21 Clearwater. Can you give us an example of --
22 that would help us understand the difference in

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1 how this differs from the existing program?

2 For example, if I am a provider, sort
3 of in a clinic on tribal lands, so what is --
4 what is the additional coverage that the notice
5 is proposing?

6 MS. DUVALL: Sure. That's an
7 excellent question. I think there are two things
8 that I think the additional notice would be
9 covering.

10 As I mentioned, you know, with respect
11 to this program, it's primarily -- it's focused
12 on connected care services. So it's that
13 additional element of allowing the healthcare
14 provider to purchase connectivity for the patient
15 to also use in their homes.

16 So the way the current programs are
17 structured, they will purchase the connectivity
18 for the healthcare provider to have broadband
19 access, but do not include anything for patients
20 to access it at home.

21 So that's kind of the limit. Patients
22 would need to go to their doctors facilities or

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1 already have their own existing broadband in
2 order to take advantage of connected care
3 services.

4 MS. CLEARWATER: So for example, if I
5 am somebody who resides on tribal lands and I
6 have a chronic condition like diabetes, then the
7 medical provider would, let's say there's a
8 device that can monitor glucose levels.

9 MS. DUVALL: Mm-hmm.

10 MS. CLEARWATER: Then the medical
11 provider would perhaps be able to subsidize.

12 MS. DUVALL: Yeah. That's exactly
13 right.

14 MS. CLEARWATER: Okay.

15 MS. DUVALL: And you know, what we're
16 aware of is, you know, based on the record there
17 are a number of physicians that are already
18 subsidizing these type of things for patients
19 with chronic conditions or low income patients
20 already.

21 MS. CLEARWATER: Okay. Great. Great.
22 That's really helpful. Thank you so much.

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1 MS. DUVALL: Mm-hmm.

2 CHAIR POCIASK: Okay. Good question.
3 Any other questions? Anyone on the phone? Well,
4 great. Well, thank you so much for explaining
5 that.

6 MS. DUVALL: Thank you so much. And
7 thank you all for your time. Again, if you have
8 any other questions about the propose pilot
9 program, please feel free to reach out to me
10 directly.

11 I'm Rashann Duvall again. My email is
12 RashannDuvall@fcc.gov. And I'm pretty easy to
13 find on the website. There's only two Duvall's
14 here at the Commission.

15 (Laughter.)

16 MS. DUVALL: All right. Thank you so
17 much.

18 CHAIR POCIASK: Thank you.

19 (Applause.)

20 CHAIR POCIASK: Okay. Yeah. Let's
21 just take a quick five minute break. We'll --
22 yeah. Just real quick five minutes as we -- oh

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1 actually, we have -- we're ready to go, so.

2 MS. CLEARWATER: Never mind.

3 CHAIR POCIASK: Yeah, so we're going
4 to get an update right now on consumer scams.
5 Just sit right here.

6 And we have a presenter who is Kristi
7 Thompson. She's Chief of the Telecommunications
8 Consumer Division Enforcement Bureau. Here's
9 your card.

10 MS. THOMPSON: I promise no one's in
11 trouble.

12 (Laughter.)

13 CHAIR POCIASK: Yeah.

14 MS. THOMPSON: Except the bad guys.
15 Except for the bad guys.

16 CHAIR POCIASK: Okay.

17 MS. THOMPSON: Thank you so much for
18 having me here. It's a pleasure to be here. I
19 started out life as basically an antitrust lawyer
20 in the Media Bureau.

21 And had no idea that I would end up a
22 consumer protection lawyer. Although I think my

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1 standing at the Berkeley Alumni Association has
2 risen substantially as a result.

3 (Laughter.)

4 MS. THOMPSON: So, I'm very delighted
5 to be here. And absolutely believe in the work
6 that this Committee does.

7 I was asked to give a little update on
8 the -- on consumer scams that are going on. My
9 favorite subject.

10 It is an obsession for me and my
11 staff. And what we spend the majority of our
12 time fighting these days as too many Americans
13 know full well.

14 The big ticket item that pretty much
15 all Americans are dealing with right now are
16 imposter scams. Those are the worst scams
17 happening. They have been for years.

18 These are primarily executed through
19 illegal robocalls, illegal spoofed robocalls.
20 There's an entire book of legislation that I like
21 to throw at the bad guys.

22 And more legislation, I'm happy to

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1 say, has -- is coming down the pike. Frank
2 Pallone promised that a robocall bill would be on
3 the President's desk before the end of the year.

4 And I am so delighted to see that it
5 looks like that may actually happen. Which is
6 very exciting.

7 The government imposter robocalls are
8 as we all know, for years they have been the IRS
9 calls.

10 We are talking about transnational
11 robocalling, I don't know, quasi-terrorist cells
12 basically, operating overseas that their entire
13 business model is to call up Americans, pretend
14 to be some government agency, and then try to
15 scare, cajole, convince anything, sometimes all
16 three in the same call, Americans to give up
17 their confidential information and provided them
18 with financial payments that the victim does not
19 owe to any American government agency.

20 MS. THOMPSON: Formally, it was the
21 IRS. These were IRS calls you must, the messages
22 would say things like you owe \$5,000 in back

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1 taxes. If you don't contact us and call us back
2 immediately, we'll send the sheriff to your
3 house.

4 They have switched up the scam in
5 recent, just in the past year, and now where it
6 was the IRS, now it's a Social Security scam and
7 it's the Social Security Administration that is
8 learning the joys of a robocalling campaign that
9 takes their name in vain. Now what consumers are
10 facing are robocalls that say you owe money to
11 the Social Security Administration or you were
12 improperly given benefits that you don't owe.
13 Again, there's a threat of law enforcement
14 action, the local police or the FBI or they name
15 any sorts of organizations will come after you if
16 you don't pay up now.

17 The mechanism that they demand payment
18 is the same, and that's not surprising because
19 it's the same organizations, the same groups of
20 people primarily operating out of India, who are
21 making these calls. They've just switched up
22 their message a little bit. So they're still

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1 demanding iTunes, payment in iTunes cards or
2 Google Play cards or Steam cards or prepaid
3 cards. There's an entire cottage industry of
4 scammers that are, that are even, even have
5 active Facebook groups where they talk to each
6 other about this scam is working right now or,
7 no, don't do it this way, you need to pitch it
8 this way instead, or I'm offering to buy, you
9 know, on ten cents a dollar all of your iTunes
10 cards, you know, iTunes stuff that you get in and
11 a whole network.

12 We expected, so two things from this.
13 One, we are learning everyday better how to go
14 after the entities that are responsible for these
15 scams. And behind the scenes in ways that,
16 unfortunately, I can't talk about or reveal
17 publicly, we are continuing to make strides to
18 shut down these networks. Secondly, this really
19 illustrates, the developments over the past year
20 really illustrate how the scammer cottage
21 industry is very adaptive. IRS calls stopped
22 being effective, so they switched up to the

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1 Social Security Administration, and now a new
2 federal agency is getting up to speed just as the
3 IRS had to get up to speed, with how to deal with
4 that.

