

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION

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ADVISORY COMMITTEE ON DIVERSITY
AND DIGITAL EMPOWERMENT

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MEETING

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TUESDAY
MARCH 27, 2018

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The Advisory Committee met in the
Commissioners Meeting Room, 445 12th Street,
S.W., Washington, D.C., at 10:00 a.m., Diane
Sutter, Vice Chair, presiding.

COMMISSIONERS PRESENT:

MICHAEL O'RIELLY, Commissioner
BRENDAN CARR, Commissioner

COMMISSION STAFF:

MICHELLE CAREY, Chief, Media Bureau
JAMILA BESS JOHNSON, Designated Federal Officer
BRENDA VILLANUEVA, Deputy Designated Federal
Officer*

COMMITTEE MEMBERS PRESENT:

DIANE SUTTER, Committee Vice Chair

**KATHLEEN Q. ABERNATHY, Wilkinson Barker Knauer,
LLC, SME/SGE**

**SHELLIE BLAKENEY, alternate for Marie Sylla-
Dixon, T-Mobile USA, Inc.**

MARIA BRENNAN, Women in Cable Telecommunications

RUDY BRIOCHE, Comcast Corporation

**MAURITA COLEY FLIPPIN, Multicultural Media,
Telecom and Internet Council**

HARIN J. CONTRACTOR, Socrata, SME/SGE

**BRIGITTE F. DANIEL, Wilco Electronic Systems,
Inc.**

**JANNETTE L. DATES, Howard University School of
Communications, SME/SGE**

DONNA M. EPPS, Verizon

HEATHER GATE, Connected Nation

DAVID HONIG, JulGlo Productions

**RONALD JOHNSON, The Wireless Infrastructure
Association***

SHERMAN K. KIZART, Kizart Media Partners

**FATEMA KOTHARI, San Francisco Bay Area Internet
Society***

MARIO LOPEZ, Hispanic Leadership Fund

MARC H. MORIAL, National Urban League

GAVIN LOGAN, NUL Washington Bureau

**MONICA G. PARHAM, Diversity, Inclusion and Talent
Consulting**

HENRY RIVERA, Emma Bowen Foundation

ALFREDO RODRIGUEZ, DishLATINO

BRIAN SCARPELLI, ACT/The App Association

**CINDY (XIN) SHAO, Asian American Chamber of
Commerce**

**NICOL TURNER-LEE, Brookings Institution Center
for Technology Innovation - Governance
Studies**

**JAMES L. WINSTON, National Association of Black
Owned Broadcasters**

**CHRIS WOOD, LGBT Technology Partnership &
Institute**

WORKING GROUP MEMBERS PRESENT:

**SUSAN AU ALLEN, U.S. Pan Asian American Chamber
of Commerce**

LAURA BERROCAL, Charter Communications

**CHRIS JAMES, National Center for American Indian
Enterprise Development**

ELIZABETH LINDSEY, Byte Back

SARA LOMAX-REESE, WURD Radio

DUJUAN MCCOY, Bayou City Broadcasting

**KOY MILLER, alternate for Brooke Oberwetter,
Facebook**

STEVE ROBERTS, The Roberts Companies

***Present by teleconference**

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

2 (10:00 a.m.)

3 MS. CAREY: Good morning. Thanks
4 everybody for coming today. I'd like to welcome
5 you to the second meeting of the Commission's
6 Advisory Committee on Diversity and Digital
7 Empowerment. I know that since we last met in
8 September, a lot has happened. The Commission in
9 November adopted new media ownership rules, and
10 as a part of that proceeding, we announced our
11 commitment to get an incubator program up and
12 running, and we issued an NPRM.

13 As you know, the comment cycle is
14 running on that right now. The Third Circuit has
15 allowed our new rules to go into effect.
16 However, they have asked for a status report on
17 our incubator program, and we are looking to this
18 Committee to inform us and provide us some good,
19 lawful ideas on how we can move forward. I know
20 you'll be talking about that today.

21 I also wanted to thank all of the sub-
22 groups for all of the work you've been doing the

1 past six months. I know that each of the three
2 working groups has been working very hard, and I
3 look forward to hearing about some of the
4 thoughts that you have and some of the
5 recommendations that you're going to be making to
6 us.

7 Before we get started, I wanted to let
8 you know that our fearless leader, Julia Johnson,
9 is unfortunately sick, so she was not able to
10 make the trip here this morning, but we have our
11 other fearless leader, Diane Sutter, here, and
12 she has graciously agreed to step in the shoes as
13 Chair to keep the meeting running today.

14 And I also wanted to just take a
15 moment and thank Jamila. These meetings do not
16 happen magically. There is a lot of
17 orchestration that happens behind the scenes. So
18 I wanted to thank our DFO, Jamila, our Deputy
19 DFO, Brenda, and their team for pulling
20 everything together today.

21 So, without further ado, I wanted to
22 introduce the Commissioners that are here to say

1 a few words. First, I'd like to introduce
2 Commissioner O'Rielly.

3 COMMISSIONER O'RIELLY: Well, thank
4 you, Michelle. I appreciate the introduction,
5 and welcome to everybody. I hope you don't mind
6 I've prepared remarks. My staff says I should
7 stay to the script, so I will.

8 It's a real honor to speak before you
9 again, such a distinguished group of individuals.
10 I've worked or met with many of you on so many
11 occasions, on issues before the Commission. You
12 know my door will always remain open to hear your
13 views, whether we initially agree or disagree on
14 any particular topic.

15 Whenever I think of FCC Advisory
16 Committees, I'm reminded of comments that
17 comedian Jim Gaffigan, one of my favorites, said
18 about parenthood, and I think it applies here as
19 well. He said, raising kids may be a thankless
20 job with ridiculous hours, but at least the pay
21 sucks.

22 (Laughter.)

1 COMMISSIONER O'RIELLY: So, I want to
2 reiterate my appreciation to you for your
3 willingness to serve as I know it takes time away
4 from your families and your professional
5 responsibilities. At least the coffee is free,
6 right? Maybe not.

7 As some of you may recall, I spoke
8 before this group's inaugural meeting in
9 September, just after Chairman Pai reconstituted
10 it. In my September comments, I implored the
11 Committee to stay focused on those issue areas in
12 which the Commission actually has authority to
13 commence action. If it's not in this book, or
14 firmly constituted within its requirements, then
15 you're likely to have a difficult time convincing
16 me of a specific recommendation no matter how
17 brilliant or revolutionary it may be.

18 That guidance still applies, in my
19 opinion, so I hope you will keep it with you as
20 the Committee proceeds with its work.

21 The main reason I am here and why I am
22 so pleased to accept the Committee's invitation

1 to say a few words this morning is to reinforce
2 the importance of the Commission's proceeding to
3 create a small entity broadcaster incubator
4 program.

5 Let me be abundantly clear. The lead
6 proponent of this idea is the Chairman, and I've
7 been happy to support his work on the topic. My
8 goal today is not to step on the Chairman's toes,
9 but as a fill-in, seek for you to redouble your
10 efforts on the issue and emphasize our collective
11 interest in seeing a fulsome record and your
12 robust recommendations on how best to go about
13 creating an incubator program.

14 We should all remember that the intent
15 of the incubator program is to address the
16 lackluster ownership of broadcast stations by
17 smaller entities, which includes women and
18 minority groups.

19 All relevant data highlights the fact
20 that our current media ownership limitations and
21 prohibitions are not working. The television
22 numbers remain in the single digits, and radio is

1 not much better. Whether once well-meaning or
2 done for protectionist reasons, many of our media
3 ownership rules, crafted in the '60s and '70s,
4 have led us to the abysmal state we find
5 ourselves in today.

6 In a recent Congressional Oversight
7 hearing, the Chairman and I were asked if our
8 newly-proposed rules at the time would improve
9 the small-entity ownership situation. My answer
10 then, and remains now, that I think they are
11 thoughtful efforts to develop workable solutions
12 that are consistent with the law, and recognize
13 today's market realities.

14 If you believe in a diverse makeup of
15 station owners, then doubling-down on failed
16 policies makes no sense.

17 We all know that some outside groups
18 want the incubator program to fail. We should
19 recognize that their ultimate goal is not to
20 improve the small-entity broadcaster ownership.
21 Instead, it is a cynical and destructive play to
22 undermine our media ownership rule changes,

1 currently under court review. They see this as a
2 lynchpin to reserve those outdated rules that are
3 not working. The Commission should not be
4 sidelined by such efforts.

5 With that in mind, I would like to
6 take a moment to highlight a few of my concerns
7 with your draft proposal that I had a chance to
8 look at yesterday afternoon. I want to be clear.
9 I have long believed that advisory committees
10 should be left from interference and free from
11 too much direction from the Commission.

12 That said, because I so strongly want
13 this program to work, I feel like I must provide
14 some initial feedback now before it's too late to
15 make changes needed to garner my support later.

16 First, let's search for new ideas. As
17 I stated earlier, our old policies have not
18 worked. That includes the reestablishment of a
19 tax certificate program. Such a program will be
20 a heavy lift to get passed into law, especially
21 in the near future.

22 Second, I have concerns with the

1 proposed three categories eligible for the
2 incubator program. At this time, they seem too
3 arbitrary and ripe for abuse.

4 Third, I believe the Committee's time
5 would be best served focusing on ideas based on
6 regulatory relief for existing stations willing
7 to participate, and capital and training
8 assistance for those interested in obtaining
9 stations. Maybe take a closer look at Diane's
10 program and how she operates it.

11 As it currently stands, the draft
12 proposal is missing some of this focus. I'm
13 confident though, with the exceptional experience
14 and background of the members of this Committee,
15 you are more than capable of working through all
16 of these issues to build a successful incubator
17 program that can be adopted by the Committee and
18 the Commission.

19 This topic remains among the top of
20 your priorities, so I hope you'll consider my
21 feedback and come up with some additional ideas.
22 Thank you again for the opportunity to speak

1 before you, and I wish you well with the rest of
2 your work today.

3 MS. CAREY: Thank you, Commissioner
4 O'Rielly. Commissioner Carr would like to say a
5 few words.

6 COMMISSIONER CARR: Absolutely,
7 thanks. Well, thanks so much for the invitation
8 to get to say a couple quick words, and thank you
9 all for your service on this committee. It's
10 tremendously important.

11 Picking up on Commissioner O'Rielly's
12 point about unpaid work, kind of like being
13 parents, this morning, I could not locate the
14 shoes for my four-year-old after about 45 minutes
15 of searching, so he went to school with snow
16 boots this morning. Which was better, I guess,
17 than no shoes at all. But it's questionable,
18 yeah.

19 But it is really great and heartening
20 to see all of you here today. So many good and
21 long-term friends, starting with Henry Rivera to
22 David Honig to Chris Wood. I mean, everyone

1 that's here, I think most of you I've had some
2 sort of personal interaction with and history
3 with.

4 Henry in particular, when I was very
5 baby lawyer, just out of law school, at a law
6 firm, Henry was a partner there, and he took a
7 tremendous and inordinate amount of time out of
8 his schedule to talk with me, to mentor me, to
9 help me along. And so anything good or bad had
10 happened since then, I think the muster received
11 for it was those early discussions with Henry.

12 But the work that this Committee is
13 doing is incredibly important. I mean, it's
14 really the core of what we're about at the
15 Commission, whether it's broadband or
16 broadcasting. We have a job to help make it
17 easier to get this infrastructure out there. But
18 to what end?

19 You know, the most important end that
20 I can think of is to give more communities a fair
21 shot, whether it's online opportunity, digital
22 empowerment as this committee talks about. This

1 is really the core of everything we do at the
2 Commission. It's not just about, you know, pipes
3 and tubes and getting the hardware, the
4 infrastructure out there.

5 It's for a particular purpose. And
6 it's to give more people more opportunities. And
7 so the input that you're providing into that
8 process is incredibly important. It's something
9 that I really look forward to embracing the work
10 product that comes out of this.

11 And as I've gotten outside of D.C., a
12 couple weeks ago I was with Chris Wood. I will
13 call it his grand opening of the LGBT tech
14 headquarters in Stanton, Virginia. For those of
15 you that don't know, Stanton is obviously in a
16 very rural part of Virginia in the Shenandoah
17 Valley. But because of broadband connections
18 being there, he's able to launch his business
19 there.

20 We were able to talk to some people
21 that were able to start their own businesses
22 thanks to online connectivity. And it's stories

1 like that, it's changes like that that come from
2 getting broadband out to what had been or could
3 be under-served communities.

4 Just up the road from there, we went
5 to a small high school, rural high school in
6 Woodstock, Virginia, and there's kids there that
7 have an opportunity now to do anything because of
8 a broadband connection.

9 There was a provider that had just
10 installed a new small cell outside of the school.
11 The kids are getting iPads. We met with two or
12 three junior or seniors that are interested in
13 careers in STEM. And all that has been enabled
14 because they had broadband connectivity at
15 school, and their horizons are really limitless
16 because of that opportunity.

17 A week later, I got a chance to go to
18 East Baltimore. A community that is on the
19 upswing. There's new after-school programs that
20 are sprouting up. There's community gardens that
21 are going in. And to me, one of the most
22 important things, there's new small cells that

1 are being deployed in this neighborhood.

2 And for a lot of communities,
3 particularly in those neighborhoods, mobile
4 access, mobile internet is often the only on-ramp
5 they have to the internet and to digital
6 opportunities. So it's great to see these new
7 small cells going in and helping to spur some
8 more economic development in that area.

9 And all that's why it's so important,
10 going back to where we started, that we get more
11 broadband infrastructure out there so we can
12 replicate these results across many different
13 communities.

14 And last week, the FCC voted on an
15 important decision. There's this new technology
16 of wireless on the horizon, as many of you know.
17 It's known as 5G. It's supposed to be faster,
18 and it's going to enable a lot of interesting
19 next-generation opportunities from autonomous
20 cars to the internet of things to remote surgery.

21 And for me, the key to success with 5G
22 roll-out is that it happen as ubiquitously as

1 possible. If 5G ends up being, you know, an
2 urban affluent play, whether it's New York or San
3 Francisco, we're limited to those types of
4 deployments, that's not success.

5 One of the things that we saw in our
6 rulemaking is that regulation, on the broadband
7 side, is what's holding back a lot of
8 deployments. We've talked about the economics of
9 deployment. Well, we saw that 30 percent of the
10 total cost of deploying small cells was going to
11 this regulatory red tape.

12 By cutting that red tape, we're going
13 to flip the business case for entire communities
14 so that we'll get more 5G, get more broadband, to
15 more Americans.

16 We say the same thing on the
17 broadcasting side. I think we need to take a
18 fresh look and a fresh start with our approach to
19 broadcasting. The more regulatory red tape that
20 we erect in terms of you -- of people getting
21 into the business, of people staying in business,
22 that narrows the potential people that can be

1 successful, and it tends to narrow it to people
2 that have significant financial backing.

3 So, how do we cut the regulatory
4 costs? The Commission has been engaged in a
5 number of important efforts, everything from
6 streamlining reporting obligations to looking at
7 our media ownership rules to JSAs, to SSAs.
8 Things that can bring down the cost of getting
9 and to staying in this business. And I think
10 that's going to be one thing that gets more
11 opportunity for people in this space.

12 And then finally, another issue that's
13 important to me is workforce development, whether
14 it's, you know, owning and operating a station or
15 the actual jobs associated with broadband
16 deployment. There's tremendous opportunity
17 there. When we look at 5G for instance, that's
18 estimated to require a \$275 billion investment in
19 network deployment, which can create three
20 million jobs.

21 So one of the things I've bene focused
22 on here is how do I work? This is not something

1 in my regulatory bailiwick at the Commission.
2 But how do we work with Department of Labor? How
3 do we work with other groups that can help create
4 and improve apprenticeship programs so that we
5 can put more people to work deploying these
6 networks?

7 So, these are all the issues that I've
8 been thinking a lot about recently, and it's why
9 I think the work that you all are doing is so
10 important. And I really will take a hard look
11 and take to heart the recommendations that this
12 great group puts together. So, thank you.

13 MS. CAREY: Thank you, Commissioner
14 Carr. And Chairman Pai sends his regrets.
15 Unfortunately he's unable to be here today
16 because he is traveling. However, I see that a
17 few members of his staff, including Alison
18 Nemeth, his Media Advisor, are here. So
19 hopefully you can chat with them during the
20 break.

21 Okay, without further ado, I will turn
22 it over to Jamila Bess Johnson, our DFO.

1 MS. JOHNSON: Thank you, Michelle.
2 Thank you, Commissioner O'Rielly, thank you,
3 Commissioner Carr, for coming this morning.

4 Good morning, advisory committee
5 members, working group members, members of the
6 public who are attending online or by the phone.
7 We're excited about today's agenda. It does
8 reflect a tremendous amount of work on behalf of
9 everyone associated with this advisory committee.

10 This group had its initial meeting in
11 September 2017, and at that time, Chairman Pai
12 charged you all to roll up your sleeves and dive
13 into some very complicated issues. Well, today's
14 meeting will demonstrate just how diligent this
15 group has been examining issues of broadcast
16 ownership, ubiquitous broadband service, and
17 equity and access to tech jobs. So, we're
18 looking forward to a very full meeting today.

19 We certainly want to thank T-Mobile
20 for sharing their gratuities with us today. We
21 have coffee and breakfast treats because of them,
22 and they're also sponsoring our lunch. So, thank

1 you very much to T-Mobile, Marie, and to Shellie.

2 And I would be remiss if I did not
3 thank all of the FCC staffers who helped to
4 organize and support this meeting today. I won't
5 call anyone's name, because I certainly would
6 forget someone, and I don't want to do that.

7 But this is the result of many hours
8 of long, hard work by FCC staffers, including our
9 Office of General Counsel, who clears many of you
10 to participate as working group members.

11 Our Deputy Designated Federal Officer,
12 Brenda Villanueva, is attending via phone this
13 morning, and I hope we can get Brenda on the line
14 to say her welcome remarks. Brenda?

15 MS. VILLANUEVA: Yes, good morning
16 Commissioners, Chairs, and members of the
17 advisory committee and working groups. I want to
18 also express my thanks to all of you for all your
19 active participation during these last few
20 months.

21 Several of you have spent countless
22 hours thinking about and also working on

1 important topics and the proposals that will be
2 discussed today. So I want to also express my
3 thanks for all your hard work to date and for
4 what is to come. I apologize for not being able
5 to be there in person, and I look forward to the
6 active discussions today. Thank you.

7 MS. JOHNSON: Thank you so much,
8 Brenda. As Michelle mentioned, Julia Johnson is
9 under the weather, and so we certainly wish her a
10 speedy and a complete recovery. But our Deputy
11 Chair, Diane Sutter, is going to ably chair this
12 meeting today. And so without further ado, we
13 turn it over to Diane for the calling of the role
14 and the official opening of this meeting. Diane?

15 VICE CHAIR STUTTER: Thank you,
16 Jamila. And thank you, Commission, for your
17 comments. We appreciate your support of this
18 group.

19 We'll take the roll now, so if you'll
20 please just acknowledge your presence. Kathleen
21 Abernathy.

22 MEMBER ABERNATHY: Here.

1 VICE CHAIR STUTTER: Maria Brennan.

2 MEMBER BRENNAN: Here.

3 VICE CHAIR STUTTER: Rudy Brioche.

4 MEMBER BRIOCHE: Here.

5 VICE CHAIR STUTTER: Ron Busby.

6 Victor Cerda. Harin Contractor.

7 MEMBER CONTRACTOR: Here.

8 VICE CHAIR STUTTER: Brigitte Daniel.

9 MEMBER DANIEL: Here.

10 VICE CHAIR STUTTER: Jannette Dates.

11 MEMBER DATES: Here.

12 VICE CHAIR STUTTER: Donna Epps.

13 MEMBER EPPS: Here.

14 VICE CHAIR STUTTER: Maurita Coley.

15 MEMBER COLEY FLIPPIN: Here.

16 VICE CHAIR STUTTER: Heather Gate.

17 MEMBER GATES: Here.

18 VICE CHAIR STUTTER: David Honig.

19 MEMBER HONIG: Here.

20 VICE CHAIR STUTTER: Janice Bryant

21 Howroyd. Ron Johnson.

22 MEMBER JOHNSON: On the conference

1 call.

2 VICE CHAIR STUTTER: Thank you.

3 Sherman Kizart.

4 MEMBER KIZART: Here.

5 VICE CHAIR STUTTER: Fatema Kothari.

6 MEMBER KOTHARI: I'm here via phone.

7 Hello, everyone.

8 VICE CHAIR STUTTER: Thank you. Maria

9 Lopez.

10 MEMBER LOPEZ: Is that Mario?

11 VICE CHAIR STUTTER: Mario, excuse me.

12 MEMBER LOPEZ: Yeah.

13 VICE CHAIR STUTTER: Marc Morial.

14 Gavin Logan.

15 MEMBER LOGAN: Here.

16 VICE CHAIR STUTTER: Henry Rivera.

17 MEMBER RIVERA: Yes.

18 VICE CHAIR STUTTER: Alfredo

19 Rodriguez.

20 MEMBER RODRIGUEZ: Here.

21 VICE CHAIR STUTTER: Brian Scarpelli.

22 MEMBER SCARPELLI: Here.

1 VICE CHAIR STUTTER: Cindy Shao.
2 Marie Sylla-Dixon. Nicol Turner-Lee. James
3 Winston.

4 MEMBER WINSTON: Here.

5 VICE CHAIR STUTTER: Chris Wood.

6 MEMBER WOOD: Here.

7 VICE CHAIR STUTTER: Is there anyone
8 who is present whose name I did not call? All
9 right, would you please state your name for the
10 record?

11 MEMBER BLAKENEY: Shellie Blakeney, T-
12 Mobile. I'm alternate to Marie Sylla-Dixon.
13 Thank you.

14 VICE CHAIR STUTTER: Thank you.

15 MS. LINDSEY: Elizabeth Lindsey, I'm
16 with Byte Back.

17 MS. BERROCAL: Laura Berrocal, Charter
18 Communications.

19 MS. MILLER: Good morning. Koy
20 Miller, Facebook, subbing for Brooke Oberwetter.

21 VICE CHAIR SUTTER: Excuse me. I
22 think some of you are actually working group

1 members as opposed to members of the Commission,
2 the FACA group. So we appreciate your
3 participation, and we will acknowledge you at a
4 later time. So thank you.

5 But those of you with yellow name
6 tags, is there anyone else who we did not --
7 Cindy has just arrived. Thank you. Anyone else?
8 And do we have everyone who's on the phone? All
9 right.

10 MEMBER JOHNSON: Yes.

11 VICE CHAIR SUTTER: Thank you very
12 much. I believe we have a quorum?

13 MS. JOHNSON: Yes, we do.

14 VICE CHAIR SUTTER: Excellent. So, we
15 will proceed. I know if Julia were here, and I
16 know she regrets not being able to be here, she
17 would want to thank everyone for the work that
18 you have done.

19 Both she and I have been following
20 what you have been working on, and we have sat in
21 on many of your conference calls and know they
22 have been spirited discussions. They have been

1 full of great comments. And certainly a lot of
2 work and input on the part of everyone at this
3 table.

4 I appreciate everything that you have
5 done to get us to this point, and look forward, I
6 think, to hearing some very interesting things
7 from each of these groups to show you how much
8 they have been working toward the goals that have
9 been set by the Commission for us.

10 As we begin to have these reports, I
11 would ask the Chairman if you would also
12 introduce those from your working group who are
13 here with us so that we may thank you for your
14 participation, because not only do we have the
15 members of the committee itself, but we have
16 others who have contributed to this and become
17 part of the working group and have contributed
18 greatly to those things that we have been doing.

19 So, we're going to start with the
20 Broadcast Development and Diversity Work Group.
21 Henry, as the chair, would you please take over
22 from this point?

