UNITED STATES OF AMERICA

FEDERAL COMMUNICATIONS COMMISSION

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CONSUMER ADVISORY COMMITTEE

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MEETING

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MONDAY
FEBRUARY 26, 2018

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

COMMISSIONERS PRESENT:
AJIT PAI, Chairman **
MIGNON CLYBURN, Commissioner

COMMITTEE MEMBERS PRESENT:
ED BARTHOLOME, Committee Chairman
ZAINAB ALKEBSI, Deaf and Hard of Hearing Consumer Advocacy Network
DEBRA R. BERLYN, National Consumers League
ALAN BUTLER, Electronic Privacy Information Center
SEAN CARROLL, Massachusetts Department of Telecommunications and Cable *
JOSLYN DAY, Massachusetts Department of Telecommunications and Cable *
FREDERICK ELLROD, National Association of Telecommunications Officers and Advisors
AMINA FAZLULLAH, National Digital Inclusion Alliance
B. LYNN FOLLANSBEE, USTelecom
PAUL GOODMAN, Center for Media Justice/Media Action Grassroots Network (MAGNET) *
SUSAN GRANT, Consumer Federation of America
MITSUKO R. HERRERA, National Association of Telecommunications Officers and Advisors *
KYLE J. HILDEBRAND, Subject-matter expert, Special Government Employee
THADDEUS JOHNSON, National Association of State Utility Consumer Advocates
JULIE KEARNEY, Consumer Technology Association
LUIZA LANCETTI, T-Mobile
ROSS J. LIEBERMAN, American Cable Association
MAUREEN MAHONEY, Consumers Union *
SARAH MALAIER, American Foundation for the Blind
KATIE MCAULIFFE, Americans for Tax Reform
KEVIN MCELDOWNEY, Consumer Action *
STEVEN MORRIS, NCTA - The Internet and Television Association
FRANCELLA OCHILLO, National Hispanic Media Coalition
ALEX PHILLIPS, Wireless Internet Service Providers Association
STEVE POCIASK, American Consumer Institute
KEVIN RUPY, USTelecom
JONATHAN SCHWANTES, Consumers Union *
ANGELA SIEFER, National Digital Inclusion Alliance
KEVIN TAGLANG, Benton Foundation *
BARRY UMANSKY, Digital Policy Institute
LARRY WALKE, National Association of Broadcasters *
OLIVIA WEIN, National Consumer Law Center
KRISTA WITANOWSKI, CTIA
COMMISSION STAFF:
SCOTT MARSHALL, Designated Federal Official
CHRIS ANDERSON
EVAN BARANOFF
MICAH CALDWELL
GREGORY COOKE
DAVID FURTH
ROGER GOLDBLATT
KURT SCHROEDER
KAREN PELTZ STRAUSS
MARK STONE
PATRICK WEBRE

*Present by teleconference
** Present by video
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(09:08 a.m.)

CHAIR BARTHOLME: Good morning everyone. Start by just saying thank you to everyone for taking time out of your busy schedules to be here, to join us by phone, I know we have a number of people on the phone today.

We've put together what will hopefully be an insightful and pretty full agenda, to make good use of your time. So, for those of who don't know, I'm Ed Bartholome. I'm with Call for Action.

I'm going to turn it over to Scott Marshall. Scott's with the FCC, he's our designated Federal Officer, and he'll go over some logistics for us.

MR. MARSHALL: Hi, good morning everybody. Again, welcome. We will be looking forward to hearing from Commissioner Clyburn, this morning, sometime between 9:15 and 9:30.

And we also have remarks from the Chairman who, unfortunately, is not -- at another
commitment out of town, as I understand it. And
couldn't join us today in person, but did record
remarks late last week. So we'll be hearing
those too, before the CGB update at 9:30. We'll
provide more info on the breakout groups as we
get closer to them this afternoon. You have in
your packet, a list of those room locations.