5 We expect that the scammers want to
6 stay in business. There may be other, they may
7 switch up again and it may not be the Social
8 Security Administration anymore. It could be,
9 maybe it's the Veterans Administration next.
10 Maybe it's some other government agency. Maybe
11 they start picking on state agencies. The point
12 is we already predict that this may happen, and
13 we have to be flexible and adaptive, just as
14 they're adaptive, to move very quickly. The good
15 news is, we are, and I'll talk about this in a
16 little bit, we are putting structures in place to
17 make that easier going forward so we don't have
18 to start from scratch every time the bad guys
19 switch up their scam.

20 The other major scam that is going on
21 that a lot of Americans find baffling and
22 somewhat frightening are what we're calling the

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1 Chinese consulate scams. If you have ever gotten
2 a robocall where when you listen to the message
3 the message is in Mandarin, that is a major scam
4 that's going on. It is targeted, it is a --
5 they're taking a shotgun approach, so they're
6 robocalling basically everybody, but the targets
7 of the scam are much more narrow. They are
8 looking for Chinese expats or the Chinese
9 immigrant community. Interestingly enough, this
10 scam started hitting area codes that had
11 significant Chinese immigrant or expat
12 populations, so San Francisco was the first
13 identified target. After that, it moved on to
14 New York, then D.C., and it continues to grow.
15 Now it appears they're just robocalling
16 everybody.

17 But the point or the hook in the
18 Chinese consulate scam, the message says this is
19 the Chinese government, you or your family owe
20 taxes to the Chinese government. If you don't
21 pay then your family or you may be jailed. It's
22 apparently a frightening message, and it names a

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1 real Chinese agency that actually does police
2 payment of taxes by foreign nationals who are
3 living outside of the country. And the threat is
4 very compelling. We are especially concerned
5 about this particular threat, first because it is
6 so evil just as a matter of principle, but then,
7 secondly, because it has a disproportionate
8 effect on an already vulnerable population within
9 the United States, which is the Chinese immigrant
10 community. We're very concerned about that.
11 That is another major stand that we are tracking.

12 Again, these are scams very similar to
13 the IRS and Social Security Administration
14 impersonation scams that we also believe are
15 originating outside the country. That makes
16 enforcement challenging, but we are continuing to
17 develop ways to shut that off.

18 So a little bit about -- and then,
19 sorry, let me move on to kind of the last
20 category of scams that we see, and those are what
21 I call scumbag telemarketing.

22 (Laughter.)

1 MS. THOMPSON: That's the technical
2 term for it. Right now, sort of the biggest, the
3 biggest one of these that's happening just in the
4 last three to four months are the healthcare scam
5 calls where they're pitching health insurance
6 plans, et cetera. There's been a number of press
7 articles about this. Not surprisingly, the
8 healthcare scams ramp up around open enrollment
9 seasons, so while we're all kind of thinking
10 about health insurance, we're probably getting or
11 at least I'm getting a lot of emails from our HR
12 departments about open enrollment on the health
13 insurance plans. Well, the scammers know this,
14 too, and they are timing, just like the IRS folks
15 used to time their IRS threatening calls around
16 April 16th and the months before that, the health
17 insurance scammers are doing the same thing
18 around tax time and around open enrollment
19 season. So we're seeing spikes of that happening
20 late in the year and then again in, like, March
21 and April of every year. That's another thing
22 that we are tracking.

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1 There are a plethora of other
2 telemarketing robocalls that happen on a more
3 patchwork basis or sometimes a nationwide basis.

4 I want to note that there is a significant
5 variation in the quality of the offerings that
6 are being pitched. Some of those robocalls are
7 legitimate products. They're just done in a
8 really illegal and problematic manner. Some of
9 them are outright frauds. And it really depends
10 on which robocall campaign you're talking about
11 and what kind of offerings that they're
12 discussing to tell the difference.

13 All of them are annoying. All of them
14 are illegal when they're robocalls to cell phones
15 or in other inappropriate ways or they happen
16 without the consumer's express written consent.
17 And no one has any sympathy for the illegal
18 telemarketing robocallers, certainly not me and
19 my folks.

20 The other major part of enforcement
21 action that we're looking at are spoofing
22 continues to be a problem. I've said before that

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1 spoofing is gasoline on the robocalling fire. It
2 allows the bad guys to completely hide what they
3 are doing or nearly completely hide. It makes it
4 much more difficult to tell who is actually
5 responsible for the telephone call. That is
6 something that I know. There's another panel
7 right after this talking about caller ID
8 authentication, a way that we can make it much
9 more difficult for the originator of a robocall
10 to hide their true identity. I'm excited about
11 it because that will also make it much easier on
12 the enforcement side to find targets for
13 enforcement and to take appropriate enforcement
14 actions against them, so instead of ten cases a
15 year we can do a hundred. That would be
16 fantastic. Or as many cases as it takes to get
17 the bad guys to go into a different line of
18 business, like, I don't know, sell hot dogs or
19 something. Something that's legitimate.

20 So over the past year, there have been
21 some exciting developments in attacking these
22 consumer frauds. We are seeing way more

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1 government cooperation, in particular between
2 states and the federal government. My
3 organization in particular has executed memoranda
4 of understanding between multiple states now to
5 cooperate on robocalling and spoofing matters.
6 The states have significant anti-fraud and
7 robocall little mini-FTC acts on the books that
8 they are raring and excited to bring against
9 violators. And we are, to put it mildly, in a
10 target-rich environment, so maximizing the
11 dollars spent by the government by divvying up
12 the work among all of us who share some authority
13 and some power to punish and deter these kinds of
14 violations is just an exercise in good government
15 if not just straight up mathematics.

16 We are also seeing significantly more
17 industry cooperation. Long ago, more than ten
18 years ago, some of us kind of labored in the
19 wilderness trying to get folks to pay attention
20 to the robocalling threat and suggest that the
21 telecom industry in particular had a role to play
22 in helping crack down on problematic robocalls.

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1 For a while, there was some
2 skepticism, but I'm here to tell you now that
3 skepticism is gone. And what we have instead is
4 actual commitment backed up by companies spending
5 dollars to solve the problem and to help develop
6 new tools that will solve the problem. That is a
7 really good sign. There is recognition at the
8 highest levels of the telecom entities that we
9 deal with and regulate that combating frauds,
10 combating telephone frauds is not only a good
11 idea but is absolutely necessary.

12 We are already seeing consumer
13 behavior change, and this probably won't be a
14 surprise to any of you because if anyone here
15 says that they answer telephone calls from
16 numbers they don't recognize I will be shocked.
17 That is a huge difference. Ten years ago, if you
18 got a call from a number you didn't recognize,
19 you probably picked up. Now, your voicemail gets
20 to hear your calls, 90 percent of your calls or
21 more. That is a significant change to consumer
22 behavior, and whenever there's a significant

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1 change to consumer behavior it drives where the
2 market is going. If consumers no longer value
3 their voice telephone service, that changes and
4 potentially threatens a lot of services and a lot
5 of offerings that depend on voice telephone
6 service. That's an existential threat to a
7 telephone service company. So there's a clear
8 understanding that this is a problem and we need
9 to do something about it.