1 MEMBER RIVERA: Thank you, Diane.

2 VICE CHAIR SUTTER: Thank you.

3 MEMBER RIVERA: So, November of last
4 year, as Michelle mentioned, the Commission
5 issued an NPRM proposing the adoption of an
6 incubator program. The NPRM noted that the
7 Commission anticipated that this advisory
8 committee would assist it in developing such a
9 program.

10 Chair Johnson believed the working
11 group on broadcast, diversity, and development
12 was the appropriate one to assume the
13 responsibility for drafting the comments to
14 assist the Commission. And the working group
15 agreed, and we set out to respond to all or most
16 of the questions the Commission asked in the
17 NRPM.

18 Given the enormity of the task, I
19 deemed it best to divide the working group into
20 three task forces, each to address a discrete
21 portion of the NPRM. Every member of the working
22 group self-selected into one of the three task

1 forces.

2 Task force A, chaired by Maria
3 Brennan, addressed those portions of the NPRM
4 dealing with eligibility for incubation, and
5 covered overcoming the disadvantages, preference,
6 new entrance, revenue-based eligible entities,
7 and mission-based educational institutions.

8 Task force B was chaired by Jim
9 Winston --- excuse me, by Dr. Jann Dates, and
10 those addressed -- that task force addressed
11 those portions of the NPRM that were dealing with
12 the incubation activities and incentives for
13 incubating stations.

14 Task force C was chaired by Jim
15 Winston. They addressed those portions of the
16 NPRM dealing with the integrity of an incubator
17 program such as independence of the incubated
18 entity and review of the incubation proposals,
19 and compliance assessment.

20 David Honig agreed to serve as a
21 working group rapporteur and set in all the task
22 force meetings, took notes, and ultimately drafted

1 the comments.

2 Each task force had two or three
3 meetings prior to the end of last year. The
4 entire working group met early this year to year
5 the task force chair's report on their work and
6 conclusions. This was to give everyone an
7 opportunity to offer input to the work of those
8 task forces of which they were not members.

9 David then began the arduous task of
10 drafting the comments. He and I traded many
11 drafts, and the 16th iteration went to the entire
12 working group for review and comment. Several
13 suggested edits were received and incorporated,
14 and version 18 was sent to the working group for
15 a final review before sending the document to
16 Chair Johnson for distribution to you.

17 Chair Johnson sent the draft to you
18 for review on March 14th. No comments or
19 suggested edits were received, and the document
20 you received on March 14th is the one in your
21 packets, and it's the one that we will be voting
22 on today.

1 So my thanks to the task force chairs
2 and all our working group members for all their
3 hard work producing these comments. Particular
4 thanks to David for all of his efforts. Without
5 David, I have no doubt that we would not have
6 been able to produce the comments that are before
7 you for your consideration.

8 And the working group does recommend
9 that you approve these comments and that we file
10 them in the proceeding that was initiated with
11 the NPRM in November.

12 I will now turn it over to David to
13 provide you with a very brief overview of the
14 document and to respond to any questions you may
15 have. Since you've had the comments since March
16 14th, and in the interest of time, David will
17 provide a brief summary as opposed to a line-by-
18 line review of the document. David?

19 MEMBER HONIG: Thank you, Henry and
20 Diane, for your very kind words. Members of the
21 advisory committee, the draft you have reviewed
22 reflects well on the reason we have Federal

1 Advisory Committees. An advisory committee pulls
2 together some of the best minds in non-profit
3 sector, the industry, and academia to tackle
4 issues that have defied resolution, sometimes for
5 decades.

6 In the case of broadcast incubators,
7 there's a very long history. A broadcast
8 incubator program was first proposed by Jim
9 Winston, seated to my left, of NABOB in 1990, 28
10 years ago, through FCC Chairman Alfred Sikes
11 Minority Ownership Task Force, which I had the
12 privilege of co-chairing with the late Zora
13 Brown.

14 Several different incarnations of the
15 incubator program have been proposed since 1990
16 in seven dockets. But none of these proposals
17 became law. So the broadcast development working
18 group, on whose behalf I speak today, decided to
19 start over and create our own model.

20 We began by establishing these goals.
21 First, to create a pathway for entrepreneurs with
22 management experience, including minority and

1 women entrepreneurs, and especially those who
2 have overcome disadvantages to acquire broadcast
3 ownership experience, and ultimate become owners.

4 Second, to create a sufficient
5 incentive for industry leaders to create
6 incubators, allowing these industry leaders to
7 grow their businesses while sharing with others
8 opportunities these leaders enjoyed earlier in
9 their careers.

10 Third, to avoid creating ownership
11 consolidation and instead bring about de-
12 consolidation and deliver new voices to the
13 airways.

14 And fourth, to design a program that
15 would operate with the highest integrity and with
16 minimal potential for abuse, and lend itself to
17 monitoring and classical cost-benefit analysis.

18 The need to incubate new voices is
19 especially urgent now in light of profound
20 changes in market demographics since the last
21 time congress calibrated the broadcast ownership
22 rules. Demographic changes since the 1990s

1 underscores the need to provide more broadcast
2 outlets for new voices, and especially for voices
3 speaking in a variety of languages.

4 In particular, between the 1990 census
5 and the 2016 census estimates, our population has
6 grown from 248.7 million to 323.1 million.
7 That's 30 percent. The number of ethnic
8 minorities, including Hispanics of any race, has
9 grown from 49 million to 88.4 million. That's 80
10 percent.

11 And the number of primary speakers of
12 languages other than English has grown from 31.8
13 percent to 64.7 percent. That's 109 percent
14 increase in just a generation. Few issues of
15 communications policy are more urgent than the
16 need to incubate a new generation of diverse
17 broadcast owners to serve our much larger and
18 much more diverse population.

19 Our draft comments are unavoidably
20 long because the Commission gave us 57 questions
21 to answer, and we tried to answer all of them.
22 The Commission asked us to address, quote,

1 eligibility criteria for the incubated entity,
2 appropriate incubating activities, benefits to
3 the incubating entity, how such a program would
4 be reviewed, monitored, and enforced, and the
5 attendant costs and benefits, unquote.

6 First, what are the eligible entities
7 that would become the incubated companies? We
8 examined several potential definitions of an
9 eligible entity, and recommended three types of
10 eligible entities that appeared constitutionally
11 permissible, easy to administer, not susceptible
12 to abuse, and not so dilute that minorities and
13 women would barely be included.

14 The three types of eligible entities
15 that we recommend for incubation are, first,
16 individuals who have overcome significant
17 disadvantages. This is called the overcoming
18 disadvantages preference, or ODP, a race-neutral
19 concept recommended to the Commission unanimously
20 in 2010 by the Advisory Committee on Diversity
21 for Communications in the Digital Age, our
22 predecessor body initially chartered in 2004 by

1 Chairman Michael Powell.

2 Second, mission-based entities, such
3 as historically-black colleges and universities,
4 HBCUs, that are defined by their mission and not
5 by race.

6 And third, Native American nations
7 which are recognized by treaties and thus are not
8 defined by race.

9 Next, we asked how incubation would
10 work in practice. We arrived at two models that
11 seemed to have great potential for success. The
12 first we call joint ventures, and here's how it
13 would work.

14 An incubating company and an incubated
15 company would jointly own and operate a full-
16 service radio or television station for a period
17 to be determined by the Commission, a length of
18 time called the incubation period.

19 We do not recommend a specific time
20 period, although we generally felt that three
21 years would work in most cases. Here's how the
22 joint venture model would operate. During the

1 incubation period, the incubated company would
2 exercise control while its principles are being
3 trained by the incubating company for long-term
4 ownership.

5 Most of the financing would be
6 provided by the incubating company, but some of
7 the financing, most likely through a line of
8 credit, would be contributed by the incubated
9 company. At the conclusion of the incubation
10 period, the incubated company would exercise a
11 call option to acquire full-equity ownership of
12 the station.

13 Upon the closing of that transaction,
14 if Congress passes authorizing legislation, the
15 incubating company would receive a tax
16 certificate entitling it to deferral of capital
17 gains taxes upon reinvestment in comparable
18 property.

19 There are four distinct advantages of
20 the joint venture approach. First, because it is
21 built around a specific station, there can be no
22 disparity between the assets subject to a tax

1 benefit and the assets subject to incubation.

2 Second, because both parties have
3 resources at risk, the structure of the
4 relationship itself will dis-incentivize
5 gamesmanship. Further protection from fraud
6 would be provided by strict requirements, the
7 Joint Sales Agreements, JSAs, and Shared Services
8 Agreements, SSAs, would be employed only in
9 exceptional circumstances for the first year of
10 operation, for startup training, and only upon
11 proof of need.

12 Remember, that was the original
13 purpose of those tools. They must be used only
14 to assist in and never to substitute for
15 incubation.

16 Third, the joint venture approach is
17 not premised on waivers, thus not only with the
18 joint venture approach create new voices, it
19 would not create an exception to the multiple
20 ownership rules. Its entire effect would be to
21 bend toward deconsolidation.

22 Fourth, because the assets that could

1 give rise to a tax certificate are likely to be
2 high-value properties, such as full-power TV
3 stations or major market FM stations, there will
4 be strong incentives to operate these incubators
5 with high-performing managers who will graduate
6 and become high-performing owners.

7 In addition to joint ventures, the
8 other model that we think works well is a major
9 institutional gift of a station to a mission-
10 based entity, such as an HBCU, or a Native-
11 American nation, upon the making of a major
12 institutional gift, the incubating company would
13 be entitled to a tax deduction or, even better,
14 if Congress so authorizes, a tax credit in an
15 amount equal to the appraised fair-market value of
16 the donated station.

17 For both of these models, joint
18 ventures and major institutional gifts, the
19 incentives to incubating companies would be
20 grounded in tax policy. History teaches us that
21 this would be a sound choice in light of the
22 FCC's highly-successful history operating the tax

1 certificate policy from 1978 to 1995, during
2 which time the policy quintupled minority
3 broadcast ownership.

4 We have concluded that an incubated
5 program that draws from the best elements of the
6 tax certificate policy has an excellent chance
7 for success both in impact and in ease of
8 execution.

9 Further, we believe that our incubator
10 proposal offers the best opportunity in years for
11 Congress to authorize a program that would have
12 an impact comparable to the original tax
13 certificate policy.

14 Under our model, only incubators would
15 trigger tax relief to the seller or donor. Thus,
16 when analyzed from the point of view of national
17 tax policy, our model would be scored by the CBO,
18 Congressional Budget Office, as modest in size
19 and narrowly focused. For every qualifying
20 transaction, the taxpayers would be underwriting
21 something of great value to all Americans.

22 In closing, the Broadcast Development

1 Working Group commends this proposed incubator
2 program to the full committee as a reasonable
3 method of advancing diversity and inclusion in
4 the nation's most important and influential
5 industries.

6 We believe it would serve the public
7 interest and could make a profound difference in
8 the lives of broadcasters, entrepreneurs, and
9 consumers of all backgrounds.

10 I would like to particular acknowledge
11 the many hours of editing and analysis
12 contributed by Committee Chair Julia Johnson, our
13 working group Chair Henry Rivera, and our Task
14 Force Leaders Maria Brennan, Dr. Jannette Dates,
15 and Jim Winston, as well as the pro bono service
16 provided through MMTC on the Overcoming
17 Disadvantages Preference by Covington and
18 Burling's Jonathan Blake and Harris, Wiltshire's
19 Christopher Wright, who is here with us today.

20 And by Broadcast Development Working
21 Group member and television station owner DuJuan
22 McCoy, who is here as well, who conceived of the

1 joint venture concept that the working group
2 adopted.

3 If these comments are approved, minor
4 non-substantive editorial privileges are
5 respectfully requested in advance of their formal
6 submission on ECFS. I'd be glad to respond to
7 questions at this time. Thank you.

8 VICE CHAIR SUTTER: Thank you very
9 much, Henry and David, and to the whole
10 committee. Before we go to comments, I would
11 just like to acknowledge those members who are
12 additions to the members of the committee
13 themselves that have volunteered their time to be
14 part of that.

15 That includes Sarah Lomax-Reese from
16 WURD Radio, DuJuan McCoy, Bayou City
17 Broadcasting, Steve Roberts from the Roberts
18 Companies who has previously served on this FACA
19 prior to this, and Michelle Duke from the
20 National Association of Broadcasters.

21 So, we thank you all for being here as
22 well as for your participation in helping to form

1 this. So, thank you very much. We're going to
2 open the floor to questions and comments. I
3 would ask that when you do speak, you would
4 provide your name and your organization so that
5 for the record we may keep a good record of this.

6 And I would just like to start by
7 perhaps asking the Committee, we just heard the
8 Commissioner mention that he was hoping that this
9 would not require any kind of regulatory approval
10 beyond the FCC, and the group has suggested a
11 waiver.

12 Could you address that that waiver
13 would have to come from -- I'm sorry, it is a
14 minority tax certificate, which would be coming
15 from Congress. How do we work with what we can
16 do in the FCC versus what would be necessary to
17 get Congressional action on it?

18 MEMBER HONIG: Well, there's a portion
19 of this, the portion that relates to major
20 institutional gifts, that could be implemented
21 now that involve -- in which the incentive is
22 based on a tax deduction. That doesn't require

1 Congressional approval. But most of the rate
2 value would require Congressional intervention.

3 We're very fortunate that the
4 Commission has a good relationship with Congress.
5 Much of what the Commission asks for does require
6 Congressional approval. So it's accustomed to
7 making proposals that Congress has to act in
8 order for them to take effect. So this is not an
9 unusual entreaty.

10 And in this case, what the difficulty
11 in getting tax certificate or something like it
12 back has been the fact that as under the previous
13 paradigm, virtually any transaction to a small
14 business that's not an incubator would have been
15 eligible, and thus the taxpayers have been asked
16 in effect into that paradigm to approve virtually
17 every transaction so it would be --- and then
18 you'd hit a cap.

19 So it's just who files in January.
20 That's been the hang-up. But if only an
21 incubator is before the Commission for approval,
22 that's a much narrower, much more focused

1 program. I really think having been involved in
2 trying to get Congress' attention for the last
3 many, many years, that this solves that problem.

4 And that Congress would be, I think,
5 quite favorably look at this, this kind of
6 proposal, much more favorably than it has, and
7 thus allowing them the opportunity to not bring
8 back what is apparently never going to come back,
9 but to deliver something that when scored would
10 deliver as a matter of tax policy a new model
11 that works much better than what they've had
12 before, and much better than what we would do if
13 we had something based on waivers.

14 You can't -- it was just fortunate,
15 frankly, that we came up with this, because it I
16 think solves that problem. So, we view this as a
17 good thing.

18 VICE CHAIR SUTTER: Thank you, David.
19 Are there other comments from members of the
20 group? Sherman, I'm sorry, did you have a
21 comment? Jim, please. And please just state
22 your name and organization, please.

1 MEMBER WINSTON: Jim Winston,
2 President, National Association of Black Owned
3 Broadcasters. Yes, we did hear Commissioner
4 O'Rielly make some comments about the proposal
5 that includes a proposal for the tax certificate,
6 and I wanted to respond to his comments, because
7 he said two things.

8 He said one, it would be a heavy lift
9 in Congress. I agree with him fully there.
10 Getting legislation through is always a heavy
11 lift. But he also said he thought it was wrong
12 to propose a previously-failed policy, like the
13 tax certificate. And that is clearly incorrect.
14 And I take issue with him on that point.

15 As David pointed out, minority
16 ownership quadrupled during the time that the tax
17 certificate was in effect. I had the privilege
18 of serving at the FCC when the tax certificate
19 policy was adopted. I was legal advisor to
20 Commissioner Robert E. Lee at the time. And then
21 I went on to become President -- well, Executive
22 Record for a while and now President of NABOB

1 beginning in 1982.

2 And so I can testify to how well the
3 tax certificate operated from the time it was
4 adopted in 1978 until 1995. And what happened
5 was one bad transaction caused Congress to
6 eliminate the policy in 1995 after dozens of very
7 successful tax certificate proposals were adopted
8 and granted by the Commission.

9 It was an unfortunate situation,
10 because the proposal that came in in 1995 was so
11 clearly inappropriate for the grant of a tax
12 certificate that the Commission could have denied
13 a tax certificate and saved the policy. But by
14 not acting at all, the Commission left the issue
15 open as if it was going to be granted, and so
16 Congress killed the whole policy at that time.

17 So I think David has given you
18 excellent explanations to why the tax certificate
19 policy was proposed by the Committee, and I think
20 that a review of the history of that policy would
21 support that bringing it back would be the most
22 effective way of increasing ownership in this

1 industry.

2 VICE CHAIR SUTTER: And in your
3 proposal also proposes to include women in this,
4 which the original tax certificate did not.

5 MEMBER WINSTON: Absolutely. It's
6 neither gender nor race based.

7 VICE CHAIR SUTTER: Thank you. Are
8 there other comments from the group? Yes,
9 please.

10 MEMBER COLEY FLIPPIN: Hi. Maurita
11 Coley, CEO of MMTC, Multicultural Media, Telecom,
12 and Internet Council.

13 And I'd like to echo what Jim Winston
14 said in terms of I think the Committee's done an
15 exceptional job, and particularly, any iteration
16 of the tax certificate is something that I
17 personally support and on behalf of MMTC, because
18 it has been the single-most effective tool for
19 ensuring minority ownership in media.

20 And as Jim indicated, I was a young
21 communications lawyer back in the day, and we
22 vetted dozens of tax certificate transactions

1 before the Commission even saw them and used our
2 expertise to ensure that they were in compliance
3 with the Commission's tax certificate policy.

4 And I agree that just one quote-unquote bad
5 transaction or failed transaction tainted the
6 entire program, and that was totally unfair.

7 So, I'd like -- I appreciate the
8 Committee's work, and I'm glad to see the tax
9 certificate coming back, hopefully coming back in
10 some iteration.

11 VICE CHAIR SUTTER: Thank you. Other
12 comments? Yes, Sherman?

13 MEMBER KIZART: David, given
14 Commissioner O'Rielly's comments and concerns,
15 does that create a potential hurdle for our
16 recommendation kind of moving forward with the
17 full Commission, and if so, what would be the
18 best way to address that?

19 MEMBER HONIG: Well, I think he
20 expressed three concerns. One we've just
21 discussed relating to tax policy. The second
22 concern was whether these models lend themselves

1 to abuse.

2 Two of them relating to Native
3 American nations, that's defined in the law.
4 It's not susceptible to abuse. HBCUs is defined
5 in the law. It's not susceptible to abuse.
6 Overcoming disadvantages was approved unanimously
7 by our predecessor body, has been well-defined,
8 and I think the proposals have not been one of
9 the -- I've never seen an attack on it based on
10 the possibility of abuse.

11 I've seen questions raised as to
12 whether it is subjective, but I think in the
13 comments, it answers very well the question of
14 how to deal with any subjectivity, which is a
15 different question than abuse.

16 So, the other objection that he raised
17 was whether the program sufficiently permits,
18 emphasizes training. And the joint venture
19 model, and I would ask if it's permissible, Madam
20 Chairwoman, for DuJuan McCoy, who came up with
21 this model of joint ventures, to speak to how
22 that works as far as incentivizing training and

1 the type of training that the program that you
2 started at the NAB, which the Commissioner
3 mentioned, incentivizes training.

4 MR. MCCOY: So DuJuan McCoy, Bayou
5 City Broadcasting.

6 VICE CHAIR SUTTER: Thank you.

7 MR. MCCOY: I'm a product of a program
8 out of the NAB called the National Association of
9 Broadcasters' Leadership Training Program. It's
10 called BLT, okay? And the purpose of BLT is to
11 train, educate, and teach senior-level
12 broadcasters how to operate, own, and purchase
13 broadcast TV stations.

14 I participated in the program in 2007
15 and immediately bought seven TV stations out in
16 West Texas which included two Fox affiliates. I
17 divested those television stations in order to
18 purchase larger-market stations and ended up
19 buying five more TV stations, two in Evansville,
20 Indiana, and three in Lafayette, Louisiana.

21 So, the program has currently 220 --

22 VICE CHAIR SUTTER: Eighty-nine.

1 MR. MCCOY: Two hundred and eighty-
2 nine graduates that are prepared to be
3 incubators.

4 VICE CHAIR SUTTER: And 18 in this
5 years' class.

6 MR. MCCOY: And 18 in this years'
7 class prepare to be incubators in both radio and
8 television. And it is probably -- not probably.
9 It is the most renowned and respected program in
10 America for people who that are interested in
11 purchasing television stations and radio
12 stations.

13 MEMBER HONIG: If I could just add. I
14 think when you have a joint venture and both
15 parties in it therefore have invested money, have
16 skin in the game, that -- as the comments point
17 out, that's a pretty good incentive to be sure
18 that the party in control is going to be
19 receiving training that will enable them to run a
20 profitable business, because the party that is
21 providing the most of the money is going to want
22 to be sure that it's getting its return.

1 So the structure of the venture itself
2 incentivizes the doing of the training much more
3 so than perhaps the giving of a gift would. That
4 was what appealed to the working group.

5 MR. MCCOY: Yeah, I was -- being part
6 of the working group, I was able to provide a
7 perspective from the current ownership standpoint
8 or viewpoint. Not only was I thinking from my
9 perspective, but I talked to a lot of owners in
10 America.

11 I talked to the biggest group owners
12 in America, and I've thrown out tea leaves to see
13 what would be of interest to them. And I've got
14 to tell you, there's no consensus, okay? There
15 are large operators in America that are more
16 interested in tax certificate, okay? There are
17 some operators that are more interested in
18 waivers, okay?

19 There's no consensus amongst the
20 broadcasters that will be the incubating
21 companies, okay? And from my standpoint and from
22 an owner's standpoint, if there's no incentive

1 for the incubating company to be an incubator,
2 this program won't happen, okay?

3 Because they have to be the leaders,
4 and they have to be incented to want to
5 participate to grow women, minorities, small
6 businesses as it relates to broadcasting. Most
7 of these incubating companies are public
8 companies.

9 And what's important to public
10 companies is that bottom line and what's in it
11 for them. And if they can't share with their
12 shareholders what benefit of doing an incubating
13 program would mean to their company, more than
14 likely, they will not do it. Okay?

15 So while on the working group,
16 throughout the six months that we worked
17 together, a lot of that was taken into
18 consideration from a lot of different people, not
19 just the working group.

20 VICE CHAIR SUTTER: Thank you.

21 MEMBER MORIAL: I'm Marc Morial of the
22 National Urban League. And I want to compliment

1 the working group for coming up with this idea
2 and this concept and just offer this perspective.
3 You know, we -- I joined this advisory committee
4 because I wanted to lean into doing something
5 about ownership.

6 We've lost tremendous ground when it
7 comes to minority ownership of broadcast and
8 communication assets over the last 25, 30. And
9 all we hear is excuses, rhetoric about something
10 that happened 25 years ago. And I think that we
11 have an obligation that this working group is
12 going to be true to what we've been established
13 to, if you will, advance ideas that will address
14 this problem.

15 Because while minority ownership has
16 declined, media ownership has become more
17 concentrated. And the reality, that's the
18 reality of the here and the now. And so in
19 complimenting it, I think we at the National
20 Urban League support it, and certainly there's a
21 lesson that those that object have to learn.
22 Good can never be the enemy of perfect.

1 And if we held the standard up to
2 federal programs, that a problem here or even a
3 scandal there is a reason to toss the program
4 out, every program would get tossed out. That's
5 the real deal around how this works.

6 So I strongly support it and know it
7 could probably be tweaked and improved, but --
8 and I also don't think -- my views is that we
9 ought to think of things the Commission could do.
10 But I also don't think we should just sit there
11 and shake because we think Congress might not do
12 anything.

13 Congress is an evolving institution.
14 Who sits today might not sit a year from now.
15 Who sits a year from now might not be sitting
16 three years from now. I mean, we have to address
17 the problem of diversity, and one of the most
18 important problems of diversity that we face is
19 ownership.

20 So I support it. I'd like us to think
21 bigger. I'd like us to think broader. This is a
22 modest proposal to try to reignite, if you will,

1 and put something out there that could try to
2 address this huge, huge challenge that we have,
3 which is ownership in media assets in this
4 country.