And we'd really appreciate the working
group leaders to set up the conference bridge, so
that people that aren't here, in person, can dial
in on the phone. But, other than that, I think
that's about it. Shall we do introductions?

CHAIR BARTHOLOME: Yes.

MR. MARSHALL: Good. Great. Going
from next to my right, I guess.

MEMBER MALAIER: I'm Sarah Malaier,
American Foundation for the Blind.

MEMBER GRANT: Susan Grant, Consumer
Federation of America.

MEMBER BERLYN: Debbie Berlyn,
representing the National Consumers League.

MEMBER SIEFER: Good morning. Angela
Siefer, National Digital Inclusion Alliance.

MEMBER WEIN: Olivia Wein, National Consumer Law Center.

MEMBER JOHNSON: Thaddeus Johnson with NASUCA.

MEMBER HILDEBRAND: Kyle Hildebrand, Individual.

MEMBER PHILLIPS: Hi, I'm Alex Phillips. I'm here with the Wireless Internet Service Providers Association.

MEMBER KEARNEY: Hello, I'm Julie Kearney with the Consumer Technology Association.

MEMBER LANCETTI: Hi. Luisa Lancetti representing T-Mobile.

MEMBER WITANOWSKI: Krista Witanowski, CTIA.

MEMBER FOLLANSBEE: Lynn Follansbee, US Telecom.

MEMBER LIEBERMAN: Ross Lieberman, American Cable Association.

MEMBER POCIASK: Steve Pociask. I'm with the American Consumer Institute.
MEMBER UMANSKY: I'm Barry Umansky with the Digital Policy Institute.

CHAIR BARTHOLME: And again, it's Ed Bartholme with Call for Action. Who do we have on the phone this morning?

MEMBER OCHILLO: Good morning. This is Francella Ochillo, National Hispanic Media Coalition.

MEMBER DAY: Joslyn Day, Massachusetts Department of Telecommunications and Cable.

(Simultaneous speaking)

MEMBER TAGLANG: Kevin Taglang, Benton Foundation.

MEMBER GOODMAN: Paul Goodman, Center for Media Justice.

MEMBER HERRERA: Mitsuko Herrera, National Association of Telecommunications Officers and Advisors in Montgomery County, Maryland.

CHAIR BARTHOLME: Did somebody just join? Or is there anyone else on the call?

MEMBER WALKE: Larry Walke from NAB.
Did you hear me?

CHAIR BARTHOLME: Yes. Got you Larry, thank you.

MEMBER WALKE: Thank you.

CHAIR BARTHOLME: Anyone else?

MEMBER WALKE: Sorry I can't be there in person today.

CHAIR BARTHOLME: We miss having you. So, that's a good segue to brag about the wonderful food that is here, in the room, for those of you on the phone and aren't joining us in person. And I'd like to take a second to thank NCTA for providing food. I think that Stephanie and --

MR. MARSHALL: Steve just walked in.

CHAIR BARTHOLME: Well, Steve just walked in. So, just in time. Just in time to give thanks for food.

MR. MARSHALL: There you go. What timing.

(Laughter)

CHAIR BARTHOLME: For those of you in
The room here, the internet access code is FCC823302. And --

MR. MARSHALL: That's capital FCC.

CHAIR BARTHOLME: FCC is capitalized.

There's food back in the corner. There's also water back there, if you need to get some of that as well. I think we're ready to roll.

MR. MARSHALL: Okay.

CHAIR BARTHOLME: All right. So the first thing up this morning we are excited to have pre-recorded remarks from the Chairman. As Scott mentioned, he's traveling today and wasn't able to join us in person. But he did prepare some remarks, and recorded those for us. So, we'll start there.

CHAIRMAN PAI: Good morning. I wish I could join you in person today, but I have a prior commitment out of town, so I'd like to share some brief remarks with you via video.