10 There has been significant investment
11 in the authentication process, which I won't talk
12 too much because I won't steal anybody's thunder.

13 And there's also a greater willingness to
14 innovate on both in terms of how they interact
15 with us on the enforcement side and how offerings
16 that companies make available to consumers, like
17 blocking apps and other features of telephone
18 service that make it easier for consumers to
19 decide which calls they want to accept and which
20 ones they don't. All of these are critically
21 important protective measures that are necessary
22 as we combat these scams.

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1 I have said multiple times to
2 legislative staff, to members of the public, to
3 companies, and to advocates, there is no one
4 solution to the robocalling and the spoofing
5 problem. It's going to take a hundred different
6 solutions all working together in concert to
7 solve the problem and protect consumers. That is
8 what makes it so difficult to clamp down, why we
9 can't just throw a switch and block all the bad
10 calls because, technologically and legally, it's
11 a complex problem that requires a complex set of
12 solutions. But we are making great progress.

13 We will continue to emphasize
14 enforcement actions, taking actions against the
15 bad guys, making examples of them. One of the
16 things that we are trying to do is convince the
17 scammer industry that they need to go into a
18 different line of work and that the economics are
19 no longer in their favor. We want to make it
20 more costly than cost effective to engage in
21 these kinds of scams, and we'll do that by
22 enforcement actions, by disrupting networks, by

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1 blocking, by public shaming, by anything that we
2 can to change the economics that this is no
3 longer a low-risk high-reward kind of activity.

4 As I mentioned before, there is
5 promising legislation that is coming down the
6 pike that will both increase the penalties for
7 this kind of illegal activity, make it easier to
8 enforce, and also streamline the ways that
9 industry and government work together to identify
10 the culprits and put them out of business.

11 And I just want to end on a note of
12 hope and talk about a completely different kind
13 of consumer harm that was a great focus ten years
14 ago and up until just about five or six years
15 ago. Do you all remember, do you all remember
16 cramming? Do you remember unauthorized charges
17 on your cell phone bills, those 99 cent charges?

18 Ten years ago or back in 2011, the Senate had a
19 whole series of hearings and there was a 50-page
20 report on the problem of cramming, and it was the
21 major consumer protection problem of its time,
22 and there was a recognition at the highest levels

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1 of Congress that we needed to do something about
2 this. And I'm pleased to say that that is what
3 we did. We went out and tackled the cramming
4 problem, and our complaints about unauthorized
5 charges now are a tiny trickle compared to what
6 they were in 2011, 2012, '13, and '14. I offer
7 this as an example that we have the same
8 dedicated folks who worked on the cramming
9 problem who are now working on this robocalling
10 problem, and we have the same goal in mind which
11 is to solve this problem and, if a new one comes
12 up, to tackle the new one. There will always be
13 threats to consumers. There will always be
14 potential harms because there are always people
15 who want to take advantage of other people. We
16 will continue to adapt and attack those problems
17 as they happen, but I think there is room to have
18 hope and to be happy that we have succeeded in
19 the past and we can succeed again.

20 With that, are there any questions or
21 anything that I can talk about?

22 CHAIR POCIASK: Eric?

1 MEMBER KOCH: Thank you. Eric Koch,
2 and thank you for an excellent presentation. I
3 have two questions. Another one of the evil
4 ones, and they're all evil. Maybe it's just
5 different degrees. But another one you didn't
6 mention is the grandchild phone call.

7 MS. THOMPSON: Yes.

8 MEMBER KOCH: And I'd like for you to
9 talk a little bit about that one.

10 MS. THOMPSON: I'd be happy to.

11 MEMBER KOCH: And then kind of related
12 to that is I wonder if the data actually
13 underreports the problem due to the shame and
14 embarrassment that victims feel, particularly
15 elderly, and whether, you know, that data
16 underreports that and how we go about quantifying
17 that. And I guess it kind of comes back to
18 education, you know --

19 MS. THOMPSON: Yes.

20 MEMBER KOCH: -- particularly
21 America's seniors. So comment on those two
22 things if you --

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1 MS. THOMPSON: I would be happy to
2 because those are things that I think about every
3 single day. Just your first part, the
4 grandparents scam, this is the scam where a
5 malicious caller calls up, they target
6 communities that have significant populations of
7 elderly folks, but really they'll try to get
8 anybody. And they say your grandchild -- I can
9 say my own uncle had this happen to him, and,
10 unfortunately, he was a victim of this scam. He
11 got a call from someone who said your son is in
12 Mexico and was jailed and you need to send us
13 \$500 to pay for the attorney to bail him out of
14 jail. Unfortunately, my cousins being kind of
15 the people that they are, this was not an
16 entirely implausible story, I'm sorry to say.
17 And, unfortunately, it worked. He ponied up the
18 \$500 or however much it was and then only later
19 realized that this was a complete scam, that he
20 had, in fact, lost his money to a scammer.

21 There are multiple people out there
22 who run this scam. It is a popular scam. It has

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1 been going on for decades. Robocalling and free,
2 not free but cheap VOIP dialing has made it
3 easier to do and has particularly made it easier
4 for scammers outside the country to perpetrate
5 these kinds of scams.

6 So it is, to your second point about
7 underreporting, yes, and I have a personal
8 experience with this. You all know the story of
9 my uncle. Not a single member of my family does
10 because he swore me to secrecy that I should not
11 tell my grandmother, my parents, any of his
12 siblings or anybody else because he was so
13 ashamed, so deeply ashamed that he, a very smart,
14 a very smart person, college educated, prides
15 himself on being savvy, had fallen for this scam.

16 It was deeply humiliating to him. He's probably
17 mortified if he knew that I was explaining that
18 this was going on, so I'm sorry in advance. But,
19 yes, it is a significant underreporting problem.

20 We hear about only a fraction of the people who
21 are victimized this way.

22 So what do we do about that? One

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1 thing that the Commission has done is partner
2 with entities like AARP to do more consumer
3 education. We are trying to convince elders in
4 particular it's not something to be ashamed of,
5 you didn't do something wrong. The scammer did
6 something wrong, and if anyone should feel
7 ashamed it's them. We're trying to spread that
8 message as much as possible and to empower
9 consumers who may be the victim of this
10 particular scam to recognize the signs in advance
11 so that they can avoid that problem altogether.
12 We've done significant work over the last year
13 trying to get that message out to vulnerable
14 populations in particular, and that continues to
15 be a focus.

16 MEMBER KOCH: May I ask a follow-up?

17 MS. THOMPSON: Sure.

18 MEMBER KOCH: Thank you. Is there a
19 role in retailer education to play in this, and
20 are there initiatives where our big-box retailers
21 and others, you know, might be able when somebody
22 like your uncle shows up and buys \$500 or \$1,000

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1 --

2 MS. THOMPSON: Yes.

3 MEMBER KOCH: -- worth of Google Play
4 cards, is there some inquiry that can be made in
5 both a legal and respectful sort of way? General
6 question: can retailers be engaged in this?