5 So I just want to say that and really
6 appeal to all of us to think. But we're an
7 advisory committee. We can't make policy. But
8 we have to, in good faith, recommend the policies
9 that we think will make a difference and not sit
10 and shake like a leaf because we think someone
11 might object or someone might have a problem or
12 someone might not like it.

13 I'd rather go sit down with the person
14 who has an objection, face to face, and talk to
15 them candidly about what we face. And I always
16 put the -- say, okay, if you don't like this
17 idea, come up with a better one. But to sit and
18 do nothing is just not an option for me as a
19 member of this working group.

20 VICE CHAIR SUTTER: Thank you. Yes?

21 MEMBER CONTRACTOR: So, speaking as an
22 economist, you kind of see -

1 VICE CHAIR SUTTER: Would you give
2 your name and your organization?

3 MEMBER CONTRACTOR: Oh, Harin
4 Contractor. I'm supposedly a subject matter
5 expert on this group. So, speaking as an
6 economist, you see the demographics of the
7 country changing, but as Marc pointed out,
8 there's increasing consolidation.

9 And the consolidation by these
10 companies may not reflect the changing
11 demographics of society at large and what the
12 content or these people want to see in the
13 communities.

14 So this makes sense because it's good
15 business sense. You want to have people who look
16 like society start owning these media companies,
17 start reflecting the content that is demanded.
18 They keep saying, oh, people aren't going to go
19 watch this, people aren't going to watch a
20 superhero film with a lead actor that's African-
21 American. That clearly was not the case, right?

22 (Laughter.)

1 MEMBER CONTRACTOR: They've been
2 saying this for so long. People aren't going to
3 watch a woman lead actress, you know? That
4 clearly wasn't the case last year. So when you
5 start making these changes to these, you know,
6 current establishments and start seeing these
7 things change, then you start reflecting the new
8 side that's coming about. And that is a hard
9 fact, and it's something we cannot run away from.

10 VICE CHAIR SUTTER: Thank you. Yes?

11 MEMBER DANIEL: Brigitte Daniel, Wilco
12 Electronic Systems. Just to echo Marc and
13 Harin's comments, I love this proposal, and I
14 think it's modest, like Marc said. We sit on the
15 Diversity and Tech Working Group. It'd be
16 interesting, if it goes through, if we could see
17 this as a pilot.

18 Because that type of incubator could
19 easily traverse across the Access Working Group
20 and the Diversity and Tech Working Group.
21 Ownership is needed in all of those three areas.
22 Technology companies definitely need incubation.

1 They need access to capital.

2 They need tutoring and they need
3 mentoring just like broadcast stations and just
4 like broadcast owners. This is a pilot that I
5 think could be very interesting to watch.

6 And if we're able to get the backing
7 to support it, I think we could easily -- at
8 least not easily, but at least with some context
9 and some putting our heads together see how we
10 can do this and look at the model, if we can at
11 least create a model around it, around the other
12 working groups, because I think it can easily be
13 just traversed in language to all of the various
14 needs that we have for diversity in tech and
15 diversity of ownership in technology.

16 VICE CHAIR SUTTER: Thank you. Yes,
17 Kathleen?

18 MEMBER ABERNATHY: One minor last
19 point to respond to the question is that the
20 Commission specifically asked for input. The
21 Commission is specifically asking how do we
22 improve and gain some traction to deal with this

1 fact about media ownership and consolidation.

2 So I don't -- I think the whole point
3 is to put some really creative ideas in front of
4 the FCC, and then you don't stop at that point.
5 There will be follow-up, there will be questions,
6 there will probably be replies.

7 But the first step is to get creative
8 and put specific information in front of the FCC,
9 because they specifically asked for that
10 information. And I think it says a lot that so
11 many people around this table have devoted their
12 time and resources to what is a very well thought
13 out, well-developed proposal that addresses a lot
14 of the very thorny back-end issues that led to
15 the collapse of the first tax credit.

16 And hopefully there is a new path
17 forward. So I think this is great that people
18 put their thinking caps on, coordinated. I can't
19 thank David enough, because I know how committed
20 he's been over the years, and Jim and Henry. So
21 this is a great first step.

22 VICE CHAIR SUTTER: Thank you.

1 MR. MCCOY: Diane, can I say one last
2 thing? Just to dovetail on what Marc talked
3 about on ownership, a lot of times when you do
4 these working group programs and we talk about
5 the incubator, okay? The incubator is not the
6 end goal, okay? The incubator is a step to get
7 to the end goal.

8 And I think it's important to keep in
9 mind that we're not trying to get an incubator
10 program started here. Okay? We're trying to get
11 ownership in the hands of women, small business,
12 people of color, not the incubator program. So I
13 think it has to be measured, and I think we have
14 to start it and we have to see it all the way
15 through.

16 VICE CHAIR SUTTER: Thank you. Yes?

17 MEMBER DATES: Jannette Dates, Howard
18 University, retired. I think one of the things
19 we are concerned about, which causes some of the
20 fear that is discussed, is fear of failure. Fear
21 that the whole pot that we're so concerned about
22 somehow is going to get dragged down.

1 And I think it's very important for
2 those who think strategically to strategize and
3 figure out ways to work with some of the
4 reluctant people who can be pulled over to help
5 make this succeed. I just think it's very
6 important to strategize carefully.

7 VICE CHAIR SUTTER: Thank you. Other
8 comments from around the table? Are there any
9 that are sitting in the audience that would have
10 a comment? Yes, please. There's a microphone
11 right there, and please identify yourself. Thank
12 you.

13 MR. MORGAN: Just briefly. Good
14 afternoon. For the record, my name is David
15 Morgan, and I'm here today in my capacity as
16 President and Co-Founder of the Multicultural
17 Media Correspondents Association, a non-profit
18 organization that has created a common ground
19 environment for strategic engagement and
20 consensus problem-solving by media stakeholders
21 and supporters committed to increasing media
22 diversity ownership.

1 First, let me say thank you to the
2 Committee for all your hard work in crafting this
3 proposal. I, too, agree that it's exceptional.
4 I would especially like to acknowledge the
5 leadership of Chairwoman Julia Johnson and Vice
6 Chair Diane Sutter that are leading the charge on
7 this effort.

8 My comments are brief. I just want to
9 express my desire on behalf of the MMCA to
10 support this Committee's efforts. Specifically,
11 we'd like to take the opportunity to share the
12 work you are doing to our community, which I
13 think will be very happy to see what you're
14 doing, and to sort of allow them to engage.

15 I'm sure that the thousands of diverse
16 media stakeholders that are looking for an
17 opportunity to enter and to get a foothold in a
18 market will welcome this proposal. Our website,
19 the MMCADC.ORG will be the vehicle that we would
20 like to use.

21 Conversely, we would like to work with
22 this Committee to provide ideas from our

1 community of diverse media stakeholders that I
2 think could be helpful.

3 For instance, with regards to the tax
4 incentive, we encourage the Committee to continue
5 pursuing that, and also to look to the recently-
6 enacted Investment and Opportunity Act as a
7 potential way to structure those incentives in a
8 way that Congress might find palatable.

9 This could potentially be a powerful
10 tool to help these disadvantaged companies raise
11 capital and the incentive we might need to get
12 the companies to engage.

13 I would also like the Committee to --
14 encourage the Committee to learn more about what
15 we're doing at the MMCA has underway. We plan to
16 host panels and get folks together to sort of
17 engage and look at some of these issues.

18 And on May 24th, we'll be hosting a
19 specific panel looking at sort of unconscious
20 bias and other issues that are affecting media
21 ownership. And that dinner, as many of you know,
22 will be hosting our third annual Multiculture

1 media dinner that brings all of these groups
2 together for engagement and to support and to
3 really bring the -- elevate this issue.

4 In fact, we'll be calling in May for
5 the entire month to be focused on media diversity
6 ownership and Congress to elevate this as a
7 priority issue.

8 So I'm interested in sharing with the
9 subcommittee as we go forward more about what
10 we're doing and ways that we can support and
11 engage your efforts. Thank you for your time,
12 again.

13 VICE CHAIR SUTTER: Thank you for your
14 comments. Anyone else from the public that would
15 like to address this group? And are there any
16 comments from those on the phone? All right.
17 Henry, would you like to propose the
18 recommendation? Which all of you, by the way,
19 have the recommendation in your packet. You may
20 want to take that out.

21 MEMBER RIVERA: The working group
22 recommends the adoption of these comments by the

1 Advisory Committee and the filing of those
2 comments in the NPRM incubator proceeding.

3 VICE CHAIR SUTTER: All right, thank
4 you. So, you've moved that, Henry?

5 MEMBER RIVERA: Yes.

6 VICE CHAIR SUTTER: And do we have a
7 second?

8 MR. MCCOY: Second.

9 VICE CHAIR SUTTER: Thank you.

10 MEMBER RIVERA: We need editorial
11 privileges by the way.

12 VICE CHAIR SUTTER: Is there any
13 discussion? Then I'd like to call the question.
14 All in favor of supporting the recommendation
15 made by the Broadcast Diversity and Development
16 Working Group that we have in front of us today,
17 please say aye.

18 (Chorus of aye.)

19 VICE CHAIR SUTTER: Opposed?
20 Abstentions? All right, thank you very much. It
21 appears we have the majority of the group, so we
22 will support this recommendation and recommend it

1 to the Commission itself. And thank you very
2 much for a lot of very hard work. We appreciate
3 it. Thank you.

4 (Applause.)

5 MEMBER WINSTON: Diane, just for
6 clarification, is it fair to say it was a
7 unanimous vote as opposed to a majority vote?

8 VICE CHAIR SUTTER: Does anyone have
9 any objection to that, since I didn't hear any
10 objections? Then I ---

11 MEMBER WINSTON: That would be
12 unanimous consent.

13 VICE CHAIR SUTTER: Then I think
14 that's fair. We can let the record reflect that
15 it was a unanimous support of the proposal.
16 Thank you. Thank you for that clarification,
17 James.

18 I'd like to take a small deviation
19 from our agenda. Marc, who has comments for us,
20 has to leave prior to his group being able to
21 present their recommendations, and so we are
22 going to ask him if he would make his comments

1 now, and then we will come back and go back on
2 our agenda for the day as it goes.

3 MEMBER MORIAL: Thank you very, very
4 much, and thank you for agreeing to take me out
5 of turn. And good morning. On behalf of the
6 Diversity and Tech Working Group, I want to thank
7 and acknowledge the members of the working group,
8 many of whom are here with us today.

9 We have Cindy, Maurita, Brian. Raise
10 your hands. Brigitte, Kathleen, Ron I think is
11 on the phone. Brooke, Claudia, Faith, Chris,
12 Raquel, Monica, and Gavin. Raise your hands.
13 All right. Tech Working Group. And I want to
14 thank you for all your efforts and all of your
15 work.

16 What I'll do is just give some opening
17 comments, and later on in the meeting, Kathleen
18 is going to flesh out the specifics of our
19 recommendation. But this is what's important.
20 In the tech sector, in executive leadership
21 positions, 83 percent of those positions are held
22 by whites, ten percent by Asian-Americans, 3.1

1 percent by Latinos and Hispanics, 1.9 for
2 African-Americans.

3 If you compare the tech sector to all
4 industries in the U.S., tech has a larger share
5 of white workers, 68 percent to 63 percent, a
6 larger share of Asian-American workers, 14 versus
7 five, and other groups are less represented than
8 the tech sector than the general economy of the
9 United States.

10 And our working group has identified
11 that as one element, one very important element,
12 of the need for there to be more diversity in
13 what we broadly understand as tech. Now, a
14 couple of important challenges we believe we need
15 to tackle, and one is there needs to be a clear
16 definition of a tech company, because technology
17 is so pervasive in American business today.

18 That focuses on what the core
19 functions of the company are, not simply whether
20 the company uses technology to facilitate those
21 core functions. So we want to, if you will,
22 suggest a definition, and then that will give us

1 a clearer sense of who is a tech company.

2 Secondly, while tech-centered
3 diversity data is becoming increasingly
4 available, there is very little qualitative data
5 or information on diversity in tech. There are
6 many reports out there, but there's no real
7 baseline of data, and we think this is very
8 important if we're going to credibly tackle this
9 issue.

10 And we think that if we're going to
11 tackle this issue, we as a working group, and the
12 Federal Communications Commission, can best, if
13 you will, tackle this issue by creating an
14 environment that encourages participation and
15 cooperation. And our proposal will suggest ways
16 in which this can be undertaken.

17 We think this is a very crucial issue.
18 It is as crucial as any issue in the American
19 economy. Because the tech sector is a growth
20 sector, and will continue to grow in the years
21 that come.

22 All we need look at the market

1 capitalization of major tech companies in America
2 today and understand the driving forces of this
3 industry in American life. Our interdependency
4 on them and our dependency on them and the
5 necessity for us to be on the side of creating
6 greater opportunity in those sectors.

7 I might add, and this is not part of
8 the working group's proposal, but we've also, in
9 the work that we've done, looked at the tech
10 sector and the diversity not only in its
11 executive ranks, but the diversity on its
12 governing boards. Not only people of color, but
13 also women.

14 And there have been a few steps
15 recently in that direction by some companies.
16 And we also think that it is fair to look at the
17 diversity of their philanthropic efforts, which
18 is a really important part of what big companies
19 do in this country today.

20 So we want to thank all of the
21 workers, and I certainly want to thank Gavin
22 Logan, who has been so important to keeping us

1 all focus, organized, and together, for his
2 tremendous participation.

3 And hopefully you will be impressed
4 with and that our proposal, when you hear about
5 it, will also earn a unanimous consent, because a
6 precedent's been set today. The standard has
7 been set. So, thank you all very much.

8 VICE CHAIR SUTTER: Thank you, Marc,
9 for your comments. I would like to ask the group
10 if we can convene for lunch a little early. It's
11 ten after eleven now. We have lunch, which I
12 want to thank T-Mobile again for your generosity
13 and support for providing us with breakfast and
14 lunch. So, thank you very much to keep
15 everyone's focus on the meeting, not on their
16 stomachs. So, thank you.

17 The food is over there to the right on
18 the table. We would ask that you would stay in
19 this room for the working group that will be --
20 for whom the food is provided for you. I would
21 ask you to be back here at 12:15. So, we will
22 start again at 12:15 and will then begin with

1 Heather and your group's work and proposals.

2 So, we will come back again here at
3 12:15, and thank you all for your participation
4 this morning, and I look forward to good and
5 continued discussion this afternoon. Thank you.

6 (Whereupon, Part 1 of the above-
7 entitled matter went off the record at 11:12 a.m.
8 and resumed at 12:18 p.m.)

9 VICE CHAIR SUTTER: Thank you again to
10 T-Mobile. You have made the afternoon session
11 much better. So --

12 (Applause.)

13 VICE CHAIR SUTTER: You got us through
14 the morning and also the afternoon. So we thank
15 you very, very much for your support and thank
16 you.

17 We're going to continue on in our
18 agenda. And we're going to ask the Digital
19 Empowerment and Inclusion Working Group. And,
20 Heather Gate, would you please share with us your
21 organization and what your group has been doing?

22 MEMBER GATE: Okay. My name is

1 Heather Gate, and I'm with Connected Nation. So
2 thank you, Madam Chair.

3 Good afternoon, committee members,
4 working group members, commission staff, and
5 members of the public. On behalf of the Digital
6 Empowerment and Inclusion Working Group, I would
7 like to thank you for this opportunity to serve
8 on this working group.

9 During our inaugural meeting on
10 September 27th, we were tasked with two critical
11 objectives aligned with the committee's mission.
12 Our PowerPoint presentation, there you go.

13 Our first objective is to identify new
14 approaches to expanding access to emerging
15 technologies in underserved and underconnected
16 communities.

17 The second objective is to provide
18 recommendations on ways to ensure disadvantaged
19 communities are not denied a wide range of access
20 to opportunities awarded by next generation
21 networks.

22 In pursuant of this objective, the

1 committee assembled a wonderful group of thought
2 leaders and subject matter experts who together
3 have more than 100 years of experience
4 championing causes for diverse communities across
5 the country.

6 They come from the telecommunications
7 industry, non-profit sector, research. They are
8 from groups that champion for minorities, the
9 LGBT community, low-income communities, women,
10 children, and our workforce.

11 More importantly, this group is
12 committed to meeting the objectives that have
13 been placed before us.

14 Without further ado, I'd like to
15 welcome the members of the Digital Empowerment
16 and Inclusion Working Group. So just raise your
17 hands if I say your name.

18 Is Susan Allen here yet? Susan Allen
19 is with the U.S. Pan Asian American Chamber of
20 Commerce. And she may be joining us later.

21 Laura Berrocal with Charter
22 Communications, Rudy Brioche with Comcast NBC

1 Universal, Donna Epps with Verizon, Harin
2 Contractor with SME, Anna Gomez with Wiley Rein
3 Telecommunications, Media and Technology
4 Practice. I don't believe she's with us today.
5 Elizabeth Lindsey with Byte Back, Mario Lopez
6 with Hispanic Leadership Fund. He stepped out.

7 (Laughter.)

8 MEMBER GATE: Shellie Blakeney is our
9 alternate from T-Mobile, and representing Marie
10 Sylla-Dixon from T-Mobile, Dr. Nicol Turner-Lee
11 with Brookings Institute, Chris Wood with the
12 LGBT Technology Partnerships and Institute.

13 On the phone I think we have Fatema
14 Kothari. Are you with us? Fatema is with San
15 Francisco Bay Area Internet Society.

16 And then we have two members that are
17 not present due to previous engagements. And
18 that is Janice Bryant Howroyd with ACT-1 Group
19 and Jenell Trigg with Lerman Senter.

20 Our working group meets on a biweekly
21 basis. And as I stated before, we're committed
22 to working together and offering recommendations

1 to the FCC over the next 18 months.

2 So, in order to adequately address the
3 challenges related to the digital divide, we
4 thought it was important to approach our work
5 along three critical spaces that encompass
6 digital divide. That is access, adoption, and
7 use.

8 So, accordingly, we've formed three
9 subgroups. The access or the deployment subgroup
10 explores policies connected concerning
11 deployment, availability of broadband networks
12 and technologies to disadvantaged and underserved
13 communities.

14 While the deployment subgroup explores
15 matters related to broadband networks, the
16 adoption subgroup addresses the human aspect of
17 the digital divide, that is working to help
18 diverse communities overcome barriers to adopting
19 new technologies.

20 The use and digital readiness subgroup
21 addresses the application aspect of the digital
22 divide challenge for diverse communities. Are

1 diverse communities ready to meaningfully adopt
2 these technologies? And what are the
3 implications of this use for the economy and
4 quality of life?

5 Now, Madam Chair and fellow committee
6 members, I would like to invite Dr. Turner-Lee,
7 our resident data expert, to talk a little about
8 the status of the digital divide and to set stage
9 for our subgroup reports that will follow.

10 So, Nicol, would you like to take
11 over?

12 MEMBER TURNER-LEE: Thank you. Thank
13 you, Heather. And thank you to the esteemed
14 members of this committee and to the members of
15 my subgroup. I appreciate all of you.

16 First, let me just pivot and just say
17 before I go into this presentation that these
18 opinions and the research that I present today
19 are my own. And they're based on a body of
20 research that is actually existing out there that
21 most of you have read. But to avoid any type of
22 questions around the data and data sources and

1 interpretation, I want to put that out there.

2 So let me speak a little bit about
3 what Heather sort of indicated has been the goal
4 of our committee, which is what does it mean when
5 we talk about the digital divide. And so our
6 group has spent some time really encroaching
7 upon, in our subgroups, how that gets sort of
8 teased out in terms of policy recommendations.

9 But before we get started, I think
10 it's important for the committee to sort of get a
11 general understanding of how the digital divide
12 has been defined and how it has changed.

13 So many of us know Larry Irving when
14 he put on the table the concept of the digital
15 divide, which at that time was representative of
16 the haves and the have-nots, who had internet
17 access, who didn't have internet access, who had
18 access to a device, who didn't have access to a
19 device.

20 And what I would actually argue, what
21 Larry started has pretty much transformed itself
22 given the emergent and disruptive use of

1 technology. And so now the digital divide is
2 quickly becoming something that is less binary
3 and much more within the context of how we're
4 seeing technology grow and evolve.

5 And so, as you see in the slide, this
6 definition of constraint around binary
7 definitions of it may also constrain the solution
8 to the problem, which I think our committee also
9 did quite well.

10 I also want to put out there, it also
11 makes it somewhat difficult when the data is
12 somewhat outdated, which is one of the challenges
13 that we all have. But I think we're going to get
14 there in terms of coming to a more robust
15 understanding of what digital access means.

16 So today the context of digital access
17 for underserved groups is within that backdrop of
18 automation and fast-moving innovation. And
19 issues related to infrastructure, jobs, economic
20 development, and 21st century service provision
21 and delivery are critical elements of closing the
22 digital divide.

1 And again, that's something that our
2 committee paid a lot of attention to. And it was
3 some of the rationale for why we have those
4 subgroups.

5 Let me go to the next slide. And some
6 of you may know this, but I want to just shock
7 you today, because I think it's important for you
8 to see this.

9 Here is what we know today. The
10 number of internet users in the United States is
11 increasing. For those of us -- I have my glasses
12 on. Pardon me if you can't see the slide
13 clearly.

14 But the slide to my left is basically
15 indicating the trajectory from 2000 to 2018 and
16 where we have seen internet access, which is at
17 approximately 90 percent. So people are getting
18 online.

19 When I was at the Joint Center and we
20 did the first national minority broadband
21 adoption study, that number was much lower.
22 Today we're actually seeing that trend increase.

1 And if you look at the slide to my
2 right, that is by race. And so, when you look at
3 the numbers and the lines as they converge,
4 particularly around 2016 to 2018, we're seeing
5 more people of color actually engage the internet
6 in different ways. And that's a good news story
7 for a variety of reasons.

8 Where the distribution becomes
9 unequal, and, Heather, we'll go to the next
10 slide, is when we start to look at particular
11 demographic categories that have negative impacts
12 when you look at internet usage.

13 Older Americans, particularly those
14 over the age of 50, the research has pretty much
15 been settled on the fact that they are
16 significantly lower than the rest of the
17 population when it comes to internet access. And
18 that would be the slide on the left, right?

19 So the older you are, the less likely
20 you are to be online, which in and of itself sets
21 up a quagmire, particularly for aging in place
22 and other benefits that the committee will be

1 looking at.

2 If you look at the right side of it,
3 when you look at income, the bottom line, and
4 that's the line that you draw your attention
5 which is blue, are low income people in this
6 country that are not online.

7 By income categories, those making
8 under 30,000 have severely lower access and are
9 stagnated in their adoption growth. For all of
10 us, that should raise the alarm of concern.

11 When we look at educational
12 attainment, as well as geographic residence,
13 again, the slide on the left shows educational
14 attainment, again, from 2000 to 2018. This is
15 based on recent Pew data. High school is the
16 blue line.

17 So those with less than a high school
18 education are, again, showing some level of
19 increase as a researcher, but now some levels
20 where that is topping off and declining. So
21 there's something happening there that we have to
22 pay attention to.

1 And obviously, most of us, if you look
2 at the slide to the right, know, and that blue
3 line represents rural communities, rural
4 communities and rural residents are less likely
5 to take part in the digital economy.

6 Now, without posturing my further
7 interpretation of these findings, what I think
8 this indicates for the diversity committee at
9 large and our subcommittee specifically is that
10 we have work to do when we still look at these
11 numbers.

12 When you compound race, age,
13 education, rural residence, what that's basically
14 indicating that an African American that lives
15 below in the Black Belt or a Latino is less
16 likely to be online. And that is something that
17 should be cause for concern as we look at how to
18 bridge the digital divide.