Welcome to the Winter of 2018 meeting of the FCC's Consumer Advisory Committee. And thank you so much for sharing your time, and
expertise with us. We greatly appreciate it.

I also want to acknowledge the CAC's leadership team, namely the Chairman, Ed Bartholome, and the chairs of the CAC's working groups.

The CAC reflects a core tenet of my policymaking approach. That the decisions we make inside this building need to reflect input and fresh ideas, from outside these walls. Our staff's expertise is truly world class.

But the FCC doesn't have a monopoly on good ideas. Far from it. The CAC offers a unique opportunity for consumers, and industry, to exchange ideas with the goal of developing solutions that work. This, your work, helps us get it right. And that's one reason I'm very pleased that you're partnering with us on tackling robocalls. As you know it's our top category of complaints, here at the FCC. And it's accordingly our top consumer protection priority.

Your input is very helpful as we
consider what to do about robocalls. I'm looking forward to receiving your recommendation this afternoon, regarding call authentication as a key step in addressing the robocalls problem.

We're also eager to get your advice on how to measure the effectiveness of our efforts to combat robocalls.

The complaint process is another area in which we've been glad to hear from the CAC, and we've implemented many of your recent recommendations.

For example, we've added a dedicated button on our Consumer Complaint Center landing page, to make it easier to file an unwanted calls complaint.

And we've also put together valuable educational materials that we can send in a single email, when responding to a consumer's complaint.

Another high FCC priority is public safety. I'm very glad that you chose to make public safety the theme for your meeting today.
You'll be hearing from key staff, at the FCC's Public Safety and Homeland Security Bureau, on topics such as disaster response, improvements in alerting including geographic targeting of alerts, and next generation 911 service.

Last week I announced that I, along with members of my Hurricane Recovery Task Force, will travel in March to Puerto Rico and the U.S. Virgin Islands. We'll take another firsthand look at the recovery process.

We want to evaluate lessons learned from Hurricane Maria, and to prepare for the upcoming 2018 hurricane season.

The FCC has taken numerous actions in the aftermath of last year's hurricanes, including advanced USF funding, E-rate support, temporary waiver of Lifeline certification rules, experimental licensing of Internet access delivered via balloons, and much more. The FCC remains committed to supporting recovery efforts and helping to restore, and in some cases
rebuild, communications networks as quickly as possible. The FCC's efforts here reflect consumer protection in its most urgent form. In closing, let me thank you, once again, for helping to make the FCC's policies better.

Our challenges aren't easy, but working together there's a lot we can do. I hope to join you, in person, at a future CAC meeting. And in the meantime, my best wishes for a productive meeting today. Thanks.

CHAIR BARTHOLME: So, thank you Chairman Pai for recording those and sending those along for us. Next up on the Agenda, we're very excited to be joined, in person, by Commissioner Clyburn.

COMMISSIONER CLYBURN: Where's the encore?

CHAIR BARTHOLME: She's obviously no stranger to the room, so.

COMMISSIONER CLYBURN: I just didn't -- I skipped breakfast, so I just didn't want to be tempted by grabbing these.
MR. MARSHALL: Help yourself.

COMMISSIONER CLYBURN: Again, good morning everyone. Thank you, Eduard. I want to start off by not only thanking each of you for your service, but, as the Chairman said, for highlighting public safety in today's agenda.

My approach, when it comes to public safety issues, has been shaped by three key guiding principles. People with disabilities and access challenges must benefit.

We should do all we can to educate each and every consumer about these public safety benefits. And collaboration among all stakeholders work better than litigation. Sorry lawyers in the room.

The first two principles, you may note, are at the core of this Committee's mission. Since September of 2017, the FCC has addressed several public safety issues, in a largely bipartisan fashion.

It has adopted rules to implement two important congressional objectives, or
directives.

The first was to facilitate the nationwide dissemination of information when a law enforcement officer is seriously injured, killed or missing in the line of duty. Through the adoption of the three character Code BLU, B.L.U., as a new EAS event code to enable the delivery of BLU alerts over emergency alert system, and wireless emergency alerts, or WEAS.