7 MS. THOMPSON: Yes.

8 MEMBER KOCH: Because that's the
9 payment mechanism.

10 MS. THOMPSON: Yes. Retailers can
11 and, in fact, they are. There was a significant
12 effort with CVS because so many of the victims of
13 the IRS, Social Security Administration card,
14 grandparent scam cards, calls, the ones that are
15 demanding payment in these, you know, Steam cards
16 or iTunes gift cards, there has been a
17 significant push to entities like CVS. They're
18 now training their cashiers and staff members to
19 recognize the signs of a scam when someone comes
20 up and has, you know, an armful of iTunes cards
21 and says I need \$5,000 worth of iTunes cards.
22 Some of the companies, I understand, have started

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1 putting limits in place so, you know, maximizing,
2 you can only do \$500 maximum or \$200 maximum in
3 purchases at a time to try to slow down that
4 process so that somebody can say, hey, wait a
5 minute, why are you buying all of these cards?
6 What's going on here? Who told you you needed
7 the -- no, the IRS does not accept payment, does
8 not accept tax payments in iTunes cards.
9 Something that we can do to slow it down, get the
10 victim to get out of the tunnel of what he or she
11 has been told is going to happen to them by the
12 scammer to step back and think about what the
13 situation really is and question that whole
14 process.

15 VICE CHAIR BERLYN: Posting notices at
16 the sales, too?

17 MS. THOMPSON: Yes. So we've seen
18 notices being posted up in grocery stores,
19 drugstores saying if someone is telling you that
20 you need to buy a whole bunch of iTunes cards,
21 this is a known scam, don't do it. Over-the-air
22 announcements, you know, on the PA system as the

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1 music is playing, there's also announcements, you
2 know, this is a scam, don't do it, et cetera. If
3 there's new creative ways to do that, we are open
4 to ideas, as well, and would welcome feedback
5 from all of you if you have additional ideas that
6 we should think about or avenues to explore.

7 MEMBER KOCH: And along the same
8 lines, as a state legislator myself, any advice
9 you have to us for state-level solutions I'd be
10 very interested in.

11 MS. THOMPSON: Oh, yes.

12 MEMBER KOCH: Thank you.

13 MS. THOMPSON: Speaking as an
14 enforcer, I'm always in favor of better
15 enforcement tools that make it easier for --
16 sorry. That's my self-serving ask. So empower
17 your state's AG offices to the extent necessary.

18 They live with their laws inside and out. They
19 probably have ideas for you to say, you know, how
20 can you strengthen. That's the conversation
21 that, you know, we and our counterparts at the
22 FTC had at the federal level with, you know, the

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1 current legislation. The legislators came to us
2 and said we have ideas that we want to do, let's
3 talk about what the problems are that you see.
4 That's a way to help.

5 Anything -- mostly, it's, like,
6 attention. We need to do as much consumer
7 education as we possibly can and reach out to
8 consumers that maybe don't interact with the
9 government every single day. There are willing
10 industry participants on the telephone side that
11 are, you know, happy to do PSAs, that are happy
12 to do consumer outreach efforts. Organizations
13 like AARP or other organizations that serve
14 particularly vulnerable populations. I mentioned
15 the Chinese expat and immigrant community. I
16 would suggest, you know, reaching out to
17 organizations that serve immigrant communities in
18 particular and saying what are we doing together
19 to get the word out about this scam and protect
20 people? That's the kind of thing that those
21 organizations that work with particular
22 populations probably have some great ideas and

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1 would welcome some additional government impetus
2 behind those ideas.

3 CHAIR POCIASK: Okay. We have time
4 for one more, if we can get one more. Yes, make
5 sure your hand is up, too, so we can get the
6 mikes on.

7 MEMBER LONG-DILLARD: Vonda Long,
8 AT&T. Kristi, we appreciate you, Wonder Woman.

9 (Laughter.)

10 MEMBER LONG-DILLARD: I've just got to
11 tell you that. I have a question about, are you
12 seeing an uptick in complaints around ringless
13 voicemail scams? Because as, you know,
14 implementation of SHAKEN/STIR gets closer,
15 scammers are looking for other means of scamming
16 people.

17 MS. THOMPSON: Yes, yes, they are.
18 And the answer is yes. So those of you who may
19 not be familiar with what a ringless voicemail
20 is, there are some companies that have developed
21 kind of a software technology that attempts to,
22 that attempts to contact you on your phone. But

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1 what they're hoping to do is not actually ring
2 your phone, they just want to drop a voicemail in
3 your voicemail box without your telephone ever
4 ringing.

5 The reason that, why would they do
6 this? For two reasons: one, they think it's,
7 ironically, they think it's less intrusive, and
8 I'll talk about that in just a second; but then,
9 secondly, what they're trying to do is avoid
10 liability under federal laws that say you can't
11 ring somebody's telephone, you can't call someone
12 for a telemarketing purpose without the prior
13 express written consent of that consumer. So
14 their brilliant idea is, great, I'll leave them a
15 voicemail and then I'm not actually making a
16 call.

17 The problem is, and this is a message
18 I try to communicate to companies that are
19 looking for these kind of innovative, you know,
20 work-around-the-law kind of solutions is that you
21 get in trouble when you do things that violate
22 consumer expectations. And to put it bluntly,

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1 consumers are freaked out when they get calls,
2 when they get phantom voicemails that their
3 phones never rang but suddenly there's a
4 voicemail. Their first thought is this phone
5 sucks, my service sucks, I'm not getting calls,
6 it's dropping calls, I'm not receiving it. And
7 then their second thought is when they realize
8 that, no, the phone never actually rang is how do
9 they do that? That's creepy. Who else is
10 getting into my voicemails? I don't want this to
11 happen.

12 There's a whole lot of consumer angst
13 about this technology, so the answer to your
14 question is, yes, we are getting significantly
15 more consumer complaints. I also say that some
16 of the entities that are making these kind of
17 calls or think they have a solution are not
18 nearly as effective as they think they are
19 because what happens is their ringless voicemail
20 actually rings the phone once and then it drops
21 it into voicemail and that aggravates consumers,
22 too.

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1 That is a problem we are looking at.
2 I can't comment too much more past that, but we
3 are aware that consumers are not happy with this
4 new thing that they're dealing with.

5 CHAIR POCIASK: Kristi, thank you so
6 much. Was there anyone on the phone that had a
7 question before we move on? Thank you so much.

8 MS. THOMPSON: Thank you.

9 CHAIR POCIASK: You can tell there was
10 a lot of interest in that topic.

11 (Applause.)

12 MS. THOMPSON: I love my job. Thank
13 you.

14 CHAIR POCIASK: All right. Well,
15 thank you. Okay. So, Michael, so on the next,
16 next on the agenda we have Michael Santorelli.
17 You want me to move to the slides?

18 MEMBER SANTORELLI: Sure.

19 CHAIR POCIASK: Okay.

20 MEMBER SANTORELLI: Am I on?

21 CHAIR POCIASK: Yes.

22 MEMBER SANTORELLI: Okay, great. Hi,

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1 everyone. So Michael Santorelli. I am co-chair
2 of the CAC's Caller ID Authentication Working
3 Group. My fellow co-chair, Thaddeus Johnson, I
4 want to recognize. He's not able to be here
5 today. He's being represented by Barbara Burton.