19 Now, without being so pessimistic,
20 there are opportunities that do exist within the
21 digital ecosystem that I think are worth noting.
22 I put this slide up from Harvard economist,

1 Khuong Vu, who talked about the higher level of
2 ICT capital stock per capita in terms of allowing
3 the economy to be much more robust.

4 All of us in this room would not
5 disagree that having access to high-speed
6 advanced information communications technology is
7 certainly a driver for the economy. It creates
8 first for social mobility. It allows us to be
9 more efficient.

10 And without having deference to one
11 industry or another, what I did want to indicate
12 the rate of mobile data growth is obviously
13 toppling. The last bar on the blue slide in 2019
14 shows an incremental leap in the amount of mobile
15 data that will be available, thus suggesting the
16 movement towards 5G technologies is probably
17 properly situated.

18 On the other side, cable is
19 interestingly enough increasing and advancing
20 their technical architecture. We're actually
21 going to see faster cable speeds.

22 Currently, the rate of upload and

1 download through cable connections is as
2 competitive, if not more competitive, in terms of
3 what users are expecting, in terms of content,
4 and access. So those internet downloads and
5 upload speeds are actually being very competitive
6 on the wireline side.

7 And obviously I didn't have enough
8 room on the slide to indicate the other
9 technologies. But you all get my point, that
10 there is something about the deployment of
11 broadband that ties into the general ecosystem of
12 where the digital universe is actually going.

13 Given what I've laid out, however,
14 with regards to what the demographic data does
15 show us, the barriers to adoption do still exist.
16 So it doesn't necessarily mean if you build it,
17 they will come.

18 Again, much of this is settled. This
19 comes from Maureen Lewis at NTIA's report,
20 Digitally Unconnected in the U.S.: Who's Online
21 and Who's Not. It's the lack of interest in
22 getting connected according to her report.

1 In 2001, it was 51 percent, and in
2 2015, which was where her data stopped for the
3 ACS, it was 55 percent. The cost of broadband
4 service, which is interesting, it's actually gone
5 down a point. It started in 2001 at 25 percent.
6 In 2015, it went down to 24 percent.

7 And the lack of access to a computer
8 or a device, which still remains in single-digit
9 numbers, but it's still one of those drivers that
10 if you don't have it, it makes it much more
11 difficult.

12 These barriers, as I go to the last
13 slide in just a moment, are really significant I
14 think for the committee in terms of a backdrop,
15 the broader committee, because they facilitate
16 further digital marginalization. And they make
17 people who are already on the margins of society
18 further invisible within the context of an
19 ecosystem that is supposed to help them solve
20 problems versus alienate them, which leads to the
21 final slide that I will present in terms of
22 backdrop for our committee.

1 And again, a lot of these opinions are
2 my own. You know, the digital economy has sort
3 of shifted from this increased application and
4 use of information to leveraged to solve
5 problems. And so that's a little different.

6 And I'm not going to age myself,
7 although, I probably will. When I was first in
8 technology, we started out with this great
9 software application called Encarta. We replaced
10 the Encyclopedia Britannica for the Encarta CD,
11 and my house was high cotton as a result of that.
12 Everybody wanted to come by.

13 Today our young people have replaced
14 that with new technology and the internet. And
15 those use cases are actually driving this digital
16 marginalization that I actually spoke of.

17 So, if you look at the vertical of
18 education, as Commissioner Rosenworcel said, five
19 million households with school-age children lack
20 broadband access. That's a problem.

21 When you look at workforce
22 development, 78 percent of millennials now use

1 the internet to find jobs. Just a few years ago
2 in John Horrigan's report it was 50 percent.
3 That number continues to increase. And baby
4 boomers have now topped out over 57 percent when
5 it comes to using the internet to find work.
6 That's an opportunity.

7 When you look at public safety,
8 digital solutions like digital policing, text-to-
9 911, improved emergency management communications
10 are driving the effective use of the internet.

11 And finally, social media, 66 percent
12 of Americans in this country use social media to
13 engage in civic or political activities. Just
14 look at what happened last week or this weekend.

15 So all of that stuff compiled actually
16 shows a use case for where the internet is
17 actually moving, again, from a very binary,
18 static community that has been driven by who's on
19 and who's not to something whereas people who
20 remain disconnected will potentially suffer the
21 consequence of digital exclusion in a way that
22 automation and future innovations of AI and

1 machine learning will further alienate them and
2 place them at the margins of this digital
3 conversation.

4 So I will leave it at that and pass it
5 back to Heather. But I share that data, because
6 often times we don't remind ourselves what the
7 context and the construct for these digital
8 problems have been and how they can be turned
9 into opportunities for public policy to actually
10 eradicate, eliminate, or reduce the impact to
11 vulnerable populations, particularly those that
12 are diverse.

13 MEMBER GATE: Thank you, Nicol.

14 MEMBER TURNER-LEE: Thank you,
15 Heather.

16 MEMBER GATE: Thank you again, Nicol.
17 And just to echo what Nicol said, we have work to
18 do. And we recognize the responsibility that we
19 have as more new technologies continue to emerge
20 year after year.

21 So now that Nicol has helped us set
22 the stage, I would like to begin our subgroup

1 presentations. And we're going to begin with the
2 deployment subgroup, which is led by Rudy
3 Brioche. So, Rudy, can you kick us off?

4 MEMBER BRIOCHE: Absolutely. Thank
5 you very much. Really appreciated and enjoyed
6 Nicol's presentation because, like no one else,
7 it really lays out the issues before us.

8 One of the good things is that at
9 least here sitting at the FCC there's no place
10 where we've talked about deployment issues more
11 than at the FCC. Indeed, the Agency is, you
12 know, charged with, you know, that, you know,
13 specific responsibility.

14 In terms of the relative resources
15 that both, you know, the industry, civil society,
16 academics have actually put into it, deployment
17 has been one of the places where we, in fact,
18 have been able to collect a great deal of
19 information. And there's been many advances.

20 But yet, despite these advances over
21 the many years, it's just not enough, because
22 that digital divide that Nicol references still

1 exists. It's having its impact.

2 So this has been a very robust
3 subgroup, a lot of conversation. Although I am
4 the chair, along with my co-chair, Donna Epps
5 from Verizon, this has been a working group where
6 there's been no shortage of conversation,
7 comments, and perspectives, which has been very
8 healthy, because we understand that these are
9 very thorny and very difficult issues and very
10 challenging issues.

11 So deployment has been one of the
12 spaces where we've had a lot of input. There is
13 a lot that's been happening there.

14 And the question is how do we not
15 necessarily repeat what has been done before.
16 How do we not repeat what the FCC is currently
17 reviewing as well? And how do we not compete
18 with areas where, in fact, you know, whether it's
19 at Brookings or it's at other centers, where some
20 of these issues are being tackled?

21 So we thought that it was important
22 first for us to lay out the many issues that are

1 impacting deployment of broadband and various
2 advanced technologies and see where we could
3 actually add some type of value.

4 And based on the actual layout of the
5 people who were there from, you know, Susan
6 Allen, who isn't here, Jenell and others --

7 MS. ALLEN: I'm here.

8 MEMBER BRIOCHE: You're here? Great.
9 Fabulous. Perfect timing, perfect timing.

10 It's been very helpful for us to get
11 that cross range of perspectives for us to be
12 able to come up with at least identifying what
13 are the areas that we're going to tackle.

14 So just the effort of getting to how
15 are we going to add some type of, you know, value
16 to what is really, which is already an area
17 that's been quite discussed heavily has been, you
18 know, part of the significant effort we've put
19 forth thus far.

20 So let me at least highlight the areas
21 that we've identified, the three areas that we've
22 identified that we're going to focus in terms of

1 the scope of the working group.

2 The first workstream is to examine,
3 you know, infrastructure policy barriers to a
4 nationwide deployment. This is the classic
5 problem of how do you get broadband networks and
6 advanced technologies to diverse communities.

7 And we specifically state diverse
8 communities because we're looking at the full
9 range, underserved communities, communities where
10 not served at all.

11 And the charge of the diversity
12 committee is to ensure that we're closing that
13 digital divide. And that digital divide is
14 defined in many different ways, whether it's by
15 class, it's by race, or it's even by region.

16 So we want to embrace it in a much
17 more holistic sense. But at the same time, the
18 specific work product itself is going to be quite
19 specific because there's a lot to handle in this
20 space of deployment.

21 The second is examining opportunities
22 for broadband deployment and participation in the

1 digital economy. And this concept ties in with
2 this view of digital equity.

3 It's an area that we're actually going
4 to dig in more deeply, because we generally have
5 a good understanding of where certain broadband
6 services end and others begin and how you
7 identify that gap.

8 But equality is a much broader
9 concept. Equality is a concept of broad
10 distribution of resources, distribution of
11 opportunity, distribution of benefits. And as a
12 result, you have this, you know, misallocation of
13 resources as well.

14 How do we embrace that term in a much
15 more holistic way in order for us to get beyond
16 not just the digital divide itself, but to ensure
17 that all communities, people have access, use,
18 and are able to take the advantages of the
19 digital economy in a similar way?

20 And the very last is more specific
21 than the prior two, and that is how do we help
22 facilitate economic growth and entrepreneurial

1 participation in the digital economy.

2 And this is an area, again, where the
3 FCC has a strong track record. It has the
4 infrastructure in place for us to able to reach
5 out to, you know, certain entrepreneurs who may
6 or may not have adequate access to these economic
7 opportunities and that, where we can actually
8 deliver a very concrete and very specific
9 proposal.

10 So that's the overall makeup of the
11 subgroup. The issues themselves are broad. In
12 many ways, they're overlapping. But we think
13 that with focusing on specific key projects we'll
14 be able to at least provide value in each.

15 But let's start with probably the
16 biggest bucket. And this is a bucket where we
17 add a lot of issues into it. So the actual
18 workstream itself is one that is under formation.
19 And that is the digital equities bucket.

20 There we're attempting to identify, to
21 promote digital equity in deployment availability
22 of broadband network and technologies in the

1 digital age.

2 The first task is really to help us
3 define exactly what do we mean by digital equity.
4 We're quite sure that Nicol will be able to write
5 at least, you know, a master's thesis on the
6 issue for us. But we're going to actually try to
7 define it in a way that can really help advance
8 the mission of the FCC. So, at the end of the
9 day, we had to come up with recommendations that
10 make sense for the Commission itself.

11 So that will be the first task that we
12 take on is helping to define it in a way in which
13 we can hopefully, you know, next steps as far as
14 next, you know, iterations of this committee to
15 at least look into further. But we hope to, the
16 goal is to help to at least, you know, set the
17 stage for that.

18 What are the best opportunities to
19 identify and to address the nature of the scope
20 of systemic problems? What is -- you know, in
21 this particular area, there are many examples,
22 many anecdotes.

1 But the focus of this group is to
2 focus on what are the systemic problems, because
3 we believe that by focusing on systemic problems,
4 that's the area where the FCC, and by extension
5 this committee, can provide maximum value. So
6 our focus will be, you know, specifically on what
7 are systemic problems as opposed to individual
8 one-offs here and there.

9 Another key question that this
10 particular workstream is looking into is how do
11 we examine and enhance, you know, various areas
12 that are currently being reviewed. So the
13 Lifeline program is a pretty hefty proceeding
14 that the FCC is engaged in.

15 Rather than jumping in and being part
16 of the comments that were filed recently, instead
17 we're actually going to examine many of the key
18 comments filed and see where are the areas where
19 we could actually provide some value, or even
20 better, where can we take some of the ideas that
21 are presented and offered in many of these
22 comments and to see how those can relate to

1 helping us address systemic problems that we
2 identify.

3 The Lifeline proceeding is just one of
4 many others that are ongoing that we think that
5 we could add or find some value from. So we'll
6 be doing that over the course of the next couple
7 of months.

8 And the very last one is what other
9 incentives that can be developed to deploy and
10 deploy to enhance universal service. And there
11 we know that Congress is looking into many other
12 proposals, one of which is the Gigabit
13 Opportunity Zones.

14 That and, you know, several others are
15 concepts that we're going to review, not to
16 develop legislative proposals but instead to look
17 at these legislative proposals as documents that
18 at least enshrine a certain set of ideas that
19 have been commonly accepted. And once again, how
20 do we pull good value out of that, or how can we
21 add value to that through the Commission and to
22 advise the Commission accordingly?

1 So that's the first workstream, which
2 is probably the biggest and one that we're
3 actually in the process of ongoing review.

4 As we work through the next two, we
5 get more specifics. And at the end, we conclude
6 with a specific recommendation to the committee.

7 So next we'll turn to the second
8 workstream. And that workstream is to remove
9 barriers of deployment of broadband networks.
10 That sits squarely in the area of what Nicol was
11 just talking about. So we'll turn it back to
12 Nicol to talk more about this particular
13 workstream.

14 MEMBER TURNER-LEE: Thank you, Rudy.
15 So I think Rudy has set up the first part of what
16 this subgroup will be looking at. But obviously,
17 as it was outlined in some of the data shared,
18 that the removal of barriers to deployment of
19 networks is key.

20 Our objectives here is to define,
21 analyze, identify, and analyze historic, systemic
22 and infrastructure policy barriers to universal

1 nationwide deployment and the availability of
2 broadband infrastructure and technologies to
3 historically disadvantaged, underserved, and
4 unserved communities.

5 It's a powerful statement right there.
6 But I think it's one that's necessary to sort of
7 unpack for our committee what does that mean.

8 Key questions that the committee has
9 put front and center is how should digital
10 redlining be defined. We recognize in our
11 committee that the argument in and of itself is
12 not quite settled on even the definition of
13 redlining looks like.

14 And so we're going to take this as an
15 opportunity to go dive deeper to provide some
16 insight into what that conversation looks like,
17 what is the current debate on that conversation.
18 And, you know, if there is a systemic solution,
19 we'll definitely explore that.

20 What unique barriers to deployment of
21 broadband and other advanced communication
22 services are experienced by historically

1 disadvantaged, underserved, and unserved
2 communities?

3 This one is, takes the question of
4 barrier to a more micro level and gets more
5 granular to understand what are communities that
6 are typically on this other side of the digital
7 divide really experience when it comes to
8 deployment.

9 Many of us in this room have discussed
10 it in our committee as well. And so we want to
11 get out what those barriers may be and what the
12 metrics may be for success.

13 And then, finally, given the FCC's
14 work through the Broadband Deployment Advisory
15 Committee, the BDAC, we hope to figure out the
16 opportunities that exist that can supplement and
17 amplify BDAC recommendations to address those
18 unique barriers to infrastructure for
19 historically disadvantaged, underserved, and
20 unserved communities.

21 So just a quick lesson on this, the
22 Commission chartered the BDAC. The BDAC has been

1 engaged in work for the last few months. Several
2 recommendations have come before the Commission.
3 Some have been voted on and approved.

4 We feel in our committee that it is
5 upon our representation in our subgroup and the
6 committee at large to see which of those
7 recommendations will have a particular effect on
8 infrastructure within communities that are
9 underserved.

10 That will take it from the broad to
11 allow us to come up with tailored solutions that
12 fit for our constituent groups. We've started
13 that conversation, and we hope to complete it.

14 And so, in terms of addressing these
15 three areas, we see this as a bottom-up issue.
16 We hope to meet with BDAC reps to get educated on
17 what those recommendations and proposals are, ask
18 questions in terms of their relevancy to the
19 communities that we are concerned about, explore
20 the opportunities for small and medium-sized
21 businesses and enterprises within the BDAC
22 recommendations, because some of the proposals

1 will foster additional work in contracts, et
2 cetera, and we'd like to be a part of it.

3 We also hope to talk to a variety of
4 stakeholders on the redlining issue and ensure
5 that we have a work plan that encompasses the
6 views from various stakeholders so that we can
7 come up with a definition potentially.

8 We're not sure if we can do it in the
9 two-year appointment. But we're going to try to
10 see what we could actually come up with in terms
11 of a definition or fundamental understanding of
12 the problem, as well as the unique barriers to
13 deployment.

14 Thank you, Rudy.

15 MEMBER BRIOCHE: Thank you. Then our
16 other workstream is being led by Donna and Susan.

17 MEMBER EPPS: Thanks, Rudy. Is this
18 on? Okay.

19 The third workstream really focuses on
20 economic empowerment and making sure that we have
21 diverse businesses engaged in and participate in
22 and, frankly, benefitting from the tremendous

1 economic opportunities that broadband and
2 technology more broadly are bringing to bear on
3 our economy.

4 There are a lot of different
5 directions we could have gone with this because
6 there are so many opportunities. Obviously, tech
7 and broadband are disrupting almost every sector
8 of the economy.

9 But we decided to focus on procurement
10 precisely because there is so much deployment of
11 next generation networks that will take place
12 over the next decade. As Commissioner Carr
13 mentioned, experts estimate that \$275 billion
14 will be spent over the next three to five years
15 on the rollout of 5G. And that's just one sector
16 of next generation networks.

17 So we decided to focus on how can we
18 enhance and create opportunities for diverse
19 businesses to participate in not just deployment
20 but on a number of the sort of offshoots of the
21 deployment, because clearly once next generation
22 networks are deployed, there will be a multiplier

1 effect. And a number of different economic
2 opportunities will stem from those networks being
3 available.

4 So the primary proposal here is to put
5 together a one-day supplier diversity workshop
6 for small, minority-owned, women-owned, and other
7 diverse businesses to help facilitate information
8 sharing and networking about the various
9 opportunities.

10 First, obviously we want to facilitate
11 information sharing about the long-term and
12 short-term private sector business opportunities
13 that will be available. We also want to educate
14 diverse suppliers about how to navigate corporate
15 supplier diversity programs.

16 And third, we want to enable
17 networking between companies to increase their
18 awareness about the nature of the opportunities
19 and, frankly, just to do some introductions and
20 some relationship building, because we all know
21 that often times opportunities arise because of
22 relationships and just being aware of the

1 information that you need to plug into the
2 business opportunities. So that's the primary
3 objective.

4 But I'd say a secondary objective is
5 for our subgroup to hear from the diverse
6 suppliers themselves, to hear from the challenges
7 that they face, to hear from some of the best
8 practices, what works for them, what doesn't so
9 that we can raise awareness amongst private
10 sector employers about what they can do to help
11 address any obstacles or barriers that may exist
12 for more diverse businesses becoming engaged in
13 the workforce.

14 So I'm going to stop here and turn it
15 over to Susan to talk a little more granularly
16 about this.

17 But I do want to say that this is an
18 area that the FCC's Office of Business
19 Opportunities has been a leader in. And we hope
20 to build on what's been really a terrific track
21 record of facilitating engagement of diverse
22 businesses and the economic aspects of the

1 digital economy.

2 MS. ALLEN: Thank you, Donna. I'm
3 Susan Au Allen. Sorry I'm late. I got food
4 poisoning last night. So I had to cleanse myself
5 --

6 But I'm glad to be here. I've been
7 looking forward to talking to you about this. I
8 represent the Pan Asian American business
9 community in the country.

10 Our organization is 33 years old this
11 year. I'm the National President and CEO. We
12 have an office in Washington D.C. with full-time
13 staff and six regional chapters that are located
14 in the sweet spots or touch pinpoints of the
15 Asian American business community.

16 I'm very pleased to be here, to be
17 working in the trenches and work with the FCC in
18 terms of how do the men and women in the
19 neighborhoods, in the forgotten areas benefit
20 from this \$275 billion worth of spending.

21 Asian Americans have been very active
22 in the technology area, as well as the low-tech

1 area. So I'm here to present all of them.

2 I may be a lone dissent voice here in
3 terms of whether the FCC is doing well with
4 respect to reaching, empowering those who have
5 not been served or underserved. And that is why
6 I look forward to talking about this today.

7 Under Dodd-Frank, the FCC is obligated
8 to spend a certain amount of money in the small
9 business community. Twenty-three or twenty-five
10 percent of the spend, of every agency's spend
11 should be spent on the small business community,
12 and out of that, three percent to the minority
13 business community, five percent to women and all
14 that.

15 I just got those statistics from last
16 year. Out of the 32 agencies, the FCC ranked
17 25th on spending, number 8 from the bottom. And
18 it doesn't even spend one percent of its
19 expenditure on the underserved community.

20 And I hope that my bringing this to
21 your attention will create a more conscious
22 effort from the FCC's Commissioner to use it as

1 a, for the public and advocate for greater and
2 wider and deeper utilization of the smaller and
3 larger business community.

4 I am sitting at this working group
5 here with those who represent the Asian. And I
6 do represent the largest and most established
7 Asian American organization in the country with
8 33 years of experience. And I am a full-time,
9 paid CEO.

10 We have the LGBT here. We have the
11 Hispanic here. We have the African American here
12 and women as well. So I'd like to ask the FCC to
13 take note of that.

14 That said, I understand that supplier
15 diversity, which means utilizations of
16 historically underused vendors, suppliers, the
17 small businesses who aspire to work with the
18 federal government, which has spent \$350 billion
19 a year. And out of that, under Dodd-Frank, they
20 should spend sufficient percentage of the spend
21 in the community.

22 And because the FCC work is so

1 technical, a lot of the work that we talked in
2 deployment do not reach those who do not have the
3 technical know-how. So, therefore, at this
4 working group, we talk about educating, bringing
5 education to the next generation.

6 But the time is now. We are spending
7 money now. Don't always look to the future and
8 say tomorrow, next year.

9 When my employee, a new employee comes
10 to work with me and I say I hired you, I pay you
11 what you want, and you say you're experienced,
12 deliver now. Hit the ground running. But they
13 begin to say next year. I hesitate.

14 And so I hope that our approach to the
15 FCC's work in terms of deployment and closing the
16 digital divide will really look at the present.
17 And how do you do that? You do that through
18 economics, bringing real activities to the
19 neighborhood so that they actually can benefit
20 from it now.

21 So I understand supplier diversity was
22 like a footnote before. And after I entered this

1 working group, I kicked up some dust. I may not
2 be the most popular person. But I would not be
3 here, I should be fired if I do not speak out the
4 way I do. And that is my legend in the future.
5 And that is my mission here.

6 I want to just supplement what Donna
7 has so eloquently shared with you, that the
8 objective of this working group is to improve
9 small and diverse business participation.

10 And I said small and diverse, not just
11 diverse, because there are some diverse
12 businesses like African American, Hispanic, Asian
13 who are large. They're well taken care of.

14 Take care of the ones below them. You
15 got to take care -- let the money dribble down,
16 small and diverse business participation and
17 expand the opportunities to contract for
18 information and communications technology sector
19 associated with the deployment of the next
20 generation networks and technologies.

21 There is a lot of money to be spent.
22 With this internet world, the world is our

1 oyster, everybody's. With all that technology, a
2 small business could do it in the suburbs, in the
3 middle of nowhere, on the beach. So remember
4 that.

5 What they need is the door open to
6 them. What they need is to be part of that
7 network, the old boys' and old girls' network.
8 What they need is connections, who, when, what,
9 where. They do not need how. They just need to
10 be told when you need it, where do you need it,
11 and who do they talk to.

12 And some of my members -- and my
13 members and support is not just Pan Asian
14 Americans. They are Hispanic, African American,
15 LGBTs as well. They said, if you tell me that,
16 I'll walk on my knees up the hill, because I knew
17 I could do that.

18 We want to create opportunities for
19 small and diverse businesses to network, to share
20 information about business opportunities, who
21 wants what, and best practices. Learn from other
22 people's mistake. Don't let them hit their head

1 on the wall. Show them, because if they win,
2 everybody wins.

3 And for the corporate supplier
4 executive, many folks in a corporation, they yell
5 and they complain, they brag about how much they
6 spend. You have to drill down on the annual
7 report.

8 If they say they spent so many
9 percent, so much money on small and minority
10 businesses, make them hold accountable. If they
11 -- so they stand there probably and say we are
12 the best company published by this and this
13 magazine. We got this award and that award.

14 Ask their CEO would you stand by those
15 numbers. Would you come to Congress, come to the
16 Commission and testify and say that we spend X
17 number of dollars and we spend ten percent of our
18 annual expenditure on purchases on XYZ community?
19 I bet they won't. And that's the truth.