6 But Thaddeus, I just want to acknowledge that he
7 was, you know, we worked very hard together, very
8 closely, and he was very actively involved in
9 this process. I just want to make sure that he
10 is acknowledged for that.

11 I also wanted to thank Scott and
12 Christina for all of their help in shepherding us
13 throughout this process. It was a good amount of
14 work in a short period of time, but I think we
15 came together for a good recommendation. I'm
16 just going to run through it pretty quickly, and
17 everyone should have a copy in their folders.

18 Just quickly, a review of our working
19 group's charge. I'll just read. We were charged
20 to develop a recommendation to address how the
21 Commission and other stakeholders can best
22 educate consumers about the meaning of the

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1 SHAKEN/STIR caller ID authentication framework
2 and what are the most important factors providers
3 should consider for displaying authentication and
4 other information about the call to consumers.

5 And so just a brief overview of our
6 efforts to get to a recommendation, a good amount
7 of time was spent on information gathering,
8 reviewing FCC resources, which were pretty
9 plentiful, filings. There was a robocall summit
10 over the summer which was very helpful.
11 Researching the many news stories and studies and
12 other events that have been happening on this
13 issue. As we've heard today, it's an issue on
14 top of everyone's minds, it seems, in this
15 sector. And then a big part of our information
16 gathering was hearing from a number of
17 stakeholders who are part of this process or who
18 are implicated by it, and that included
19 conversations or presentations by AARP, AT&T,
20 CenturyLink, the Secure Telephone Identity
21 Governance Authority which actually played a huge
22 role in developing the SHAKEN/STIR framework, T-

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1 Mobile, TNS. Thank you to Sarah Leggin from CTIA
2 and who was instrumental in facilitating many of
3 these presentations and also worked very hard on
4 numerous aspects of the process, as well. So
5 thank you, Sarah, and Vonda, as well, for
6 facilitating the AT&T presentation. It was very
7 much a group effort in the process.

8 And then just drafting, editing,
9 finalizing the recommendation. Spent several
10 weeks on it, had a draft, went through many
11 changes, intense editing sessions. But we came
12 up with, ultimately, a draft that was unanimously
13 adopted by our working group. I think it
14 reflected a lot of input from a host of different
15 perspectives, so we're very happy with the
16 outcome.

17 So just to run through the
18 recommendation itself quickly. The whereas
19 clause is the 13, excuse me, the 13 whereas
20 clauses essentially setting out our kind of
21 findings on the issue around caller ID
22 authentication, framing the problem, which is, as

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1 we've heard numerous times today, unwanted
2 robocalls facilitated by caller ID manipulation
3 or spoofing primarily. Then teeing up the
4 promise of the SHAKEN/STIR framework which will
5 help combat this issue. And, again, as we've
6 heard, this is part of a broader strategy around
7 combating robocalls because it's an ever-mutating
8 issue.

9 So SHAKEN/STIR is an industry-led
10 standard to enhance call authentication to make
11 sure that means by which calls can be
12 authenticated from where they originate, as I
13 mentioned, part of a broader strategy around
14 combating robocalls.

15 The findings also include that there
16 are some limitations, at least initially, with
17 the SHAKEN/STIR framework as it rolls out. It
18 will take some time to kind of be embraced
19 broadly. Initially, it will work just on IP-
20 based communications, so folks on legacy networks
21 might not benefit, at least initially. And also
22 the SHAKEN/STIR framework itself, as we heard

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1 from several of our presenters, tends to be most
2 effective when paired with other analytics, so
3 other kind of data-driven efforts by carriers
4 themselves or third parties to supplement the
5 SHAKEN/STIR caller authentication framework to
6 help the carriers label the calls and show a
7 consumer what is coming in, whether it's
8 potential scam or it's verified. And carriers
9 are kind of working through how best to present
10 that information to their customers.

11 And then, finally, there is a need for
12 and many roles for robust consumer education
13 around the SHAKEN/STIR rollout.

14 And recommendations, there are six of
15 them. And on here they're called resolve clauses
16 just because that's where my, I always pair
17 resolve with whereas clauses, but they're
18 actually recommendations in the draft itself.

19 So our recommendations include, and
20 I'll just kind of walk through them one-by-one
21 just so everyone can hear it as they read along.

22 The first recommendation is that voice service

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1 providers clearly and proactively inform and
2 educate consumers about the caller ID-related
3 services they offer, including caller
4 identification, call labeling and display
5 practices, what information call labels may
6 convey, what action consumers should take
7 relative to each label, the capabilities and
8 limitations of the SHAKEN/STIR framework, and
9 whether providers offer SHAKEN/STIR to their
10 customers. I believe beginning this month or
11 very soon it will start to be rolled out by a
12 number of carriers but not everyone right away,
13 so that's certainly relevant.

14 Our second recommendation is that the
15 Commission develop web pages and educational
16 campaigns that use simple language, visuals, and
17 videos to provide consumers explanations of and
18 resources on SHAKEN/STIR and the call
19 authentication capabilities and limitations of
20 the various voice service networks, for example
21 IP-based communications and TDM or the
22 traditional copper network, and links to voice

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1 service providers' websites. And the focus here
2 is on simple language, visuals, and videos just
3 because these are very technical-sounding models
4 and principles, so the easier it is to convey to
5 consumers the better just because it is kind of a
6 lot to wrap your mind around.

7 Recommendation three, voice service
8 providers maintain customer service and other
9 resources to help consumers and call originators
10 obtain answers to questions and resolve issues
11 related to reports of call labeling, including
12 potential mislabeling.

13 Recommendation four recommended that
14 the Commission keep evaluating how best to
15 encourage voice service providers to continue
16 innovating and improving caller ID services that
17 empower consumers with the relevant call
18 information which may include additional
19 information along with the combined results of
20 SHAKEN/STIR and reasonable analytics, kind of
21 acknowledging that this is an ongoing issue and
22 there will be a need for continued efforts by

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1 service providers to continue responding to these
2 malicious activities.

3 Recommendation number five
4 recommending that the Commission, consumer
5 groups, the Commission, industry, consumer
6 groups, and other stakeholders conduct studies
7 and solicit input on what factors voice service
8 providers should consider for displaying caller
9 ID information to consumers, including
10 SHAKEN/STIR verification, caller identity
11 information, telephone number authentication, and
12 other information about the call. Recommended
13 that these entities should also evaluate how
14 consumers respond to call labeling, including
15 whether call labels are effective at
16 communicating the authenticated information and
17 prompting consumer action that mitigates harms
18 from illegal and unwanted calls. We also
19 recommend that these entities should share the
20 information, as appropriate, in order to come up
21 with best practices, recognizing again that there
22 will be any number of ongoing efforts by carriers

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1 as they grapple with these issues and so the more
2 they can share and work together among
3 themselves, as well as other stakeholders, all
4 the better.

5 And, finally, last recommendation that
6 the Commission continue to collaborate with
7 industry, consumer groups, consumer advocacy
8 groups, federal, state, and local government
9 agencies, and other stakeholders to educate
10 consumers about how caller ID services, consumer
11 display practices, and other measures can respond
12 to evolving illegal and unwanted robocaller
13 tactics, protect consumers, and restore trust in
14 invoice services.

15 So that is our recommendation.

16 CHAIR POCIASK: Okay. Before we move
17 forward, everyone has received through email the
18 document, and I've noticed that there's a couple
19 of missing pages from what was in your folder.
20 So, you know, unless, you know -- I suspect that
21 some of you want to see the entire document.
22 It's the same as it was emailed. So what we

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1 could do is we can take a five-minute break and
2 have extra copies brought in, you know, if that
3 would be helpful. Are we comfortable with just
4 moving ahead then? Because it's the same
5 document that was emailed. I just want to make
6 sure. Apparently, there's a page, maybe it was a
7 two-sided page, okay, and it was printed one-
8 sided.

9 So are we okay then? I just want to
10 make sure everyone, because we can afford a break
11 and bring some copies in. So we're good to go?
12 Michael, I'll turn it back over to you then.

13 MEMBER SANTORELLI: Okay. So with
14 that then, I move for adoption or a vote on our
15 recommendation. I don't know the process.

16 MEMBER KOCH: Move to vote.

17 CHAIR POCIASK: Okay. All right. Do
18 we have a second?

19 MEMBER FOLLANSBEE: Second.

20 CHAIR POCIASK: There's a second
21 there. Lynn.

22 MEMBER ROOKER: This is Shirley

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1 Rooker. I seconded.

2 CHAIR POCIASK: There we go. All
3 right. Do we have any, anybody want to make any
4 points, discuss any issue with the
5 recommendation? Well, hearing none, anybody on
6 the phone have something you want to discuss or
7 mention in regard to this?

8 Okay. Hearing none, then we can move
9 on with a vote. Do we need to take another
10 tally? It looks like --

11 MR. MARSHALL: I think we have a
12 quorum.

13 CHAIR POCIASK: -- we have, I think we
14 have a quorum.

15 MR. MARSHALL: We had sixteen this
16 morning when you started and two on the phone.

17 CHAIR POCIASK: Yes, I think we're
18 good.

19 MR. MARSHALL: So it looks like we
20 still have a quorum and we're good to go.

21 CHAIR POCIASK: We're good to go then.

22 MR. MARSHALL: All right, good.

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1 CHAIR POCIASK: All right. So with
2 the recommendation before you, how many are for,
3 say aye.

4 (Chorus of aye.)

5 CHAIR POCIASK: How many opposed?
6 Anyone online? Okay.

7 MEMBER ROOKER: I said aye. Shirley
8 Rooker here.

9 CHAIR POCIASK: Okay, Shirley.

10 MS. GRANT: Susan Grant said aye.

11 CHAIR POCIASK: Okay. And --

12 MEMBER UMANSKY: And Barry Umansky is
13 in favor, as well.

14 CHAIR POCIASK: Okay. Abstentions?
15 Any abstentions here, online, on the phone?

16 Okay. So I guess we have unanimous.
17 Okay. So with that, the recommendation, Michael,
18 is passed. Thank you, everyone. Congratulations.

19 (Applause.)

20 CHAIR POCIASK: We'll put this into a
21 format, and then I'll send it along to the
22 Commission. Thank you very much. Nice.

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1 MEMBER ROOKER: This is Shirley
2 Rooker. Let me just say a great big thanks to
3 Michael and Thaddeus because you all did a bang-
4 up job in leading this group.

5 CHAIR POCIASK: Absolutely, yes.

6 (Applause.)

7 CHAIR POCIASK: So great news. So
8 that passed. And with that, let's take a break.
9 We're going to have lunch. Again, I just want
10 to mention a big thanks to CTIA for providing our
11 lunch today. Thank you.

12 And let's see. We'll resume at 1:10.
13 All right. We'll see you then.

14 MR. MARSHALL: Thanks, everybody.

15 (Whereupon, the above-entitled matter
16 went off the record at 12:10 p.m. and resumed at
17 1:18 p.m.)

18 CHAIR POCIASK: All right. So let's
19 just get started here, and we can wrap up in just
20 a bit. So first we'll open it up for some
21 discussion. I just wanted to remind people of
22 some important dates. Again, we have a special

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1 hybrid teleconference and in-person meeting --
2 again, that will be February 13th from 2:00 to
3 3:00. Okay? And that will be for the robocall
4 report working group.

5 MR. MARSHALL: Mostly teleconference.

6 CHAIR POCIASK: Right.

7 MR. MARSHALL: Unless you want to show
8 up in person.

9 CHAIR POCIASK: So our next meeting
10 here then is set, it's probably April 17th.

11 MR. MARSHALL: But that may move to
12 later in the month.

13 CHAIR POCIASK: Yes.

14 MR. MARSHALL: We understand the NAB
15 has a conference, and we're conflicting with it
16 that day. So we may have to move that day to
17 later April or earlier April, depending upon the
18 facility's availability.

19 CHAIR POCIASK: Okay. And then in
20 September there's two tentative --

21 MR. MARSHALL: That's looking better.

22 Yes, that's looking better.

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1 CHAIR POCIASK: So it's either
2 September 23rd or September 25th. That's a
3 Wednesday and a Friday, so those are the other
4 tentative dates. So just make sure we have that
5 in mind. We'll send out an email to try to
6 confirm things.

7 MR. MARSHALL: Yes, absolutely.

8 CHAIR POCIASK: Okay. And also I just
9 wanted to just open it up if anyone had any
10 questions or any discussion. There was something
11 that we were talking about, too, in terms of if
12 we're trying to -- in the past we used to have a
13 lot of working group meetings towards the
14 conclusion, and of course people would stay
15 around. You know, any ideas about how we might
16 be able to keep people around longer? Would it,
17 for example, starting these from 10:00 and going
18 to 3:00, would that be better or worse for
19 people? I'm just wondering, you know, what we
20 could do to try to keep people around for the
21 second half or shortly after lunch? Any
22 thoughts? Any discussion?

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1 MEMBER ZACHARY: Could it be a working
2 lunch?

3 MR. MARSHALL: The problem with a
4 working lunch is our interpreters needing time to
5 eat, and so we really need to factor that into
6 the process. So a working lunch is difficult.

7 MEMBER ZACHARY: Okay.

8 MR. MARSHALL: We can shorten the
9 lunch to maybe 30 minutes or 40 minutes, but I
10 don't know if we can work over lunch as a general
11 rule.

12 CHAIR POCIASK: Okay.

13 MS. CLEARWATER: We might be able to
14 do a combination where we have a shorter lunch
15 and then that second half, that half an hour, we
16 would work maybe. That might be the compromise.

17 CHAIR POCIASK: Okay. Sarah?

18 MEMBER LEGGIN: I would be fine with
19 moving the lunch just that 40 minutes later
20 because I think that the rest of our program is
21 pretty brief, so I think folks could maybe,
22 because we have breakfast available until like

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1 10:00, having lunch at 1:00 might be not so bad.