20 Only when we get them, to hold them
21 accountable, make them explain how do they come
22 up with those numbers, then do we, will we be

1 able to really help the underserved community.

2 So what is our recommendation? As
3 Donna said, we're going to start, and I say
4 start, this is just the beginning, with a one-day
5 workshop with the Office of -- OCBO, which is in
6 the large agency they call it OSDBU, Office of
7 Small and Disadvantaged Business Utilization.

8 That office will hold -- the last time
9 they held a public event like what we're
10 proposing to do later this year, a few years ago.
11 Now, you tell me the Commission is doing a good
12 job? No. They have not done a good job. They
13 have got to be held accountable.

14 So we're going to start with a one-day
15 workshop where we're going to bring the
16 corporate, corporations like Verizon, Comcast,
17 all the other companies in and say this is how
18 you do business with us. Okay?

19 These are prime contractors, tier one
20 contractors. I want you to meet them. And you
21 encourage the prime contractors to talk to
22 smaller ones.

1 After having done that, because
2 different companies have different nuances,
3 different practices, then we, folks like us, the
4 Chamber of Commerce, who actually are on the
5 ground digging the trenches, how funny
6 deployment, digging the trenches, will come in
7 and share our success stories, our challenges,
8 our sweats and tears, and the problems we have
9 trying to access, reach up and try to get a piece
10 of the American pie.

11 And I think that this is just only the
12 beginning. And I hope that we will not just stop
13 with one small, little event sometime this year
14 to introduce the corporations who are in this
15 marketplace, who are in a position to say as a
16 public policy, as a corporate, responsible
17 person, we will reach out and do better than what
18 we have done.

19 And then for the Commission to truly,
20 the Commissioners to truly use your position,
21 your influence, and your knowledge, and your
22 personal interests. You would not be here unless

1 you're interested in doing what we are trying to
2 do, to teach and preach and tell the country that
3 the Commission is in business. Thank you.

4 (Applause.)

5 MEMBER GATE: Thank you, Rudy and the
6 deployment subgroup. As you can see, we have
7 more than 100 years of experience, and we are
8 passionate about what we're talking about today.

9 So, Madam Chair, that constitutes the
10 end of the deployment group's presentation. We
11 would like to open for comments and remarks
12 before we offer our recommendation.

13 VICE CHAIR SUTTER: Certainly. Are
14 there comments? Yes, Harin.

15 MEMBER CONTRACTOR: Harin.

16 VICE CHAIR SUTTER: Harin, excuse me.

17 MEMBER CONTRACTOR: No worries. To
18 echo my esteemed colleague's comments about, you
19 know, communities and businesses getting left
20 behind, when I was at USAC, they gave out \$5
21 billion for every school and library across the
22 country for broadband deployment.

1 Has anyone in this room ever filled
2 out one of those e-rate forms and how difficult
3 it is? I got a master's degree, and I can't even
4 fill out that form. I was there for a year and a
5 half, and I did not understand a lot of this.

6 And I think some of these structural,
7 you know, infrastructure delays or inhibits other
8 communities from getting involved.

9 So we've heard this from a lot of
10 commissioners and previous chairmans in the past,
11 simplifying the process to create a more
12 inclusive environment.

13 And that's something that we could
14 definitely recommend and move forward, because
15 there are a lot of Asian American, African
16 American, LGBT small businesses that could be
17 part of that pie to help drive economic growth in
18 local areas, but they're not able to because it's
19 controlled by a small consortium of like
20 consultants who understand, who wrote those
21 rules, and now manage those rules.

22 And they're the only ones to be able

1 to be the middle person from these schools to be
2 able to get this funding to build out broadband.
3 And that's unfair.

4 So I just want to echo her comments so
5 we get a more inclusive environment.

6 VICE CHAIR SUTTER: Thank you. Other
7 comments? Yes, Jim.

8 MEMBER WINSTON: Thank you all. I
9 really appreciated your comments about the
10 opportunities in 5G.

11 And I had a thought when I was
12 listening, because often times the small
13 businesses and individuals who might be able to
14 take advantage of these opportunities don't know
15 anything about them.

16 And it occurred to me, as I looked
17 around the room and I've got Verizon, Comcast, T-
18 Mobile, Charter, AT&T, I figured I should make
19 this recommendation. Consider advertising
20 information about these things on African
21 American and other minority-owned businesses.

22 I think there, you know, there is a

1 lack of information that filters down to the
2 people who could actually step in and sort of, in
3 the employment side in particular and certainly
4 in the small business side as well.

5 I think that's something that, you
6 know, is obviously not an activity for this
7 committee. But individually you might want to
8 discuss that within your companies about how to
9 get that word out to the people who might take
10 advantage of it.

11 VICE CHAIR SUTTER: One of the things
12 that I think we are hearing around the table is
13 for us to do a better job of communicating what
14 are the opportunities to those people to whom
15 we're trying to reach.

16 So perhaps part of what we can be
17 focusing on is how do we take the information
18 that may exist and how do we get it shared to the
19 people that need to hear it.

20 We seem to have a gap there, if you
21 will, between those that have the resources that
22 are looking to spend them, getting the

1 information to the people who are likely to be
2 the ones that could step up and actually benefit
3 from this.

4 So I'm hearing that throughout some of
5 these comments. And perhaps that's something we
6 can look to.

7 Certainly, Jim, that's what you were
8 talking about with these particular companies and
9 all the other companies that we might involve and
10 something that perhaps, you know, the Commission
11 could be some sort of a gathering place for
12 information where we could then provide a single
13 place where people could come to get that kind of
14 information going forward so that we can reach
15 the people who have the opportunity to answer
16 some of these RFPs that are out there but just
17 don't know how to get through the maze, if you
18 will, to get that done.

19 MEMBER EPPS: Diane, can I add on to
20 that --

21 VICE CHAIR SUTTER: Yes, Donna.

22 MEMBER EPPS: -- you know, part of the

1 proposal was to start to try to address that, to
2 provide some information, but recognizing that
3 the vast number of diverse businesses will not be
4 in the room at our workshop.

5 So part of what we hope comes out of
6 this is an identification of key stakeholders
7 that can also help us get the word out. And I
8 think minority Chambers of Commerce have
9 certainly been a valuable partner in doing that.

10 But I think there are other
11 stakeholders as well that have relationships.
12 And I love Jim's suggestion, too.

13 You know, often times there are ads
14 about a product or service and really utilizing
15 all communication channels to get out information
16 about opportunities, apprenticeships, for
17 example, and how supplier diversity programs
18 work.

19 I do think that we have to rely on
20 really a network approach to try to get the
21 information out to the various folks that will
22 benefit from it, because it really is a win-win

1 situation when that happens.

2 VICE CHAIR SUTTER: Well, and I think
3 what we're talking about is going to the places
4 where the people who we're trying to reach
5 frequent.

6 So whether that's trade publications,
7 whether it's Chambers of Commerce, perhaps non-
8 traditional places that might have been used in
9 the past to try and reach those people and
10 organizations and companies that have services to
11 provide but might not know that the opportunity
12 even exists to do it.

13 MS. ALLEN: I agree. But you got to
14 show up, right? If you don't show up, they don't
15 get to meet the people. There's no connection
16 there. So the businesses should have the
17 opportunity to meet the larger, the big boys and
18 the big girls and put them together.

19 So I truly believe that the folks who
20 are in a position to spend the money, okay, need
21 to spend money in the community and not only to
22 send them, buy an ad. That has not worked. It

1 has been time immemorial is putting an ad in a
2 magazine has not worked.

3 Nowadays with the -- nobody's printing
4 things anymore. It's going to be going on the,
5 on social media. We got to find other ways to
6 get them engaged. And we said to use all means,
7 absolutely.

8 But the community feels so forgotten,
9 so left out. There are two worlds in
10 procurement, in federal and commercial. I've got
11 public and commercial. They are so disconnected.

12 Those who've made it are on top,
13 whether it's a corporation, the larger -- to
14 accomplish and get bigger. And the even minority
15 and diverse businesses, those get, the big get
16 bigger. They're left behind.

17 Combined with contract bundling, do
18 you know about that? Contract consolidation,
19 that has been a major problem for the federal
20 government. And they now have, they bundle many
21 contracts unless they have no other choice but to
22 put all ten contracts together and make it into

1 a, make a contract and let it out for bid.

2 Small business cannot take it. Even
3 given that, they would choke to death. They
4 cannot.

5 So a corporation do the same thing,
6 they are, they call it supply rationalization.
7 Before they used to use 500 suppliers. Now they
8 use three. Well, what about the other 497?

9 VICE CHAIR SUTTER: I know --

10 MS. ALLEN: There's got to be
11 something that can be done about it. I don't
12 know what it is. Everybody has a pecuniary
13 interest in making sure that they get better and
14 better.

15 But as a Chamber of Commerce, as folks
16 who are in the non-profit sector, we have, we
17 wear a different hat. Maybe we have a different
18 heart. Maybe we have a different heart. And,
19 but the Commission has that heart here.

20 VICE CHAIR SUTTER: One of the things
21 that I think we've learned through the BLT
22 program over 18 years is the fact that most

1 things get handled through relationships. And
2 what we teach them in the class is you need to
3 build the relationship. Before you actually have
4 a business relationship with someone, you need to
5 have a personal relationship with someone. You
6 need to know who they are. They need to know who
7 you are.

8 So perhaps what we can focus on is
9 helping these corporations and these
10 organizations to start getting to know one
11 another before the time when a contract is put
12 out, because that's how we've gotten 49 owners,
13 if you will, out of the BLT program, is that they
14 have relationships and have been building
15 relationships before they actually needed to do
16 business with someone.

17 And that was how I bought my first
18 station, was I already knew the bankers because
19 of my previous employer.

20 So I think your point is well taken.
21 But we can be thinking about how do we start
22 building those relationships with each other,

1 inviting each other to each other's events and
2 having panels and whatnot.

3 When we invite someone in to come and
4 speak to the BLT, they have a chance to meet the
5 class. And then the class follows up with them,
6 if we've trained them properly.

7 They are following up with them and
8 getting to establish a relationship with them and
9 looking for other opportunities to meet with them
10 so that they have begun to establish that
11 relationship, because my experience has been that
12 you do business with the people that you know.
13 So, if you don't know, you don't get to do
14 business.

15 So, Rudy, you had a comment.

16 MEMBER BRIOCHE: Yes, just to kind of
17 add on to that, I very much agree with all the
18 comments made.

19 But one of the things we're trying to
20 do is to really view this as how do we have an
21 impact from a systemic perspective, because it's
22 not about just the one touch and then, you know,

1 problem solved or we just walk away.

2 So the next phase of the working group
3 is to really have a collaboration with OCBO to
4 get a clear sense of what are the current
5 infrastructure and systems they have in place,
6 how can we enhance that, how can we view the fact
7 is that we're not just looking at, you know, the
8 various companies mentioned because these
9 companies, in fact, have, you know, programs in
10 place.

11 Communication is, in fact, necessary.
12 How can OCBO be served as a vehicle that would
13 actually provide some type of repeatable process
14 where they can either help these firms
15 communicate to the various vendors who are out
16 there, or how do you actually, you know, increase
17 the pie, because often times, particularly in the
18 communication space, we focus on the Comcast,
19 Verizon, AT&T, the T-Mobiles?

20 But the fact is it's a broader pie.

21 And in fact, it's broader even beyond --

22 VICE CHAIR SUTTER: It's much larger.

1 MEMBER BRIOCHE: It's a much larger
2 pie. In fact, it's even broader beyond
3 communications as well.

4 The next working group is going to
5 talk about technology. And I think that how do
6 we actually access that as part of this supplier
7 diversity discussion is probably going to be one
8 of the more, I think, greater challenges.

9 But at the same time, I think long
10 term it would be one of the greatest benefits
11 that if we could actually have a system where, in
12 fact, we have a process through OCBO that invites
13 both communication and technology firms to be
14 part of this process to help increase the pie,
15 but yet at the same time, to help increase or to
16 develop, you know, systems that we can share in
17 order to find a way in a more systematic basis to
18 communicate opportunities that may exist in the
19 private sector to the various, you know, vendors
20 and others who may, you know, be able to take
21 advantage of them.

22 VICE CHAIR SUTTER: Jamila, how do you

1 think we might best work with OCBO? And given
2 the fact that there is actually some new
3 leadership, can you perhaps give us some
4 background on where you see OCBO now and how
5 these groups might work in a more proactive way
6 with OCBO to see if we can't find ways to work
7 together?

8 MS. JOHNSON: Sure. I think this is
9 an excellent beginning of the conversation. And
10 I think this particular working group is going to
11 launch us maybe into the next phase of what OCBO
12 can do and what OCBO can be for this particular
13 community.

14 VICE CHAIR SUTTER: Does everyone know
15 what we're talking about with OCBO? Sometimes we
16 use all these initials.

17 MS. JOHNSON: Right, Office of
18 Communication Business Opportunities.

19 And so we're going to be putting OCBO
20 together with the principles out of this working
21 group. And they're going to start to build this
22 one-day event.

1 But I think, to Jim's point, what
2 we're going to be looking for is for the people
3 in this room to populate and pack the house on
4 that day. So we're going to be looking for you
5 all to talk to your constituent groups and make
6 sure they're here.

7 So, if we're talking about
8 broadcasters who need better access to
9 advertising, we would expect on that day to see
10 some sales managers, some general managers from
11 minority-owned radio stations talking to these
12 people about who do I need to see in your office
13 so that you use me for advertising to reach
14 particular communities.

15 And that's an ongoing conversation.
16 So those people need to be in the room. The LGBT
17 groups, they need to be in this room on that day
18 making those relationships happen.

19 And if what you're thinking about long
20 term is some sort of clearinghouse in OCBO to
21 connect these people, then that's certainly a
22 conversation that we can begin to happen if we

1 can see a real fertile, organic sort of thing
2 happen on that one-day event. I think OCBO would
3 be willing to talk about that and how they put
4 those groups together.

5 VICE CHAIR SUTTER: Well, and we, in
6 the last diversity committee, the media issue
7 subcommittee actually made recommendations of
8 things to do with OCBO to create both educational
9 plans. The Commissioner referenced the BLT
10 program.

11 We actually had been talking with OCBO
12 about the possibility of creating some sort of a
13 venue through the FCC, because if everything
14 we're talking about here really does seem like it
15 flows through what OCBO has been designed to do.

16 MS. JOHNSON: That's right. And I
17 would encourage these three working groups to
18 kind of cross-fertilize and make sure that maybe
19 there's a recommendation that will come out of
20 all three groups about OCBO and new things that
21 OCBO can do given the digital economy and the way
22 things have changed.

1 (Off mic comments.)

2 VICE CHAIR SUTTER: Would it make
3 sense at the -- I'm sorry. Please, go ahead,
4 Kathleen.

5 MEMBER ABERNATHY: There is one other
6 piece of the puzzle to this that is difficult,
7 but I think can be wrapped into this.

8 And that is that -- and having been in
9 a company where I was very committed and a number
10 of very senior people in the company were very
11 committed to pursuing these relationships, we
12 fought and encountered numerous hurdles
13 internally with the procurement people. And that
14 sounds crazy that you could be at such a high
15 level and constantly get pushback.

16 And so I think that, as you're working
17 through and you have this one-day meeting, it
18 wouldn't hurt to get public statements from the
19 leaders of the various companies making it very
20 clear that this is important to them, that they
21 want to see numbers that reflect their
22 willingness to have these kinds of procurements,

1 even though, and this is the pushback I always
2 got, even though it is less efficient than having
3 a single provider for all of your widgets across
4 the entire country.

5 And I get that. But this is a
6 different issue. And I worry that if we miss
7 that messaging from on high, then in many
8 companies you'll hit a brick wall regardless of
9 how hard you push.

10 MEMBER TURNER-LEE: Just a quick pivot
11 as a Committee member just on that point. I
12 think that's why we've also wrapped this OCBO
13 convening around the unique barriers to
14 deployment, right, because there are now several
15 opportunities that exist through the
16 recommendations of BDAC and the acceleration of
17 technology that make turning a blind eye no
18 longer appropriate because the opportunities are
19 actually going to expand in all of these spaces.
20 So I think that was really intent, to have the
21 workshop be one of those drivers that legitimizes
22 the reason why this is even more necessary today.

1 VICE CHAIR SUTTER: Yes?

2 MR. JAMES: Hi, I'm Christ James. I'm
3 with the National Center for American Indian
4 Enterprise Development. That's a long acronym, I
5 know.

6 I commend the working group. I think
7 that's an excellent -- all the points that have
8 been made and the work shop is an excellent way
9 to engage not only corporate, but I would also
10 say Federal Government as well.

11 I would make just a couple of
12 suggestions: One, there are 68 SBA district
13 offices around the country, so wherever you
14 decide to put on the work shop I would engage
15 SBA. I would also engage the Minority Business
16 -- MBDA as well.

17 And then for the actual business, for
18 the invitees I would suggest maybe a fact sheet
19 or a webinar ahead of time before they -- so they
20 actually are prepared. Because one of the things
21 that you don't want to do is have all the
22 companies and all the OSDBUs and people that can

1 make -- decision makers to the table, but yet
2 they don't find the businesses that they're
3 looking for. So therefore a lot of times they're
4 like, well, we tried it once. We're not going to
5 do it again.

6 So making sure that those businesses
7 when they show up to the table that they have a
8 capacity statement that they're able to do the
9 businesses, at least show that, hey, I do have
10 the capacity to do this. And at least with my
11 organization I'm happy to promote and help and
12 bring resources to the table. Thank you.

13 MS. ALLEN: And I have a lot of
14 experience with that. About 18 years ago, 1999,
15 we launched the One-on-One Business Matchmaking
16 meeting, and since then it has become very
17 popular all over the country from -- the SBA took
18 note of that and partnered with HP and American
19 Express and made it bigger, but they can't do
20 that because it's all the devils in the details.

21 You can do a very good -- brain pick
22 the corporation of government together and folks

1 coming in and wait in line, but you do not match
2 them. They will go back home and say we can't
3 find anyone in this small or minority business
4 community who can do what we do.

5 So with us, what we do is -- and I
6 welcome -- invite you all on my -- as my guest to
7 my conference down the street in Bethesda on --
8 in May -- the end of May and beginning of June.
9 We have an annual conference, 33rd anniversary.
10 We have the One-on-One Matchmaking meeting. The
11 difficulty is you go to the -- whether the
12 Government's OSDBU Office or the Corporation's
13 Supplier Diversity Office, most of the people who
14 run that office or work there are outreach
15 specialists. They don't do the buying. They are
16 advocates. They've got to go back inside and
17 sell the idea to the buyers, the program managers
18 in the Federal Government and the end users in
19 the private sector.

20 So the folks who are in front line
21 sometime have difficult doing that job because
22 they're just going through the motion. I

1 sometime feel sorry for them because they're at
2 the front and they got hit.

3 What we have to do, empower those
4 people with the ability, the status to go inside
5 and actually advocate for the business and, hey,
6 you need to come to this conference because you
7 are going to see the people who are anxious, who
8 walk up the hill on their knees to come and see
9 you and see what you want so they can learn the
10 -- learn about your business.

11 And then the internal bias. Say we do
12 not have this evidence. Well, I've been working
13 with this company and I'd like this and that. No.
14 I don't like that. I don't want you to touch.
15 No, I don't want. Or I tried it once. They
16 fail. I never use this ethnic group again. What
17 we have to do is empower the front line people
18 with ability, with authority and the endorsement
19 from the top, say I want to come and talk to you
20 about this particular event. I think you ought
21 to go.

22 Don't just go there on that day. Tell

1 me what you are buying in the next 18 to 24
2 months. Then I can go to organization like U.S.
3 PAC and say this is what we want. Do you have
4 suppliers and businesses who fit in that? If you
5 do, bring them to that meeting and I will bring
6 my managers, my program managers and my end users
7 to come and meet them.

8 Then they would never -- they will not
9 really go back and say I tried it. It's not
10 worth it because it's waste of my time. I'd
11 rather sit in the office, sit in my desk and do
12 my work. You see, go there and waste -- I
13 travel. I wasted my day. Never work again. And
14 that's the internal culture that we got to
15 change. We've got to get the folks inside to buy
16 into that and provide the top secret.

17 What are you buying? When's the next
18 time you need something? And then give it to the
19 community like us so that we know, oh, so and so
20 are going to have an opportunity to buy
21 something. They may have an incumbent, but every
22 buying organization want to get things at best

1 price, the best quality, the best after-sale
2 customer service. And I think we can get that
3 from the small and minority business community.

4 So work internally. Just giving them
5 -- coming to the meeting is just going through
6 the motion. It won't work. It would discourage
7 both parties. The small business, I'm not going
8 there because they give me a business card. I
9 call. I email. They never return my phone call.

10 VICE CHAIR SUTTER: Well, the nice
11 thing about the comments that we've heard today
12 is I think they run a wide range of opportunity.

13 Heather, I know that you and Nicol and
14 Rudy and all of the Committee have participated
15 in this discussion, but I think we've had some
16 good input in terms of making sure that the
17 community itself is prepared for what they're
18 going to find when they get there, getting to the
19 right people in order to make the right people
20 there, setting up relationships before we
21 actually are asking for the orders, if you will.

22 So it seems like there's a lot of

1 great discussion that has come from around the
2 table. So I thank all of you for your
3 contributions to this. It's been a helpful
4 discussion.

5 Harin?

6 MEMBER CONTRACTOR: Sorry. Just one
7 last question then we can move on.

8 I think language access is also very
9 important in this issue, whether it's languages
10 that are traditionally Asian-American or having
11 like Office of the OCBO. I'm not saying they do
12 this, but not use Google Translate to do things
13 in like the Spanish language. I've had previous
14 employers do that and there's like huge
15 mistranslation there. So language access is a
16 pretty big important way to reach underserved
17 communities.

18 VICE CHAIR SUTTER: Excellent. Yes,
19 Henry?

20 MEMBER RIVERA: Yes, I just had a
21 comment and a question. The comment is previous
22 advisory committees have had ideas about work

1 shops, and in fact those work shops have come
2 off, but I will tell you that unless there's a
3 follow-up mechanism embodied in the plan for the
4 work shop it doesn't work. So the work shop is
5 the easy part. The follow-up and coming up with
6 the infrastructure mechanism to facilitate
7 continuing conversations is the hard part.

8 VICE CHAIR SUTTER: And being clear on
9 what the goal is.

10 MEMBER RIVERA: Yes.

11 VICE CHAIR SUTTER: I mean, because we
12 have previous -- Henry's right. I mean, we have
13 done this in the past. We have made
14 recommendations, but it's that being the first
15 step. Then what comes next? What is the goal?

16 Yes.

17 MEMBER WOOD: My name is Christopher
18 Wood, LGBT Tech. I think one of the areas --
19 I've previously worked with chambers, LGBT
20 Chambers, specifically, and I think really making
21 sure that they are at the table, whether --
22 whatever chamber it may be representing those

1 small business, small minority community
2 businesses, and making they understand the
3 process, because they are the ones that are going
4 to be that resource for those small businesses.

5 Living in a rural community myself I'm
6 telling you that the small -- those individuals
7 that may be deploying or putting up the various
8 communication towers or tools, they're not
9 looking at this because they're trying to keep
10 their business afloat. They're trying to keep it
11 on a day-to-day basis.

12 And so it really is on our chambers.
13 It's on us to make sure that those chambers are
14 educated on the process and making sure that
15 we're advocating for them. And then it's those
16 chambers' responsibilities to make sure that they
17 are passing that information to their members.

18 And I think that is the follow-up
19 piece that is so important. Yes, you can hold a
20 day meeting, but I think it's not necessarily
21 here's the suppliers and here are the large
22 companies or the medium-size companies. It's

1 here's the process. Here's the areas that we can
2 really help you get to from point A to point B,
3 and then allow them to really help and drive
4 their communities.

5 VICE CHAIR SUTTER: And making sure
6 that people are prepared --

7 MEMBER WOOD: Yes.

8 VICE CHAIR SUTTER: -- when they come
9 to that so that they know how the game is played,
10 which is really what we're talking about and
11 being prepared to be able to address that.

12 Yes, Henry?

13 MEMBER RIVERA: I had a question, and
14 that is I was struck by the potential overlap
15 between what you're doing and the other advisory
16 committee. And I guess my question is -- I have
17 two questions: One, are you concerned about
18 that? And (B) if so, what are you doing about
19 it?

20 MEMBER TURNER-LEE: And that's the
21 BDAC --

22 (Simultaneous speaking.)

1 MEMBER RIVERA: Yes.

2 MEMBER TURNER-LEE: Okay. So in the
3 interest -- we have a couple other committees.
4 If it would be okay, Madam Chair, Vice-
5 Chairwoman, if we can parking lot that question
6 until we hear from the other two groups, and then
7 we'll bring it back. Okay?

8 VICE CHAIR SUTTER: Okay.

9 MEMBER TURNER-LEE: All right. Thank
10 you.

11 VICE CHAIR SUTTER: All right.

12 MEMBER COLEY FLIPPIN: I just had one

13 --

14 VICE CHAIR SUTTER: Yes, Maurita?

15 MEMBER COLEY FLIPPIN: -- thing that I
16 wanted to add. To the group, I commend you. I
17 really like the emphasis on procurement and
18 supplier diversity. And actually Donna Epps
19 mentioned it during her presentation and
20 Commissioner Carr earlier mentioned
21 apprenticeships as something that could be
22 included within the umbrella of ownership,

1 because the apprentice just is ---- the
2 apprenticeship train for the jobs of the future.
3 Apprentices are the owners of the future as well.
4 So just wanted to flag that.

5 MEMBER EPPS: Well we can go through
6 the individual panels, but the last panel is
7 going to include Government officials, like the
8 Small Business Administration, to talk about
9 certifications. I mean, what are some of the
10 gating factors to get into business? But also
11 folks from the Department of Labor to talk about
12 apprenticeships. How do we make sure we have
13 more diverse businesses in the pie. And I know
14 we are out of time because we have two other
15 groups to get to, so I will end there.

16 MEMBER TURNER-LEE: We'll come back to
17 --

18 MEMBER COLEY FLIPPIN: Great. Thank
19 you.

20 MEMBER TURNER-LEE: -- your question.
21 We'll hold questions until the end.

22 VICE CHAIR SUTTER: But I just want to

1 say this is the kind of conversation I think we
2 need to be having. It's important to hear what
3 the groups are saying, but I also think this kind
4 of feedback is what gets us to fine honing what
5 we're doing to making it really effective. So
6 thank you all for your comments. This has been a
7 -- I think a healthy conversation and we look
8 forward to hearing the rest of your
9 presentations. So, yes.

10 (Laughter.)

11 MEMBER GATES: Thank you, Rudy and the
12 subgroup, the Deployment Subgroup.

13 Given that presentation we would like
14 to recommend that the Committee support and
15 convening a supply diversity work shop here at
16 the FCC Headquarters in conjunction with FCC's
17 Office of Communications, Business Opportunities
18 and the Media Bureau. The rest of the
19 recommendation is in the folder if you would like
20 to --

21 VICE CHAIR SUTTER: Do you all have
22 that recommendation? If your folder -- if you

1 would take that out.

2 MEMBER GATES: Okay.

3 VICE CHAIR SUTTER: Okay? Thank you.

4 Are you moving that, Heather?

5 MEMBER GATES: Yes.

6 VICE CHAIR SUTTER: Thank you. Do we
7 have a second?

8 MEMBER EPPS: Second.

9 VICE CHAIR SUTTER: Thank you.

10 Discussion? Not that we haven't had --

11 (Laughter.)

12 VICE CHAIR SUTTER: -- a little
13 discussion already. But if not, I'm going to
14 call the question.

15 MEMBER CONTRACTOR: Apologies.

16 VICE CHAIR SUTTER: Yes, Harin?

17 MEMBER CONTRACTOR: I have further
18 discussion. But to Henry's point should we not
19 discuss; I know later in the parking lot, whether
20 this is redundant to the BDAC commencing or
21 something the same before we recommend moving on.

22 PARTICIPANT: This is the Supplier

1 Diversity Program,

2 not --

3 MEMBER CONTRACTOR: Oh, I take it
4 back.

5 PARTICIPANT: Yes.

6 MEMBER CONTRACTOR: Just kidding.

7 (Laughter.)

8 VICE CHAIR SUTTER: Thank you. Yes?

9 MS. BERROCAL: This is Laura from
10 Charter. Can you all hear me? Is it --

11 VICE CHAIR SUTTER: Yes.

12 MS. BERROCAL: Okay.

13 VICE CHAIR SUTTER: Go ahead.

14 MS. BERROCAL: So just as a follow-up
15 to the last piece of our proposal. And I am part
16 of the working group. And as I'm hearing the
17 conversation, particularly Henry's points, on
18 that one-on-one consultations, I think it would
19 be good to also consider the prospect of having
20 individual -- the panelists that will be on that
21 first panel, all of the companies to have one-on-
22 one sessions that are not necessarily one person,

1 but rather each company can host a table for a
2 set amount of time which enables more people to
3 be able to come to the table, hear what each
4 company has to say.

5 And it broadens the opportunity to
6 find a match for that company, which improves our
7 follow-up; at least I can speak for Charter --
8 our follow-up with those individuals to say,
9 okay, well, they would -- they might be good for
10 this business unit, they might be good for that
11 business unit. But it also facilitates the
12 networking opportunity between suppliers, because
13 I think that's really important.

14 So I just wanted to add that caveat
15 and recommendation so that we are -- if we decide
16 to change that one-on-one to more of a company-
17 by-company presentation, that that's something
18 that would be permissible.

19 VICE CHAIR SUTTER: And are you
20 suggesting an amendment to this proposal or
21 simply information to the working group?

22 MS. BERROCAL: Information to the

1 working group as a consideration as we move
2 forward and finalize our plan.

3 VICE CHAIR SUTTER: Thank you.

4 MS. BERROCAL: Yes.

5 VICE CHAIR SUTTER: Thank you.

6 MEMBER BRIOCHE: All this information
7 has been great. One thing we are going to do is
8 we are scheduling and have meetings with OCBO.
9 So what we'll do is through the Chair we'll
10 inform the entire Committee. To the extent you
11 have an interest, you'd like to weigh in, we'll
12 make sure it's inclusive. So it's beyond just
13 this particular working group. It's also the
14 other working groups as well so we can get the
15 good input.

16 VICE CHAIR SUTTER: That would be
17 helpful, I think, especially to -- because there
18 may be, frankly, overlap between all three of the
19 working groups in terms of how this might apply.
20 Or, if this is a successful program, the other
21 groups may find that that's something they would
22 want to consider also. So I think that makes a

1 good point.

2 MEMBER BRIOCHE: Great.

3 VICE CHAIR SUTTER: All right. Any
4 further discussion before I call the question?

5 (No audible response.)

6 VICE CHAIR SUTTER: All in favor of
7 the motion as presented?

8 (Chorus of ayes.)

9 VICE CHAIR SUTTER: Opposed?

10 (No audible response.)

11 VICE CHAIR SUTTER: The motion has
12 unanimously --

13 (Laughter.)

14 VICE CHAIR SUTTER: I have a learning
15 curve, Jim. Thank you.

16 (Laughter.)

17 VICE CHAIR SUTTER: The motion has
18 unanimously passed. I thank you very much. And
19 I have been able -- it's been my privilege to
20 listen in on many of this group's activities and
21 I can say that what I love about this group is
22 that they are a diverse group of individuals who

1 all have strong opinions. And what comes out of
2 it I think is really a very well-thought-out and
3 healthy discussion of what we need to do to make
4 it work. So it's been great and thank you.

5 Thank you, Heather.

6 And thank you to all of you. It's
7 been wonderful. Thank you.

8 MEMBER GATES: Okay. Well, I would
9 like to go ahead and introduce the next subgroup.

10 VICE CHAIR SUTTER: Yes.

11 MEMBER GATES: That is the Adoption
12 Subgroup led by Fatema Kothari, who's
13 participating via phone. But in terms of the
14 presentation I would like to introduce Chris
15 Wood, who's a subgroup member, who will be
16 leading that presentation.

17 So welcome, Chris.

18 MEMBER WOOD: Thank you, Heather.

19 Thank you everyone and thanks -- it
20 has been a very lively conversation on a lot of
21 these subgroups, and I have the opportunity to
22 serve on a couple of them.

1 My name is Christopher Wood. I'm the
2 Executive Director of the LGBT Technology
3 Institute and -- Partnership and Institute
4 representing the LGBT community around technology
5 from a nationwide perspective. We really focus a
6 lot of our efforts on research and understanding
7 the impacts of technology on the LGBT community
8 and with the LGBT community and how we might
9 implement those in both policy and programs.

10 I want to -- coming off of the
11 Deployment Subcommittee, we're talking about now
12 adoption. So once it's out there, how is it
13 being adopted? And I think this is a crucial
14 point, one that we've seen in the LGBT community
15 and the work that we've done, but also I know
16 many of the panelists -- or many of the subgroup
17 members also have been working on this for a very
18 long time and it's been a topic of conversation
19 for a very long time and that, to Nicol's point,
20 it is not a binary conversation anymore and it is
21 -- really spans all kinds of different areas
22 including race, age, location, among other

1 factors.

2 With that I'd like to talk about some
3 of the objectives that have been set out for us.
4 And really I think one of the biggest things that
5 comes to mind here that Heather talked about, and
6 so did Nicol, is the human element, and the
7 adoption is -- adoption of technology is a very
8 human thing, and technology and creating that --
9 the human element and creating that technology.

10 And we could go into all kinds of
11 different areas, but I think one thing that we
12 really need to understand is we need to meet the
13 communities where they are. We need to meet the
14 individuals where they are, reviewing existing
15 strategies for measuring both broadband adoption
16 and the related barriers with those, like
17 affordability, lack of awareness, relevancy.

18 As we talk about those who may have
19 gone through most of their life without using
20 technology or a computer, very familiar with
21 walking to the post office or going to the local
22 government office to get the things done is very

1 different from what my four-year-old does
2 nowadays, where they would rather look at a
3 screen than look at you. So I think really
4 trying to understand -- and in a lot of the
5 conversations we've been having really understand
6 what is the adoption barrier? Does it matter?
7 Is it relevant?

8 Also identifying new approaches to
9 expanding digital equality in underserved and
10 under-connected communities. I think we've
11 talked about this in various approaches. For
12 LGBT communities specifically I think one of the
13 common misconceptions is that a lot of LGBT
14 communities are well off and economically stable,
15 when in fact that's true for individuals that
16 look like me, white gay male, but not for anyone
17 that looks anything but me.

18 And so I think it's very important to
19 understand where people are digitally divided,
20 where they are not -- they do not have access,
21 where they have no access to a cell phone or a
22 computer and really understanding what the

1 connections are in both urban and rural.

2 And so again, going back to those
3 important issues of what is digital equality and
4 what does that look like across the country, not
5 just in our urban centers, and building
6 recommendations using human-centered design
7 approach and address the broadband discussion
8 from an empathetic viewpoint.

9 Nothing has given me more empathy than
10 being and working in the foster care system as a
11 foster father. And I think it also reminds us
12 every day that there are individuals across this
13 country that have never picked up a cell phone,
14 that have never had the opportunity or the luxury
15 to connect.

16 And so we really have to think about
17 it from those human elements and those sheer
18 possibilities that are out there and exist and we
19 need to make sure that we're addressing those in
20 an approach that is empathetic to all situations
21 and being able to bring those as recommendations.

22 So I'd like to kind of go into the

1 recommendations piece, our work plan and the way
2 that we are really looking at doing this.

3 We're really looking to over the next
4 several quarters engage with representatives from
5 communities on digital inclusion initiatives. I
6 know from the experts on the panel like Nicol to
7 many of the other experts across -- with various
8 recommendations, but at a city, state and federal
9 level. So understanding not only what's going on
10 at a -- across the United States, but also at a
11 state and city level, like areas like West
12 Virginia where I have a home where a community
13 college can have one county that is completely
14 connected with fiber and five others that are
15 not.

16 Reviewing current policies in place to
17 help underserved and vulnerable communities
18 overcome barriers to adoption, things like
19 Lifeline as was brought up in another -- in the
20 other subgroup, e-rate, private programs and
21 other non-profit initiatives, because we can't do
22 this from a national perspective. Not one

1 organization can take it on.

2 I think there's opportunities for
3 organizations to dive in there, but we need to
4 make sure that not only does -- do companies
5 understand what the problems are, but the non-
6 profits understand what the problems are as well
7 and how they can have a serious impact.

8 I would like to highlight our PowerOn
9 Program, which now has -- as of tomorrow will
10 have eight centers across the country with access
11 to over 7,000 homeless or at-risk LGBT youth,
12 putting devices in their hands and connections.
13 And that can be duplicated and we're building
14 that program so it could be duplicated across
15 other minority communities.

16 Also inviting speakers and
17 facilitating community engagement with the FCC's
18 Chair's Office. So other non-profits that may
19 not necessarily have a seat at this table, may
20 not necessarily have a voice here, but making
21 sure that we're engaging individuals from all
22 communities.

1 I think one of the biggest things that
2 I continuously recommend is that we don't treat
3 every one of our centers or every center -- I'm
4 quite sure you would not treat one of your
5 various regions in any particular way because
6 each region, each city has a different need.
7 Each city has a different need.

8 And so we want to make sure that we're
9 inviting speakers and facilitating engagement
10 from members who are -- who understand not only
11 what's going on in their community -- and we can
12 begin to figure out the overlaps that we can
13 really make progress and change here.

14 And out of all of this develop --
15 highlighting success stories and expanding
16 broadband adoption in underserved and under-
17 connected communities. I think I would have to
18 thank some of my best mentors, one of them being
19 Jama Shelton, who actually ran the True Colors
20 Fund, or Cyndi Lauper's organization in New York.
21 She kept telling me you need to tell your story,
22 and those stories are extremely important.

1 Telling the story of how a program a
2 worked and how it was successful allows us to
3 build upon or allows other people to spur the
4 ideas of being able to be successful in their own
5 communities. Although it may not be adopted
6 completely -- a complete copy, it may be an
7 opportunity for them to see a new way, a new
8 perspective and a new approach.

9 I think this is a very -- I just want
10 to close with this: Nicol outlined some barriers
11 to adoption. A lack of interest, and that may be
12 for some of our older generations or those that
13 just don't have an interest at all. But two of
14 them being cost and a lack of access. And I
15 think those are areas that we can really help.

16 We have a huge obligation not only to
17 minority communities, but rural communities and
18 communities where individuals can really make a
19 difference, thinking about the people I've met
20 along the way, people who are from rural West
21 Virginia who now have worked at some of the
22 largest companies in the world: Facebook, Google,

1 and had the opportunity to travel the world where
2 otherwise they may have not thought they would
3 have. And it was all because of connection, it
4 was all because of access.

5 So I'll leave it with that and I'll
6 turn it back to the Chair, and thank you very
7 much.

8 VICE CHAIR SUTTER: Thank you.

9 MEMBER GATES: Thank you, Chris. I'd
10 like for us to hold the questions until the last
11 subgroup has presented.

12 But just to reiterate some of what
13 Chris said, I think it's very important for us to
14 recognize particularly with the lack of interest.
15 One of the things that I've -- in my 10 to 15
16 years of being involved in adoption programming
17 is that there's a lot -- there's nuances to that
18 lack of interest, and it's lack of information,
19 communication and knowing the power of the
20 Internet or knowing what you can do when you have
21 access to the Internet.

22 In training -- I have had the

1 opportunity to provide digital literacy training
2 in an urban environment, in Appalachia and in a
3 tribal community, and it's very interesting. One
4 thing that they all had in common was that they
5 did not understand why they should. And after
6 learning about their interests and showing them
7 the power of -- for example, if you're an artist,
8 you can use social media to promote your own art.
9 Then it becomes relevant to them. Then it
10 becomes of interest. So it's really so much more
11 for lack of understanding of the power of the
12 Internet.

13 It's also -- for us as a community and
14 a society it's a loss of potential
15 entrepreneurship, economic opportunity and
16 improving the value of life if we don't translate
17 that lack of interest to people who are more
18 aware of the power of the Internet.

19 So anyway, thank you, Chris.

20 I would like to go ahead and move onto
21 the Use and Digital Readiness Subgroup. The lead
22 for that group is Janice Bryant Howroyd, and

1 she's not with us today, so presenting on behalf
2 of that subgroup is Harin Contractor.

3 Harin, would you like to present for
4 us?

5 MEMBER CONTRACTOR: Yes, ma'am. And I
6 want to say thank you, Madam Chair. You've done
7 a terrific job of herding a lot of our sheep and
8 making us stay on task.

9 (Laughter.)

10 MEMBER CONTRACTOR: Our subgroup was
11 very passionate. We had a lot of very vibrant
12 discussions. This is a very broad topic. And it
13 took some work, but I think we laid the
14 foundation of a few pillars that we can start
15 building off of to start moving this forward and
16 start talking not only about broad things that we
17 agree on, but getting to soup to nuts and start
18 moving the needle.

19 So the basic objective of our subgroup
20 was to provide recommendations on ways to ensure
21 like disadvantaged communities are not denied a
22 wide range to access to opportunities and get

1 awarded the next -- and be part of the next
2 generation networks. And whether it's through
3 education, economic, public safety, civic
4 opportunities, like these are all important. And
5 some of these things overlap and interact with
6 each other, and that's some of the discussion we
7 were having and what we're going to get into a
8 little bit here.

9 So we tried to define our scope into
10 these four major buckets. And Nicol did a really
11 good job of providing numbers to these important
12 pillars because this is some of the foundation of
13 digital readiness and adoption we talked about
14 here is trying to eliminate that homework gap.
15 There are so many students right now that lack
16 broadband at home or basic access to Internet. I
17 don't know how today -- in today's world you
18 could go home without looking on the Internet for
19 support or to do your own homework, yet that's
20 happening.

21 There's about 6 million kids that
22 don't have access to broadband at home or even at

1 school. And Nicol could tell you a lot about
2 this, but inequality is exacerbated after
3 kindergarten. A lot of students, they're pretty
4 much equal to that point. Early childhood
5 education starts deviating from that point and
6 exacerbates inequality. So we need to start
7 addressing that early on.

8 Public safety. There's a huge need to
9 make sure disaster response doesn't depend on
10 your skin color, your location, anything like
11 that, or your income. If there's a disaster
12 coming, then the response and readiness needs to
13 be there regardless of where you live and how you
14 look.

15 And civic engagement. A lot of the
16 ways you start interacting now with your local
17 communities and your local representatives are
18 either through Facebook, through Twitter, through
19 local apps to be able to say, hey, there's a
20 pothole down my street, but if you're able to do
21 that or if your government is not digitally
22 active to be able to get those things, it takes a

1 lot longer for you to get addressed things that
2 you need.

3 One of the things that our chairman
4 was really great about when he was a Commissioner
5 was started getting on Twitter and started
6 interacting with people and start talking about
7 the digital divide conversation through Twitter
8 and he was able to facilitate some of these
9 conversations before the -- they didn't feel like
10 they had a seat at the table. And so that's one
11 way we can really drive adoption and drive
12 digital readiness.

13 And workforce development. A lot of
14 these things tie in together. The exacerbation
15 of inequality starts early on and that affects
16 worker readiness later on. There are so many
17 people right now that are not able to join the
18 workforce or be able to get some of the skills
19 that they need to do the current jobs because
20 they're not digitally able to address these
21 things.

22 Up-scaling is pretty key. I had

1 people I went to college with that were art
2 history majors and they lost their jobs during
3 the major recession and they're like what am I
4 going to do? They went to a general assembly
5 course for six months and now they're able to get
6 a data science job that gave them \$100,000 pay
7 boost and they have unlimited access to
8 employment opportunities now. But because they
9 had the resource to do that they were able to get
10 to that course. But there are a lot of people
11 that do not have access or the resources to even
12 take something like that.

13 I think there -- we talked a lot about
14 this in our subgroup, but there needs to be a lot
15 of up-scaling that needs to happen. We've seen a
16 lot of evaporation of on-the-job training from
17 companies and we've also seen a lack of
18 credentials and ability for people to get into
19 these jobs. And so talking about that, how could
20 we be more inclusive provides an avenue for
21 underserved communities to be able to take
22 advantage of the digital economy.

1 So some of the things we want to talk
2 about over the next year, into the next slide
3 here, is an acknowledge and review the role the
4 digital economy plays not only in childhood
5 education, but workforce development, economic
6 development, civic engagement and disaster
7 response. We want to be able to be more concrete
8 with some of our recommendations. Instead of
9 just providing recommendations that go in the air
10 and collects dust and people forget about it, we
11 want to identify metrics so we can monitor and
12 track progress on engagement and readiness. So
13 we could start saying -- talk about these success
14 stories that Chris mentioned, otherwise they're
15 just again recommendations that gather dust.

16 And again, I've been a broken record
17 on this, but we want to make recommendations that
18 actually move the needle and leverage and align
19 existing resources. A lot of the recommendations
20 we talk about, we don't actually need additional
21 funding to do because they're being done right
22 now. It's just not aligned. People are not

1 rowing the same boat in the same direction.

2 When we talk about worker readiness,
3 there's CareerOneStop Job Centers and
4 apprenticeship programs in local areas supported
5 by the Department of Labor, but people don't know
6 they could go to their local library to be able
7 to get those that access that information. They
8 don't know that their local library hasn't
9 applied for an e-rate grant to get broadband so
10 they could start getting this on-the-job
11 training.

12 A lot of these resources are there.
13 It's aligning that and make people aware and
14 making people vocal. And again, provide
15 recommendations for the FCC to act as a bully
16 pulpit so they could provide a platform so
17 everyone gets on the same page and start rowing
18 the same way.

19 So that's briefly what we talked
20 about. I look forward to the discussion and
21 thank you for everyone for being a part -- I know
22 this is the last group before we have a coffee

1 break, so thank you for everyone for staying
2 attentive and listening into this great work
3 we've done.

4 MEMBER GATES: So with the use
5 category for us -- for some of us speaking,
6 somebody in the non-profit sector, and Nicol, use
7 is where success is realized. That's why we do
8 what we do. We want people to have the
9 foundation, which is the networks. We want
10 people to have the skills, which is adoption.
11 And then use is the -- is what -- at the very end
12 we want people to be able to find jobs online.
13 We want people to be able -- we want children to
14 have access to educational materials and we want
15 the economy -- we want communities to do well.
16 We want improved quality of life in historically
17 disadvantaged communities.

18 So while some of the talking points
19 may be outside of the purview of the FCC, we
20 think it's important for the Commission's bully
21 pulpit to recognize what that success looks like.
22 So however some of those item -- line items under

1 use are strategically selected, particularly
2 public safety, with regards to disaster response,
3 we recognize the FCC's current role with the
4 disasters that we've gone through in the past
5 year. So there will be some policy
6 considerations as well.

7 MEMBER TURNER-LEE: I just wanted to
8 add as a member of this subgroup just two nuances
9 for the General Committee to sort of grasp onto.

10 The first is we intentionally placed
11 an adoption category by itself and a use category
12 by itself, and that ties specifically -- it's a
13 little break in what has been settled around how
14 we look at this issue, but adoption tends to be
15 more on this whole concept of are we getting it?
16 Once you have the infrastructure are people
17 attaching to adopting the broadband, subscribing
18 to it, using the access or understanding the
19 relevance of the access?

20 Whereas use -- and I would ask this
21 Committee to sort of think of it this way: Is
22 the Agency a broadband? Where are there cases --

1 and the cases that we picked where we think we
2 could see the biggest impact among underserved
3 and historically disadvantaged communities? And
4 again, that's workforce, education, etcetera. So
5 just something to think about.