2 Because I think it's easier for some schedules,
3 I don't know about others, but just to carve out
4 this full morning chunk, and then at least you
5 have your afternoon to be able to get back to --

6 CHAIR POCIASK: Okay. That's good,
7 too. So if we don't have like a working group
8 planned or something like that, then maybe what
9 we'll do is just push the lunch out.

10 VICE CHAIR BERLYN: Maybe not have
11 lunch.

12 CHAIR POCIASK: Or not have lunch and
13 just --

14 VICE CHAIR BERLYN: I mean that would
15 save our folks money.

16 CHAIR POCIASK: Yes. And then we'll
17 just -- yes. Okay. So that's a couple of ideas.
18 So did you want to say something, too?

19 MR. MARSHALL: I also wanted to
20 mention that this is the last meeting for my
21 colleague, Christina Clearwater, as Deputy
22 Designated Federal Officer. She's moving over

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1 and has a promotion in the Homeland Security and
2 Public Safety Bureau as a Deputy Division Chief
3 of Policy and Licensing, and I'm going to miss
4 her and I know you all will, too. She's been an
5 excellent person to work with and has brought a
6 lot of knowledge and really commitment to the
7 CAC, to the process, and I really do appreciate
8 that. So good luck, Christina, on your future --

9 MS. CLEARWATER: Thank you, Scott.

10 MR. MARSHALL: -- activity, and I know
11 you'll still be a phone call away. Once in a
12 while, you might drop down and say hello to the
13 CAC.

14 MS. CLEARWATER: Yes, absolutely.
15 It's been a pleasure to work with all of you. I
16 have just really been so impressed with just the
17 hard work and the diligence and dedication that
18 I've seen all of the members display. It's just
19 been so rewarding and so valuable, so I can't
20 thank you enough and I've very much enjoyed my
21 time with the Committee. So thank you so much.

22 (Applause.)

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1 MS. CLEARWATER: And on a personal
2 note, I've so enjoyed working with Scott. He's
3 just such a talent, and I'm really going to miss
4 him. Thanks so much.

5 CHAIR POCIASK: Great. Yes, and I'm
6 sure we'll like to have you back so we can learn
7 about the notifications that we get both --

8 MR. MARSHALL: Now I've got friends in
9 the Homeland Security Bureau --

10 CHAIR POCIASK: Yes, both on the
11 broadcast and on the texting and the geotargeting
12 and all that stuff, so we want to hear more about
13 that, and also how you get the 4:00 a.m. calls.

14 MS. CLEARWATER: Yes, yes. I'm not
15 looking forward to that portion.

16 CHAIR POCIASK: Well thank you so much
17 for doing that.

18 MR. MARSHALL: When the wireless
19 alerts break, they will call you at 4:00 in the
20 morning.

21 MS. CLEARWATER: Oh, they will. They
22 will.

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1 CHAIR POCIASK: And also I don't want
2 to just gloss over it, but what we had with
3 Thaddeus and Michael and all the working groups,
4 I mean I can't remember having this many sort of
5 just complete, you know --

6 MR. MARSHALL: Detail and actionable
7 --

8 CHAIR POCIASK: It's just hard work,
9 you know, just getting things through. It's just
10 been so amazing. You know, I remember in the
11 past we go through this and you get, you know, a
12 group of, you get your yeses and nos and abstains
13 and all that, but this is pretty amazing, I have
14 to say, and it reflects the really hard work that
15 these groups are doing. And so I just wanted to
16 recognize all of you for, you know, what you've
17 done in the past and what you guys did over the
18 last couple of months.

19 So anyways I wanted to say that. Also
20 since we have a couple more minutes, if there's
21 anything else that people would like to raise or
22 anyone on the phone, any discussion items,

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1 anything else from the group here? Okay. So not
2 hearing anything there, so let's turn it over to
3 any comments from the public. Okay. Hearing
4 none, so we have one last presentation, and I
5 guess we're waiting for her just for a couple
6 more minutes, but dealing with I guess online,
7 electronic filing. So anyways I guess we're just
8 on hold for a minute.

9 MR. MARSHALL: Don't go anywhere.

10 VICE CHAIR BERLYN: Just like the
11 electronic filing system.

12 CHAIR POCIASK: Yes.

13 MR. MARSHALL: Yes, similar.

14 CHAIR POCIASK: All right. So we'll
15 start with the presentation then. With no
16 further ado, then let me turn it over to Jaclyn
17 Rosen, Honors Attorney, Mobility Division,
18 Wireless Telecommunications Bureau.

19 MS. ROSEN: So I'm Jaclyn Rosen. I'm
20 an attorney advisor in the Wireless
21 Telecommunications Bureau Mobility Division, and
22 I'll be presenting on our recent September 2019

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1 NPRM, completing a transition to e-filing. So
2 first, this presentation is broken into three
3 sections. The first is an overview of FCC
4 licensing, the second is how licensing works, and
5 the third is the NPRM from this past September.

6 So the FCC is responsible for managing
7 and licensing spectrum for commercial and
8 noncommercial users, which includes state,
9 county, and local governments. In licensing the
10 spectrum, we promote efficient and reliable
11 access to spectrum for a variety of innovative
12 uses, as well as promote public safety and
13 emergency response.

14 In terms of wireless and public safety
15 licensing, this includes spectrum that's used to
16 provide voice and data services to consumers,
17 spectrum used to fuel private systems that fuel
18 our country's business, industrial, critical
19 infrastructure and public safety needs, and
20 spectrum that's used directly by citizens, which
21 is mainly amateur radio.

22 So how licensing works. To obtain a

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1 license from the Commission, applicants are
2 required to submit certain forms. Which forms
3 they're required to submit depends on which
4 license the applicant is seeking.

5 So where do they go? There's one
6 system for licensing with wireless and public
7 safety and then three other systems that
8 complement our licensing activities. In the
9 past, these forms were filed manually, but today
10 most are filed electronically as a result of our
11 efforts to modernize and digitize the
12 Commission's filing and retention systems. And
13 the NPRM from September proposes to make the vast
14 majority of our filings electronic.

15 So why electronic filing? Most
16 applications for wireless licenses are already
17 submitted electronically, but the FCC in recent
18 years has taken efforts to modernize our filing
19 and retention systems by improving electronic
20 access and digitizing our communications. And
21 our recent NPRM furthers this in terms of
22 wireless filings in particular.

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1 These efforts are valuable to the
2 public because they improve public access to
3 data, decrease costs to consumers, improve
4 transparency and accessibility for a variety of
5 users, saves substantial amounts of paper
6 annually, and improved administrative efficiency.

7 So an overview of the wireless
8 licensing systems. There's one system for
9 licensing with wireless and public safety, which
10 is ULS, and then three other systems that
11 complement our licensing activities which
12 includes the Antenna Structure Registration, the
13 Tower Construction Notification System, and E-106
14 System.

15 In terms of trends in filing, we've
16 noticed that in ULS the majority of applications
17 are already required to be filed electronically,
18 but exceptions exist. In ASR, the majority
19 similarly are filed electronically, but
20 applicants have a choice to file either manually
21 or electronically. And for TCNS, it's an
22 electronic only system similar to E-106. So all

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1 interactions are electronic by design, but it's a
2 voluntary system so the tower notifiers aren't
3 required to use the system as a vehicle to
4 fulfill their obligations.

5 Getting into the Notice of Proposed
6 Rulemaking from this past September, so there's
7 three main objectives in the NPRM. The proposed
8 changes would first make the majority of wireless
9 filings electronic; second, require email
10 addresses on the applicable FCC forms; and,
11 third, eliminate the remaining correspondence
12 sent by mail. By facilitating the remaining
13 steps to transition our systems from paper to
14 electronic, we're making interaction with these
15 systems more accessible and efficient for those
16 who rely on them and also reduce licensees'
17 administrative costs. The comments to this were
18 due on October 30th, 2019, and the reply comments
19 were due by November 14th, 2019.

20 So part one would mandate electronic
21 filing. The issue that we saw was in 1998 we
22 mandated electronic filing, but we included

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1 exceptions for some applicants, like individuals,
2 small businesses, and public agencies that we
3 felt lacked the resources to quickly convert to
4 electronic filing. However, given the changes in
5 internet accessibility and increased personal
6 computer access, we find it unlikely that
7 electronic filing remains infeasible or cost
8 prohibitive. So the solution that we proposed is
9 to eliminate the exemptions that we had in place
10 previously.

11 Some of the considerations that we
12 included in the NPRM included asking the public
13 to weigh in on whether there's still categories
14 of individuals or entities for which exemptions
15 are warranted, such as small entities,
16 individuals with disabilities, and low-income
17 individuals. We also sought comment on the
18 amount of time necessary to provide filers to
19 prepare for the transition and other
20 implementation issues, such as handling
21 confidential information.

22 The second part would be to require

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1 email addresses on forms. So it's currently
2 optional but not mandatory for applicants,
3 licensees, and registrants to provide an email
4 address on the relevant forms that are submitted
5 on these systems. Our solution would be to
6 require inclusion of an email address on all
7 forms on all systems. Once inclusion of an email
8 address is mandatory, we proposed dismissing as
9 defective an application where an email address
10 was not included.

11 In terms of considerations, we asked
12 the public to comment on how we can ensure that
13 applicants and licensees keep their email
14 addresses up-to-date, and whether we should add
15 change of email address to the non-exhaustive
16 list of minor modifications. We also sought
17 comment on whether to require an email address on
18 all pleadings related to applications and filings
19 in these systems, and whether there's possible
20 privacy issues related to the collection of email
21 addresses.

22 Lastly, the NPRM proposes to eliminate

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1 correspondence by mail. In 2014 and 2016, the
2 Bureau took steps to reduce the amount of paper
3 correspondence that were generated by the ULS and
4 ASR system. So, first, we converted official
5 electronic records for authorizations, mailing
6 hard copies only when an entity opted in.
7 Second, we eliminated several categories of
8 notices generated by these systems and sent to
9 users by USPS. Nevertheless, thousands of
10 authorizations and letters are still sent by USPS
11 each year, and this is even though official
12 copies can be accessed electronically and
13 downloaded. In about 80 percent of these
14 instances, you even had the email address on
15 file.

16 So our solution was, as we proposed,
17 to eliminate requests for the Bureau to mail hard
18 copies, given that the users can access and
19 download their official authorizations, leases,
20 and registrations from the ULS and ASR system at
21 any time. We also proposed to send letters
22 electronically using the email addresses on file.

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1 In terms of consideration, we asked
2 the public to comment on whether the Commission
3 should maintain an option for individuals to
4 receive paper copies on a case-by-case basis, and
5 we also asked whether the Commission's waiver
6 process is sufficient to deal with any
7 case-specific needs for paper filings.

8 That wraps up the presentation. And
9 if you have any further questions, you can
10 contact me or Jessica Greffenius, who is the
11 Assistant Chief of the Wireless Mobility
12 Division. So thank you for your time.

13 CHAIR POCIASK: Okay. Are there any
14 questions? Anyone on the phone have any
15 questions?

16 MR. MARSHALL: I have a question.

17 CHAIR POCIASK: Yes, go ahead.

18 MR. MARSHALL: Jaclyn, thanks for
19 coming in today. I really appreciate it. Just a
20 quick question. This comes close to home. I've
21 had an amateur radio license since 1968, and
22 little did I ever believe, when I was scared to

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1 death going to the FCC office in Buffalo, New
2 York to be examined by the engineer in charge for
3 my license and all that, whether I'd ever
4 believed I'd be working for the FCC for almost 20
5 years.

6 But anyway, the question is this -- if
7 you know, and maybe you don't know at this
8 granular level at this time, and that's certainly
9 understandable --- how would an individual, for
10 example, wanting an amateur radio license or
11 wanting to renew an amateur radio license go
12 about doing it? Because I'm going to have to do
13 that in a year or two.

14 MS. ROSEN: We have our division chief
15 in the back, and he can correct me if I'm wrong,
16 ULS manages all of the license applications,
17 modifications, renewals, so that's generally the
18 first place to look.

19 MR. MARSHALL: So I would go into the
20 ULS system and do it there?

21 MS. ROSEN: Yes.

22 MR. MARSHALL: Is that what you're

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1 telling me, you think?

2 MS. ROSEN: Yes.

3 MR. MARSHALL: Okay, okay. And then
4 would I then -- I could then download a copy of
5 my license then, rather than you sending me one
6 in the mail?

7 MS. ROSEN: Correct.

8 MR. MARSHALL: Is that how it's going
9 to work?

10 MS. ROSEN: Yes.

11 MR. MARSHALL: Okay. And if I have to
12 take an exam, you know, and somebody has to
13 certify, there's volunteer examiners now for
14 amateur radio licenses, how is that going to
15 work? And you may not know this for sure at this
16 point, but would the examiner then have to also
17 go online and somehow certify that I passed the
18 test as a new applicant?

19 MS. ROSEN: Yes.

20 MR. MARSHALL: Okay, all right. Thank
21 you.

22 MS. ROSEN: Thank you very much.

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1 CHAIR POCIASK: All right. Well thank
2 you. I appreciate that.

3 (Applause.)

4 CHAIR POCIASK: So with that, I think
5 we've wrapped up. We have just one last thing.
6 If there's anyone on the phone or any last
7 questions or discussion before I move to adjourn.

8 Okay. And with that, so then I do
9 just that. So I move to adjourn, and then I
10 guess do we need a second or --

11 VICE CHAIR BERLYN: Second.

12 CHAIR POCIASK: And we're done. Thank
13 you.

14 MR. MARSHALL: Thank you very much,
15 everybody.

16 CHAIR POCIASK: Thanks for coming.

17 MR. MARSHALL: We'll send out a copy
18 of the final recommendation.

19 (Whereupon, the above-entitled matter
20 went off the record at 1:40 p.m.)

21

22