6 It's a concept of -- the concept of
7 agency has not been specifically explored by the
8 FCC and this Committee in the past -- having
9 served on previous terms, and going deeper into
10 the scope of that agency. How are people using
11 broadband to improve quality of life? To better
12 engage with verticals that improve quality of
13 life is really at the heart I think of the
14 presentation of our last subcommittee.

15 MEMBER GATES: Okay. That is -- that
16 constitutes the end of our subgroup presentations
17 and now we'd like to open for questions. And I
18 think it will be great for us to start off by
19 responding to Henry's question.

20 MEMBER TURNER-LEE: So, Henry, I'll
21 respond to that having been one of the Committee
22 members that served double duty between BDAC.

1 I think the recommendations and
2 proposals that came out of BDAC that are publicly
3 listed and available really are around some of
4 the challenges in terms of streamlining and
5 citing practices that will potentially slow down
6 the evolution and acceleration of new
7 technologies, advanced technologies.

8 So in our case what was not discussed
9 in BDAC is the implications for minority supplier
10 procurement opportunities, supply diversity,
11 etcetera. And so this is a great opportunity,
12 because the BDAC was specifically charged with
13 the nuts of bolts of infrastructure and we're
14 specifically charged with the nuts and bolts of
15 diversity. And so we see it more complementary
16 and the ability to amplify, if not enrich.

17 And we did receive positive feedback
18 from the BDAC leaders that did participate on a
19 call with us where they had not had that question
20 posed to them. And several members from the
21 civil rights, social justice and research
22 communities were represented throughout those

1 committees. And I can say; and I say this
2 because you all know what I feel about civil
3 rights and diversity, it wasn't an intentional
4 excuse for not discussing it. It wasn't just the
5 purpose and the nature of that committee to go
6 into the weeds on that.

7 And so we feel it's an opportunity.
8 And it is sort of what Susan was talking about,
9 it's not just an opportunity, but it's our
10 obligation to figure out ways where that
11 committee can be enhanced by the work of this
12 committee, something that we -- for those of us
13 that sat on this committee, we wanted to do more
14 of. And because these advisory committees are
15 very active and they're proactive, we want to be
16 on the right side of history to ensure that the
17 implications that it has for growth and
18 opportunity for communities of color are
19 answered, as well as the implication
20 opportunities for any kind of negative impact.

21 So, yes, we see it as a process that
22 is not necessarily going to overstep the other,

1 but it will amplify --

2 MEMBER GATES: Be compatible.

3 MEMBER TURNER-LEE: That's right.

4 That's right. And it will align. And if done
5 correctly, which we think we can do, we'll be
6 able to potentially come out with some
7 deliverables that sort of align those areas that
8 come out of the BDAC that would be --

9 MEMBER GATES: Consistent with --

10 (Simultaneous speaking.)

11 MEMBER TURNER-LEE: -- amplified --
12 exactly by the participation of diverse
13 communities.

14 MEMBER GATES: And just to connect it
15 back to our supplier diversity discussion, it's
16 -- do reduction and regulations and what not that
17 BDAC proposes -- does that create opportunities
18 and can we be a vehicle to make sure that those
19 opportunities are communicated to diverse
20 communities, whether via the work shop or any
21 other opportunities that come after that?

22 MR. RIVERA: All right. Thank you

1 very much.

2 VICE CHAIR SUTTER: It's a great
3 question, Henry, and a great response. I think
4 that helps see how those two can actually fit
5 together, and that sum being greater than the
6 parts of it. It's a more complete way of looking
7 at the question and hopefully some answers. So
8 thank you.

9 Are there other questions, comments,
10 anything that you would like to put to this
11 group, which has clearly been active and busy and
12 working on all kinds of great things to bring to
13 us?

14 Yes, Henry? Please.

15 MEMBER RIVERA: I just -- other
16 diversity committees, advisory committees have
17 put on a supplier diversity -- I mean, a supplier
18 and procurement work shop. And I'm just think
19 that they're -- and in conjunction with OCBO. So
20 I -- there may be records that you might want to
21 try to find or avail yourself of. And there
22 could have been some recommendations that came

1 out of such an effort that might be instructive
2 to your effort.

3 MEMBER GATES: Yes, our next step
4 currently is to meet with OCBO and gather that
5 intel and take it from there.

6 MEMBER BRIOCHE: And you know, Henry,
7 I would say I think there are these at a minimum
8 two great minds sitting in one
9 corner --

10 (Laughter.)

11 MEMBER BRIOCHE: -- of this table here
12 who can actually help us as well. So --

13 VICE CHAIR SUTTER: We've perhaps been
14 down this road before.

15 MEMBER BRIOCHE: Exactly.

16 (Laughter.)

17 VICE CHAIR SUTTER: Yes. Yes, we
18 have. Thank you, Henry.

19 Other questions, comments?

20 (No audible response.)

21 VICE CHAIR SUTTER: Thank you. That
22 was a really illustrative report and I think you

1 all have done a great job, so thank you so very
2 much for all your hard work and all the hard work
3 we've set you out to do going forward.

4 (Laughter.)

5 VICE CHAIR SUTTER: So thank you.

6 Thank you.

7 And now I'd like to move to our
8 Diversity and Tech Working Group. We all were
9 able to hear Marc's presentation this morning,
10 and thank him for that.

11 And now, Gavin and Kathleen, if you
12 two would lead us down the rest of the work of
13 your group, that would be great. Thank you.

14 MEMBER LOGAN: Thank you, and I also
15 appreciate the esteemed honor of being the last
16 thing between you all and adjournment, but we
17 will be succinct.

18 VICE CHAIR SUTTER: I have no doubt
19 you will keep us scintillated.

20 MEMBER LOGAN: We will. We will. We
21 will.

22 So as you heard Marc Morial, the chair

1 of the working group, he set the framework and
2 the backdrop behind why this working group in
3 particular is important. And it's actually quite
4 fortunate that we are the last of the group,
5 because in a lot of ways it's the culmination of
6 the work that you all are doing in your
7 perspective working groups, meaning that once you
8 have created these avenues, how do we make sure
9 that there's full inclusion in the tech
10 ecosystem, and particularly the tech industry.

11 To put it bluntly, diversity and
12 inclusion is not just a business imperative, but
13 it is an American imperative to ensure that we
14 continue to grow together as a nation. So -- and
15 I think that is at the heart of what's driving
16 all of us, to make sure that we are fully
17 included and represented.

18 So from our perspective we are
19 addressing it through first hold tech roundtables
20 and ultimately providing what are in a sense best
21 practices for incorporating and implementing
22 diversity and inclusion.

1 Kathleen Abernathy will do the honors
2 of discussing the tech roundtables in detail and
3 then will come back to me to discuss the timeline
4 as well as who we think will fit into our
5 definition of the tech industry. Thank you.

6 Kathleen?

7 MEMBER ABERNATHY: Thank you. And
8 I'll talk fast because I know we are getting to
9 the end of the day.

10 One of the big challenges we had, and
11 it was pointed out early on in the process, is
12 that the scope of the FCC's jurisdiction over
13 technology companies is somewhat limited and yet
14 they have a huge impact on our society, on our
15 economy, on our hiring. They reach out and touch
16 everyone's lives. And so the question is how do
17 we wrap our arms around this group and really try
18 to move forward on diversity and inclusion
19 hiring?

20 We had a great group together. I
21 can't thank Gavin enough for juggling multiple
22 balls and keeping us on track.

1 The other person that was really
2 instrumental in this but ultimately ended up
3 having to step down from our group was Linda
4 Spradley Dunn who's the CEO of Odyssey Media,
5 because as we started talking about how do we
6 gather and get information, she pointed out that
7 a lot has been tried; some has worked, some has
8 failed.

9 And we don't want to reinvent the
10 wheel at this stage, so our thought was, all
11 right, let's go to them. Let's go and have a
12 work shop and organize roundtables with members
13 of the tech community. And originally we thought
14 about having folks altogether in a room, but
15 there's lots of good and sound legal reasons why
16 we cannot do that as a single group.

17 And in some respects as we rethought
18 our proposal, the idea of having senior people
19 come in one or two at a time is probably better
20 because I think we'll have a better conversation.
21 It will make for a couple of long days in the
22 sense that we would go out to California using

1 maybe university facilities, have everything
2 tightly scheduled in advance where we'll invite
3 the senior people into say, okay, what if
4 anything are you doing? And if you're doing
5 nothing, just tell us. Fair enough. Don't waste
6 your time. Don't waste our time. If you're
7 doing -- if you've tried a couple things, tell us
8 what was effective, what wasn't effective,
9 lessons learned, where you're going from here.

10 The goal is that this is a way to
11 encourage them to participate with us even though
12 there is a lack of jurisdictional oversight that
13 would necessarily force them into the room, but I
14 think there is -- I suspect a lot of them have
15 actually been thinking about this. It's an
16 important conversation, an important topic and I
17 suspect that there have been some steps forward,
18 probably some steps backward. We need to know
19 what that information is. Right now we don't
20 have that information.

21 So not unlike what I think Chris
22 discussed as far as going out and engaging with

1 the players that are making a lot of these
2 decisions, we want to go out and engage with
3 these folks out there, talk about diversity and
4 inclusion initiatives, gather the data and the
5 information together, create some best practices,
6 probably supplement it with a lot of what's going
7 to be going on in other areas of this advisory
8 committee and then end up with a product that can
9 then be used to inform and hopefully continue to
10 push for improved diversity and inclusion
11 policies all across the tech sector. So in a
12 nutshell that's what we're doing.

13 But then the question became, well,
14 everyone's a tech company. How many -- are you
15 going to meet with 200 companies? And, no, we're
16 not. But we want to make sure that we identify
17 the keys ones that are most likely to have an
18 impact. And for that I'm going to turn to Gavin
19 and let him chat a little bit about how we tried
20 to figure all of this out.

21 And to the extent that we host this;
22 and we're planning on hosting it in -- later on

1 this year, maybe we roll in some -- I mean, if
2 we're going to have these things, maybe we roll
3 in some other dialogue, too. We're always open
4 to modifications and adjustments based on
5 everything we heard here today so that we're not
6 duplicating efforts, but I think the goal again
7 is to actually create some sort of document with
8 useful information that we pretty much push out
9 to the tech industry and say, look, there's stuff
10 that works and you're not doing it and here's
11 what you can do.

12 MEMBER LOGAN: So as far as the time
13 table we will begin hosting the roundtables
14 during the rest of 2018. And through the first
15 quarter of 2019 up through the third quarter of
16 2019, which is at the end of the charter for this
17 Committee, we will work on and ultimately produce
18 that best practices guide.

19 Now for the big one as to who would be
20 invited to these roundtables, we first had to
21 decide what is a tech company, because frankly,
22 in a lot of ways a tech company has been the cool

1 cats thing to be. So you have a lot of companies
2 claiming tech company, but we might not
3 necessarily be focused on for the purposes of
4 this event.

5 So we defined the tech company more by
6 the core functions and not the -- its simple use
7 of technology to supplement those core functions.

8 And what we came to is; and I'll read directly:

9 "A tech company and industry is comprised of
10 companies engaged in the design, development,
11 support and/or deployment of computer information
12 and communication systems, applications or
13 services. These include industries associated
14 with information distribution technologies such
15 as television, telephone and the Internet, and
16 companies providing e-commerce, cloud computing,
17 social media, search and online advertising
18 services."

19 So even though we narrowed the scope,
20 we were able to still make it comprehensive
21 enough because we understood that this industry
22 is wide-ranging and what it does, the fields that

1 it plays in.

2 One of the things we looked at in
3 terms of trying to find -- make sure that we had
4 enough companies to fit within that definition,
5 we looked initially to, frankly, Forbes because
6 we knew that in order for this to be -- to
7 maximize impact we needed some of the more -- the
8 larger companies, those companies that have a lot
9 clout behind them to buy in. And so they would
10 need to be invited.

11 So we simply looked at Forbes' top 25
12 tech companies and found those companies that met
13 our definition. So some examples for the record
14 are Apple, Samsung, Google, IBM, Intel, to name a
15 few.

16 VICE CHAIR SUTTER: And all these --
17 these are listed in the sheet that's in your
18 packet, so if you want to be able to follow along
19 with Gavin as he's speaking.

20 MEMBER LOGAN: Yes. And we also did
21 acknowledge that we would -- in order for this to
22 be the most robust and most impactful and

1 informative we would need to look at some smaller
2 companies, too. So we will be inviting some of
3 those companies with smaller market share, and
4 frankly, small businesses as well, small business
5 startup tech companies as well.

6 So that is our proposal in its
7 entirety. We're open to questions/comments and
8 move from there.

9 MEMBER ABERNATHY: And we have a
10 recommendation.

11 MEMBER LOGAN: Oh, yes.

12 VICE CHAIR SUTTER: One thing I would
13 ask is have you considered talking to the private
14 equity companies that in many cases are the ones
15 that invest in these companies, the Ubers of the
16 world and whatnot that are looking at private
17 equity?

18 If you can get the private equity
19 companies to be concerned about those companies
20 in whom they invest, then I think it gets the
21 attention of those companies to be much more
22 concerned about it.

1 The CEO of BlackRock, which many of
2 you know is a major private equity investor out
3 of New York -- the CEO Larry Fink did an open
4 letter to CEOs in January where he talked about
5 the fact he would -- they were only going to be
6 investing in those companies that had concern for
7 all of their stakeholders. They were only going
8 to be investing in those companies that had
9 purpose and could articulate that purpose and
10 that were concerned about the ecosystem in which
11 they did business. That is a pretty huge
12 statement from one of the country's largest
13 private equity investors.

14 So I think that looking at private
15 equity in terms of this also would be an
16 important piece.

17 MEMBER ABERNATHY: They're -- they'd
18 be the East Coast meeting. If you look, there's
19 sort of -- there's a West Coast and then an East
20 Coast more or less. But the -- I think private
21 equity will be important. We'll have to figure
22 out how to -- the roundtables are what are you

1 doing now and how are you doing it? I think the
2 private equity, it's a different conversation.
3 And you're right, they could supplement what
4 we're trying to do with the tech companies, but
5 it will be a slightly different conversation,
6 because the conversation will be, and by the way,
7 we need you to agree that -- although I guess
8 Apple doesn't need their money anymore, but --

9 (Laughter.)

10 MEMBER ABERNATHY: -- for future
11 companies that this will be an important factor.

12 VICE CHAIR SUTTER: And Silicon Valley
13 has a ton of these.

14 MEMBER ABERNATHY: Right.

15 VICE CHAIR SUTTER: That's where most
16 of them actually are.

17 MEMBER ABERNATHY: Okay.

18 VICE CHAIR SUTTER: BlackRock does all
19 kinds of companies, but there is --

20 MEMBER ABERNATHY: I guess we'll have
21 to do two different days, yes. And that's okay,
22 because once we're out there --

1 VICE CHAIR SUTTER: Well, the other
2 side of this is when you start to publicize those
3 that are the most successful -- rather than the
4 carrot and the stick, forget the stick and focus
5 on the carrot. If you start to publicize those
6 companies with their best practices and they
7 become kind of the poster children, the investors
8 like to invest in those companies that are doing
9 well. So it's just something to think about,
10 because that's -- you want to get them to care.

11 MEMBER ABERNATHY: Right.

12 VICE CHAIR SUTTER: Their invested
13 money will be what will help them care about what
14 they're doing.

15 MEMBER ABERNATHY: Right.

16 VICE CHAIR SUTTER: Yes.

17 MS. BERROCAL: I'd like to add
18 something.

19 VICE CHAIR SUTTER: Yes?

20 MS. BERROCAL: Laura Berrocal with
21 Charter. I think that's a great point. And I
22 think the other piece that you all could consider

1 is when you highlight some of the smaller tech
2 companies and you're also addressing the private
3 equity issue that Diane just brought up, it also
4 creates an opportunity to showcase successful
5 smaller tech companies that these private equity
6 companies can actually invest in.

7 So you're creating a network where
8 you're not only looking at these larger
9 companies, but you're also considering how can we
10 help support some of these smaller minority tech
11 companies and get them some funding as well.

12 VICE CHAIR SUTTER: Yes, Harin?

13 MEMBER CONTRACTOR: A couple points.
14 Great work to your team.

15 I was a part of the My Brother's
16 Keeper conversations of the Obama administration,
17 along with Secretary Tom Perez, and we got a lot
18 of these companies at the table to talk about
19 what we could do to get disadvantaged communities
20 into these rising industries. We heard a couple
21 things over and over that we didn't think were --
22 that you may hear in your conversations where,

1 well, a lot of these communities don't have the
2 skills that we're looking for, right? And so if
3 you help us invest in these skills, then we can
4 start hiring these folks.

5 Some of it is, well, one, they're not
6 actually investing in on-the-job training for --
7 to develop these skills. Two, they -- some of --
8 since those conversations they've done a really
9 good job of investing in groups like Black Girls
10 Who Code or Girls Who Code to help some of this
11 divide. That's great, but I think a lot of it is
12 -- has to -- part of it is a supply and demand
13 disconnect that exacerbates inequality here.

14 Some of it is purposely limiting the
15 supply of people who can actually do some of
16 these jobs by saying, oh, you have to have a
17 college degree or a master's degree for things
18 that you probably just could have an
19 apprenticeship or a credential to get across.

20 And so working with these
21 organizations that have a standardized credential
22 that would allow communities, underserved

1 communities a pathway to get to these jobs,
2 whether they're ex-offenders or from communities
3 that weren't as advantaged to get to those
4 employment opportunities, that would be great.

5 VICE CHAIR SUTTER: You mean maybe an
6 incubator or an apprentice program?

7 MEMBER CONTRACTOR: Could be
8 potentially.

9 (Simultaneous speaking.)

10 MEMBER CONTRACTOR: Potentially.

11 VICE CHAIR SUTTER: I'm just
12 wondering.

13 MEMBER CONTRACTOR: Yes. Yes. So I
14 think that was one thing I wanted to bring up for
15 you all.

16 And then if there are best practices
17 from the My Brother's Keeper initiative, I think
18 there's still stuff with the Obama Foundation
19 they're working on really today.

20 VICE CHAIR SUTTER: Great. Okay.

21 MEMBER LOGAN: One thing that I will
22 say though, too, is one of the things we want to

1 truly understand is when they do make that
2 argument to not being able to find the diverse
3 groups for these particular jobs, where are they
4 looking? Because there's a lot of folks out
5 there who would challenge that very notion,
6 right?

7 MEMBER CONTRACTOR: Yes, exactly.

8 MEMBER LOGAN: So, and also one of the
9 things we will look into is the question as to
10 whether or not the qualifications they are
11 looking for actually fit the functions of the
12 position.

13 MEMBER CONTRACTOR: Exactly. Yes.

14 MEMBER LOGAN: I would dare to say
15 that a lot of the leaders of these organizations
16 aren't necessarily engineers, but they do have --

17 MEMBER ABERNATHY: Or college
18 graduates.

19 MEMBER LOGAN: Or even college
20 graduates, right. So, but they do have -- so we
21 will be exploring that. And one of the reasons
22 why we think that this is a good venue is because

1 it will allow them to be more transparent without
2 risk or fear of that being used against them, but
3 rather sharing challenges so that we can use
4 other learned experiences, and those who have
5 done it successfully to share those successes as
6 well.

7 MEMBER CONTRACTOR: Right. So I guess
8 my --

9 MEMBER ABERNATHY: There's also --

10 MEMBER CONTRACTOR: I'm sorry.

11 MEMBER ABERNATHY: Oh, I'm sorry.

12 MEMBER CONTRACTOR: No.

13 MEMBER ABERNATHY: There's also a lot
14 of conversation right now about instead of a
15 four-year college for many at these jobs you
16 don't even do a four-year college. You do a two-
17 year specialized training for particular job
18 skills. And one thing that was triggered in the
19 discussion about philanthropy was that that --
20 these companies, many of them, have a lot of
21 money. And so to the extent you can get them
22 interested in a philanthropy that's actually good

1 for them, too, which is a two-year training
2 that's a pipeline into their companies for job
3 skills that frankly you don't have to go out and
4 get \$150,000 in debt, is just a great solution I
5 think.

6 So there's a lot of tie-ins to what's
7 been discussed today that I think could be very
8 helpful as we're brainstorming.

9 MEMBER CONTRACTOR: So I think a part
10 of that, if -- again, for the fear of inviting
11 too many people to this table that you're
12 proposing, is there was a great initiative also
13 that we did at Labor that's continuing on called
14 TAACCCT with the Trade -- for community colleges
15 to work with local businesses to get into these
16 on-demand jobs; and some of these tech firms were
17 working with local communities to do that, but
18 inviting some of those success stories to the
19 table.

20 And also if there -- there are --
21 obviously a bunch of groups of these tech
22 companies are a part of -- maybe having them at

1 the table to be like if we can agree on a
2 baseline credential for allowing people to get
3 into these jobs, that might be another way to
4 reduce that supply.

5 VICE CHAIR SUTTER: The supply.

6 MEMBER CONTRACTOR: Yes.

7 VICE CHAIR SUTTER: All right. Nicol,
8 you want to go next? And then Susan and Heather,
9 we'll let you round it out.

10 MEMBER BRIOCHE: Can I --

11 VICE CHAIR SUTTER: And, Rudy, I
12 wouldn't suggest you wouldn't also be part of
13 that discussion.

14 (Laughter.)

15 MEMBER TURNER-LEE: So I want to
16 congratulate the working group on putting
17 together substantial efforts to figure out how to
18 do this given the FCC's lack of jurisdiction over
19 this issue, and obviously it's been an issue of
20 the previous committees to sort of figure this
21 out, but I would also urge the -- I also want to
22 put out a couple of points that I think the

1 working group should also think about when they
2 go in and they talk to tech companies.

3 I think this definition of what
4 constitutes a tech company is much more blurry,
5 that they are both pragmatic in terms of the
6 digital share economy and some of them are very
7 rudimentary and tied to the IT, traditional IT
8 skills economy. And when you begin to look at
9 how that has actually shaped out, employment is
10 one key of this.

11 How do you place people in substantial
12 C-suite positions, board, Rainbow PUSH
13 Coalitions, talk about even accounting
14 assistants, lawyers, things that are non-
15 technical? But there's also this question of how
16 do you place them in positions where they impact
17 the design of products and how that impacts us?
18 So this whole concept of diversity and design is
19 also a piece that I think is tied to employment
20 as it looks today.

21 And so if we're going to be forward-
22 thinking about looking at technology diversity,

1 it's very important to look at how companies that
2 have and use -- enable tech to creates profitable
3 models are also involving communities of distinct
4 interest in the design of their products. And so
5 I think that's an extension of this conversation
6 that has to do with the diversity they have in
7 employment because when not properly done, you
8 actually get explicit bias, implicit bias or
9 unconscious bias. And that affects diverse
10 communities. So I would put that out there.

11 I also think the pipeline issue is
12 really important, but I think it's also in
13 developing the questionnaire and again focusing
14 on these working groups, as it's been suggested,
15 to sort of dismantle and unpack some of these
16 perceived barriers to improving upon pipeline.
17 But there's also this piece that I think is also
18 important for people to -- for our committee to
19 look at, which is the nature of the future of
20 work and how the pipeline again maybe more
21 intuitive.

22 When I go out to Silicon Valley,

1 outside of not looking at people that look like
2 myself, I also see a different skill set that may
3 not just be based on a coding background, but
4 it's based on how they actually imagine the
5 world, which in some cases is good and for policy
6 makers in some cases it's dangerous. But the key
7 thing is it's not this very -- and I'll point my
8 head over to David and Henry, right? Back in the
9 days there were set skill qualifications for
10 broadcasting or set qualifications for telecom,
11 right? And i think what tech has done is
12 disrupted various verticals.

13 So again, what's the skill set if you
14 want to do tech at a big box store versus doing
15 tech in Apple or in a -- what we've considered to
16 be the new high-tech industry? What's the
17 difference of doing tech in a small startup where
18 you're collecting data to be able to do a calorie
19 intake application versus doing tech in a place
20 that's dealing on the areas of fintech?

21 So I would really push the committee
22 to sort of be more forward-thinking and to break

1 out of just what does the representation look
2 like, but how does the representation in many
3 ways affect the products and services that get
4 delivered to communities of color and do they
5 have the right people that are sort of checking
6 and balancing not just the engineering side of
7 it, not just the side of -- I love what Diane
8 said, like it's the -- it's the whole ecology
9 that needs to be brought to the table to better
10 understand how that impacts our communities.

11 VICE CHAIR SUTTER: Thank you. Susan?

12 MS. ALLEN: Very impressive list, but
13 I suggest that we also look at the mid-tier as
14 well. Everybody wants to work for Apple and IBM,
15 but there are companies which are more reachable,
16 who are on the ground floor, who understand the
17 community of color as well, or a diverse
18 community we call it now. I'm changing my
19 rhetoric from that.

20 Some of our members are small
21 businesses. They run from about 50 to \$100
22 million, or maybe even less than that. I'm

1 talking about those. They -- in the country we
2 have to have this big discussion on H-1B Program.
3 Anybody not hear about that? H-1B Program. And
4 we have for many years relied on this particular
5 visa program to bring foreign workers in to
6 fulfill the gap.

7 And there is resistance there because
8 some of my members say that -- corporate members
9 say, well, I really do not need to pay so much
10 money for somebody who can have a college degree
11 with -- in computer who can -- who would help,
12 who would learn on the job. So now there is a
13 fear about the President would stop or terminate
14 or chop, diminish the program. So corporate
15 America is worried about the source of the
16 pipeline for foreign workers. Okay?

17 So looking forward our members are
18 Asian-American business owners. Well, how am I
19 going to fill that gap? So this is what they've
20 done: And this is how we can all put together
21 for the corporation, the mid-tier companies and
22 the community who need that access to training

1 and job opportunities. Some of the members are
2 going to the colleges, or even going to places
3 where they're high school dropouts or single moms
4 or folks who have retired don't have those
5 skills, take them into the company and give them
6 six months training for free with the proviso --
7 promise that they allow them to place them to
8 work. And that model has work.

9 And we can take a look at that. And
10 our members are many of the Asian-Americans in
11 high-tech and things in engineering. They love
12 to work with you. And we -- I see that there is
13 -- there are projects in Wall Street and in New
14 York with the African-American/Hispanic. When I
15 -- my friends share that with me, I said where is
16 the -- where are the Asians? Where are the
17 Asians?

18 And before Ron Busby, the President of
19 the National -- U.S. Black Chamber is on the --
20 is on our committee. And way back -- I've known
21 him for eight years, as long as he been in
22 Washington, D.C. from Phoenix. And I said, Ron,

1 your community any technology help with Mandarin,
2 let me know. I'll gladly get some of my members
3 that go into place which is near where your
4 communities are and help and mentor and then
5 collaborate. Maybe we can partner together,
6 because we have so many assets in our community
7 and you have your assets, too. Together we can
8 be a stronger force.

9 So think about that and see what we
10 can -- bring these corporations together. There
11 are many of them we work with. And then look at
12 how can we use the mid-tier, the small and
13 minority business community who are already in
14 that space, but who understand your culture much
15 better than those people upstairs.

16 MEMBER LOGAN: Thank you. And I would
17 be remiss to -- if I didn't say that we've had a
18 lot of extensive conversation on making sure we
19 include the small business community. And I
20 would be irresponsible if I didn't reach out and
21 say should this recommendation move forward, we
22 would definitely welcome and ask any of you who

1 have any particular companies in mind that you
2 think would be someone we should talk to to
3 please provide us, because one of the things we
4 are very adamant about trying to make sure that
5 we get a full -- get the gamut of -- in terms of
6 company size and impact.

7 VICE CHAIR SUTTER: A lot of the
8 companies that both Susan and Nicol were talking
9 about are also in Los Angeles with -- the whole
10 Silicon Beach area and Los Angeles --

11 MEMBER LOGAN: Yes.

12 VICE CHAIR SUTTER: -- which has
13 become huge in the last five years. And there's
14 a whole enclave in Santa Monica --

15 MEMBER LOGAN: Yes.

16 VICE CHAIR SUTTER: -- that is Silicon
17 Beach where there are a lot of these incubator
18 startup companies that are all right in the same
19 area. So that's something else to think about.

20 MEMBER ABERNATHY: We should have done
21 this in February out in California.

22 (Laughter.)

1 MEMBER ABERNATHY: For the month.

2 VICE CHAIR SUTTER: Yes, exactly.

3 Heather, if you will allow me to have
4 Rudy go, because I want you to have the last word
5 on this. So --

6 MEMBER BRIOCHE: No, I'll be brief
7 because Nicol answered some of my questions, but
8 that's okay though.

9 But one question I do have is how does
10 this -- your definition of "tech" and how does
11 that differ from ICT sector? I'm wondering
12 before us -- you would think that tech is within
13 ICT, but in reading the definition it sounds a
14 lot like just the ICT sector and I'm wondering if
15 that's the focus or is the focus tech? Because
16 on one hand you want to focus on the core
17 functions, but yet I imagine that there are
18 aspects that are made that may be different. For
19 example, firms that operate in -- regulated
20 environments for example is one area of
21 distinction.

22 There may be a distinction in terms of

1 development as well, historical development. It
2 would be interesting, because IBM is an
3 interesting case where IBM has been around
4 forever, but who would say IBM is not a tech
5 company, right? So I recognize it's not entirely
6 clean, but I'm wondering how did you guys think
7 about that in developing the definition? And it
8 seems to that ICT seems to be very much reflected
9 in the definition. How is that distinct from
10 tech?

11 MEMBER LOGAN: I would agree that it
12 is in large part -- you are correct, but we also
13 thought about a lot of instances. So I mean, the
14 easiest example that I could give is the example
15 where you had the CEO of Under Armour saying
16 Under Armour is a tech company. And while it's
17 undoubted that technology is influencing and
18 permeating throughout all aspects of American
19 business and, frankly, society, there -- we were
20 trying to distinguish those companies that
21 provide or enhance services through the use of
22 technology.

1 So for example, the subcontractor that
2 creates the software program that is being used
3 to read the health data information, analyze
4 that. They might qualify versus just the company
5 -- the doctors, for example, right, who is
6 utilizing that information.

7 So that's why we're trying to get
8 towards -- it's not a clean -- one of the things
9 we struggled with was understanding that because
10 technology is so pervasive that it is hard to
11 make a clean break. So at least with respect to
12 this we wanted to be able to make sure that we
13 didn't -- we limited a lot of the tangential
14 services outside of the tech industry.

15 MEMBER TURNER-LEE: Right, if I can,
16 you might want to go to the Department of Labor
17 report that actually did the EEO. They did a
18 nice clear definition of tech diversity when it
19 came to -- and I'm pointing to David because when
20 I was at MMTC we looked a lot at -- we were
21 trying to justify -- I think the regulated
22 industries; I think to Rudy's point, may have

1 those markers in place for some level of
2 accountability when it comes to employment
3 diversity, but what the Department of Labor
4 report basically laid out was in unregulated
5 industries you don't have those markers.

6 So they gave this -- they embraced
7 this definition that I think was very useful for
8 us to distinguish between direct service tech
9 companies versus tech companies at -- or
10 companies that benefit from being on broadband
11 platforms or leveraging ICT.

12 So I'm more than happy to be helpful
13 in that, but there's some data that can help
14 frame that definition.

15 MEMBER CONTRACTOR: To Nicol's point
16 on the data, BLS does a really good job of
17 breaking down the NAICS code. So if you're a
18 Walmart, but -- they have a huge IT shop, if
19 you're interested in tech. If you employ -- if
20 you're in that and then sort of -- say part of
21 the tech economy?

22 MEMBER TURNER-LEE: That's right.

1 MEMBER CONTRACTOR: Yes, rather --
2 yes.

3 MEMBER TURNER-LEE: And you have to
4 identify where the problem is --

5 MEMBER CONTRACTOR: Yes.

6 MEMBER TURNER-LEE: -- right?

7 MEMBER ABERNATHY: And we should marry
8 it up --

9 MEMBER TURNER-LEE: Yes.

10 MEMBER ABERNATHY: -- with the chart
11 you have --

12 MEMBER TURNER-LEE: That's right.

13 That's right.

14 MEMBER ABERNATHY: -- because frankly,
15 we don't really care what they call themselves.
16 We care about the companies that on your chart
17 demonstrate that from a hiring perspective --

18 MEMBER TURNER-LEE: That's right.

19 MEMBER CONTRACTOR: Right.

20 MEMBER ABERNATHY: -- they don't have
21 a good diverse hiring. So I think we'll -- we
22 should take your data --

1 MEMBER TURNER-LEE: We'll sync that
2 up. That's right.

3 MEMBER ABERNATHY: -- marry it up and
4 then -- because we can't boil the ocean, but we
5 can certainly focus on the biggest pieces of the
6 pie that are not engaging in the right -- what we
7 think of as appropriate hiring.

8 MEMBER TURNER-LEE: I'll volunteer,
9 too.

10 MEMBER ABERNATHY: Because you're not
11 very busy, so --

12 (Laughter.)

13 MEMBER GATES: Well, thank you. Very
14 excited.

15 So this month is Women's History Month
16 and I would be remiss if I didn't talk about
17 women in tech. We can have lots of women in
18 tech. We used to have lots of women in tech
19 until the '80s. In the '50s women were used as
20 human programmers, and that was illustrated last
21 year in the movie Hidden Figures that showed the
22 contribution of three African-American women in

1 the NASA programs.

2 But in addition to that, actually
3 during that time up until the '80s I think over
4 50 percent of people in tech were women. And
5 something happened in the '80s. And maybe -- I
6 don't know what happened. Maybe it was that we
7 developed this perception of who was a programmer
8 and who was a person in tech.

9 So in doing analysis we need to kind
10 of go back and get an understanding of that
11 history, because as a parent of a daughter and as
12 a person who graduated in tech there were so many
13 barriers to me to -- advisors telling me why
14 don't you do something simpler, to me being the
15 only girl in my graduate class in graduate
16 school.

17 So we need to look at what's happening there.

18 One of my pet peeves is going to the
19 toy store and seeing all the drills and the tech
20 toys in the boy's section. That in itself
21 creates this perception of who needs to be in
22 tech. So we need to address those perceptions.

1 Last year the University -- North
2 Carolina State University conducted a study on
3 how women programmers were perceived and as part
4 of that study they used the platform GitHub to
5 post some programs where people could offer
6 feedback. They found that women who submitted
7 contributions and had their profile picture and
8 their name on it had a lower acceptance than
9 women who did not put a profile. And as a matter
10 of fact those women that did not put a profile
11 tended to perform better than the men in terms of
12 their -- the acceptance of their submissions. So
13 clearly there's a talent. Clearly there's a
14 problem with perception when a woman programmer
15 walks in the room that they're probably not as
16 talented as a man.

17 So in the interest of celebrating
18 Women's History Month I applaud you on your work
19 and I look forward to seeing more research and
20 information on how we can overcome these
21 perceptions of the talent and the skill of women
22 in tech. That's it.

1 VICE CHAIR SUTTER: Thank you. Thank
2 you all for your very insightful comments.

3 Yes, David?

4 MEMBER HONIG: Just a point of
5 information and that we might take note of to be
6 sure that this doesn't play out in this way.

7 The previous advisory committee, the
8 Career -- the Advisory Committee for Diversity
9 and Communications in the Digital Age on June
10 14th, 2004; and I have this before me because
11 it's still on the Commission's web site, adopted
12 -- and it took five seconds to pull it up --
13 adopted a best practices guide called "Workplace
14 Diversity, Global Necessity and Ongoing
15 Commitment." June 14th, 2004 the Career
16 Advancement Subcommittee of the FCC's Advisory
17 Committee.

18 Among the members were Julia Johnson,
19 Chair, Henry Rivera, myself, Maria Brennan, among
20 other members. And we recommended, among many
21 other things, a role for the CEO in promoting
22 diversity, diversity structure, how to achieve

1 workforce diversity, professional development
2 programs, diversity management, including
3 training, benefits and recognized that the --
4 specifically the nature of broadcast workforce
5 was changing such that it would be better to
6 transition to more efforts to promote retention
7 as opposed to just recruitment.

8 Those recommendations by the advisory
9 committee 14 years later are still pending, have
10 not been acted upon and are still active in the
11 docket. The Commission hasn't gotten to them
12 yet, but they're still waiting.

13 Is there anything that we can do when
14 we propose new recommendations to be sure that
15 perhaps they won't be pending 14 years from now
16 when some of us will be dead?

17 VICE CHAIR SUTTER: Well, at the very
18 least I think that gives this Committee a frame
19 of reference for at least where we've been and
20 perhaps a more helpful guide to where we can go.
21 So thank you, David, for that context.

22 And this group has a recommendation,

1 do you not? Would you care to make that to the
2 group, please?

3 MEMBER LOGAN: So the --

4 VICE CHAIR SUTTER: It also of course
5 is in your packet.

6 MEMBER LOGAN: So the recommendation
7 is that the advisory committee support a series
8 of roundtable discussions in the development of a
9 best practices guide. The roundtable discussions
10 and best practices guide will be developed by the
11 working group and hosted by a working group
12 member. The working group intends to hold the
13 first roundtables on the West Coast and if
14 necessary a second or further on the East Coast.

15 The roundtables will focus obtaining a
16 firm understanding of the challenges, concerns
17 and success of the tech community and informing a
18 diverse and inclusive workplace.

19 VICE CHAIR SUTTER: And are you making
20 that motion?

21 MEMBER LOGAN: I am.

22 VICE CHAIR SUTTER: And do we have a

1 second?

2 MEMBER ABERNATHY: Second.

3 VICE CHAIR SUTTER: Thank you.

4 Further discussion?

5 (No audible response.)

6 VICE CHAIR SUTTER: All right.

7 MS. ALLEN: When do you do that would
8 you include the other working group, because what
9 you do is very basic. So you said that you
10 wanted to -- we have speakers and you want me to
11 give you the names. And we can work together so
12 that at least the Asian -- especially in Los
13 Angeles in the Orange County area is a huge Asian
14 community, the university there, I think we could
15 truly make it diverse.

16 VICE CHAIR SUTTER: Great.

17 MEMBER LOGAN: We can assure you we
18 will be reaching out to our friends on the
19 Committee.

20 MS. ALLEN: Thank you.

21 VICE CHAIR SUTTER: Thank you. May I
22 call the question?

1 (No audible response.)

2 VICE CHAIR SUTTER: All those in
3 favor, please say aye?

4 (Chorus of ayes.)

5 VICE CHAIR SUTTER: Opposed?

6 (No audible response.)

7 VICE CHAIR SUTTER: It has passed by a
8 unanimous vote.

9 MEMBER JOHNSON: This is Ronald
10 Johnson on the line. I vote yes.

11 VICE CHAIR SUTTER: And I thank you
12 for that.

13 MEMBER JOHNSON: Ronald Johnson --
14 (Simultaneous speaking.)

15 VICE CHAIR SUTTER: Yes, and some are
16 on the line?

17 MEMBER JOHNSON: Yes, Ronald Johnson.
18 I vote yes.

19 VICE CHAIR SUTTER: Why thank you,
20 sir.

21 (Laughter.)

22 D VICE CHAIR SUTTER: We so appreciate

1 that. Anyone else?

2 (No audible response.)

3 VICE CHAIR SUTTER: I thought I just
4 heard you in the ayes, Ron. Thank you.

5 MEMBER JOHNSON: Yes, I was in the
6 ayes. Yes, thank you.

7 VICE CHAIR SUTTER: Excellent. Thank
8 you so much. We appreciate that.

9 If there's one thing I think we've
10 gotten out of today's conversation it's the fact
11 that each group is working extremely hard and
12 aggressively toward their goals, but that there
13 are opportunities within the rest of the group to
14 share both skills, talents and resources, not to
15 mention, as Henry and David have so eloquently
16 pointed out, we might also need to be checking
17 the history on what this Committee has done in
18 the past because if we don't recognize it, we're
19 destined to repeat it. And I think our goal for
20 all of us is to come out with actionable items
21 that we can all look to and say something has --
22 we've moved the needle.

1 So I would encourage you to go back
2 and take a look at what previous Diversity
3 Committees have recommended, especially as they
4 refer to your particular group's work.

5 Second, I thank everyone for their
6 offer of help and support, and I think we've
7 gotten a lot of that from this meeting today.

8 I would also like to ask if there are
9 any public comments, anyone on the vast group we
10 have here that --

11 (Laughter.)

12 VICE CHAIR SUTTER: -- is -- it's
13 important to make that available. Anybody
14 looking to make comments from the public? No one
15 over there that's dying to -- okay. Great.

16 Thank you.

17 We've got a lot of important work to
18 do and I think we have made some really great
19 strides toward that. And hopefully if nothing
20 else, besides some great food from T-Mobile --
21 thank you. Again thank you --

22 (Applause.)

1 VICE CHAIR SUTTER: -- it's also give
2 us a chance to really get to know one another
3 better and to be able to recognize the strengths
4 and the resources that each one of us bring. We
5 have some really good recommendations in front of
6 us which we have adopted unanimously, so thank
7 you. And again I want to focus that this is the
8 beginning and how we work with the Commission
9 going forward.

10 Jamila, I would like to ask if we
11 could also get OCBO to be more involved with
12 coming, perhaps having a representative at these
13 meetings.

14 MS. JOHNSON: Yes.

15 VICE CHAIR SUTTER: I think it's
16 really important. Everyone of us is going to be
17 needing to interact with them, so I think it
18 would be helpful for them to get to know us and
19 for us to get to know them since it's a new
20 office staff, if you will.

21 MS. JOHNSON: Right.

22 VICE CHAIR SUTTER: So --

1 MS. JOHNSON: I think traditionally
2 they have come and actually been present at the
3 table.

4 VICE CHAIR SUTTER: Sometimes.

5 MS. JOHNSON: Yes. So I think it was
6 probably just scheduling, but the head of the
7 office Sanford Williams has indicated that he
8 would like to sit in on some of the working group
9 meetings starting of course with digital
10 empowerment as they plan for their one-day event.
11 So --

12 VICE CHAIR SUTTER: Especially because
13 we've worked with different heads of --

14 MS. JOHNSON: Yes.

15 VICE CHAIR SUTTER: -- OCBO in the
16 past. And with him having a new --

17 MS. JOHNSON: Yes.

18 VICE CHAIR SUTTER: -- role in the
19 last six months --

20 MS. JOHNSON: Yes.

21 VICE CHAIR SUTTER: -- it would also
22 perhaps be helpful at our next meeting if we

1 could get some comments from him about where
2 their focus is --

3 MS. JOHNSON: Yes.

4 VICE CHAIR SUTTER: -- what their
5 staffing is, how they work and how we can best
6 work with them.

7 MS. JOHNSON: Absolutely.

8 VICE CHAIR SUTTER: So if we could
9 have that --

10 MS. JOHNSON: Yes.

11 VICE CHAIR SUTTER: -- for our next
12 meeting, I think that would be helpful for all of
13 us.

14 Yes, Susan?

15 MS. ALLEN: Is the new head a
16 political appointee?

17 MS. JOHNSON: I don't believe so. I
18 believe he was already on the staff.

19 MS. ALLEN: Great.

20 MS. JOHNSON: He moved within --

21 (Simultaneous speaking.)

22 MS. ALLEN: That means that he has the

1 depth and breadth of the knowledge of what's
2 going on.

3 MS. JOHNSON: Yes.

4 MS. ALLEN: And otherwise, even with
5 that I would like him to only -- not only him,
6 but bring a staff who is the executive
7 instrumental in actually implementing it, because
8 we find again some time the head talks, the
9 bottom --

10 MS. JOHNSON: Yes.

11 MS. ALLEN: -- the legs do not walk.

12 VICE CHAIR SUTTER: Well --

13 MS. ALLEN: You're not getting
14 anywhere.

15 VICE CHAIR SUTTER: Well, the
16 interesting thing about OCBO is it is -- I wish
17 it was a larger entity inside the Commission,
18 frankly, given all the things that we would like
19 to have them working on with us.

20 MS. ALLEN: I know, but the person who
21 is being involved in is -- also doubles up. The
22 woman, Diane or something. What's her name?

1 Diane?

2 MS. JOHNSON: Carolyn Williams is his

3 --

4 MS. ALLEN: Carolyn. That's right.

5 MS. JOHNSON: -- senior person.

6 MS. ALLEN: So she doubles up on other
7 jobs. She just is -- I know FCC is a small
8 agency. It's got \$11 million and something on
9 just small business band compared to the hundreds
10 of million dollar year. But nevertheless, what
11 it dribbles down to is -- impact on the private
12 sector is important.

13 MS. JOHNSON: Yes.

14 MS. ALLEN: So if I could -- we could
15 have at our meetings have meaningful
16 representation from not just the head but also
17 the executive who will actually help to implement
18 it, that would be very helpful, because then we
19 can hold them accountable. Otherwise, we're
20 going to go through another 2004 reading, read
21 the 2004 memo again.

22 VICE CHAIR SUTTER: Well, I think that

1 would be great if we could have OCBO's
2 participation in --

3 (Simultaneous speaking.)

4 MS. JOHNSON: And I'll speak to him.

5 VICE CHAIR SUTTER: Yes, Henry?

6 MEMBER RIVERA: Yes, I don't want to
7 throw a wet blanket on the proceedings, but again
8 in the past we have had OCBO participation and we
9 leaned on them too much. They're a very small
10 staff --

11 VICE CHAIR SUTTER: That was my point.

12 MEMBER RIVERA: -- and they can't --

13 VICE CHAIR SUTTER: They are very
14 small.

15 MEMBER RIVERA: -- do everything. And
16 they want to be helpful, but you have to use them
17 judicially and you have to understand that they
18 have limited resources.

19 So as you -- as we dialogue with them,
20 we just need to keep that in mind and try to use
21 them judicially and not pile everything on them.
22 Because if you do that, nothing happens.

1 VICE CHAIR SUTTER: They simply can't.

2 I mean --

3 MEMBER RIVERA: They can't do it, no.

4 VICE CHAIR SUTTER: -- they would be
5 looking for us to supply them with a lot of the
6 resources necessary. Now there are things they
7 can do. We have talked in the past about web
8 site and creating informational pieces for the
9 web site. There have been a number of things
10 that we've talked with them about before. A lot
11 of their challenge is not being able to get
12 necessarily all the content and all the people.

13 But I think having them as a part of
14 this group is really important if for no other
15 reason than just so that inside the Commission
16 there is a greater understanding of what we're
17 doing and what we're working on and that is
18 something that's a more cohesive process. So
19 thank you.

20 MS. ALLEN: I don't think we want them
21 to do things. I want them to tell us where
22 things are, who to talk to, the right people as a

1 contact, the contacts, not to print this, do that
2 for us. We could do that and we can in fact help
3 them out. But if they can give us the
4 information --

5 (Simultaneous speaking.)

6 VICE CHAIR SUTTER: And I found them
7 to be very willing to do that. So we will get
8 them here and have that happen. Thank you.

9 Are there any other comments?

10 (No audible response.)

11 VICE CHAIR SUTTER: I want you to know
12 we've given you 15 minutes back, but thank you
13 for your day's worth of activity. And I
14 especially thank those from the working group who
15 have joined us and been part of it and clearly
16 been an essential addition to all of our
17 Committee. So I thank you very much. And thank
18 you all and have a good day. We are adjourned.

19 (Whereupon, the above-entitled matter
20 went off the record at 2:37 p.m.)

21

22

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C E R T I F I C A T E

This is to certify that the foregoing transcript


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Diversity and Digital Empowerment

Before: US Federal Communications Commission

Date: 03-27-18

Place: Washington, DC

was duly recorded and accurately transcribed under
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Court Reporter

NEAL R. GROSS

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