And last month the Commission took another step to improve the WEAS system by allowing, through the previous administrations enhanced geotargeting proposal, we established a deadline that requires the industry to meet that enhance standard by November 30, 2019. Three hurricanes, I don't have to remind you, devastated communities in Texas, Florida and the U.S. Virgin Islands, in Puerto Rico.

And again, I must commend this staff of the Public Safety and Homeland Security Bureau, here at the FCC, for their rapid response.
They jumped into action by dispatching personnel and resources, to ensure state and local governments had the help that the FCC could offer them to protect their citizens, and restore vital communication services.

But the wireless service outages, we witnessed during those disasters, indicate that the Commission, all of us, may have to do more. According to our network outage reports, five days after Hurricane Maria's landfall on September 16, 2017, 95.2 percent of those cell sites remained out of service.

All counties in Puerto Rico had a greater than 75 percent cell site outage. And 48, of the 78 counties Puerto Rico, had 100 percent of their cell sites out of service.

Those levels were worse than any prior hurricane outage reports, including Katrina and Superstorm Sandy.

Since Hurricane Katrina struck in 2007, the Commission has been studying ways to improve the resiliency of commercial wireless
networks.

In 2016, we opted to monitor a voluntary CTIA-led initiative, which sought to improve coordination among wireless carriers, state and local governments,

and consumers in preparation for outages that result from natural disasters. I believe that the time is now for the Agency to revisit this. And a great place to start would be for the CAC working with the Agency's Hurricane Task Force, on lessons on developing and learning from lessons, from the outages we saw during those three Hurricanes, Maria, Irma and Harvey.

Related to the Commission's work on public safety, I would like to highlight a Commission initiative, focused on bridging the broadband health divide. You may aware of our Connect2Health Task Force, which launched in 2014 at my urging.

And thanks to Chairman Pai, has continued to focus on examining the intersection
of broadband, advanced technology in health.

Last December the Commission
introduced into a memorandum of understanding,
with the National Cancer Institute, that will
focus on how increasing broadband access,
and adoption in rural areas, can
improve outcomes of rural cancer patients. As an
inaugural project, the Agencies have been deemed
a public private collaboration to help bridge the
broadband health connectivity gap in the
Appalachia,

taking another concrete step towards

closing the digital and opportunities divide.

So, again I would like to thank you for allowing
me to share a few words with you this morning.

And if time permits, even though I
know there's only a 15 minute window, I will look
forward to answer any questions or, better yet,
listening to any concerns you would like me to
take back upstairs. Thank you very much.

CHAIR BARTHOLME: Questions?

COMMISSIONER CLYBURN: Okay, well.
Thank you very much.

CHAIR BARTHOLME: Commissioner.

COMMISSIONER CLYBURN: But seriously, do you have any concerns, especially that -- oh, I'm sorry Angela.

MEMBER SIEFER: There's been a tension lately about the national broadband map coming out, and the accuracy of the data and what we're going to do about that. Can you talk a little bit about the map?

COMMISSIONER CLYBURN: Oh, one of the things that we have been doing, and active in, is making sure that there is a robust challenge process.

So if an entity, anybody, knows of inaccuracies that would not be a high hurdle for them to reach. And I think being open to those checks and balances, and knowing that we have a worthwhile, but -- I hate to say it, but a working -- some inaccuracies that are in the systems.

We recognize that we know we can't do
it alone. And so I think that it is one of the
critical steps, I believe, to move toward
accuracy.

CHAIR BARTHOLME: Does anyone on the
phone have a question?

COMMISSIONER CLYBURN: So again, we
continue to look -- we look forward to continuing
to work with you. If we could do it alone, it
would not be great. So that's why you're here.

You have taken so much time away from
your day-to-day schedule to inform, and serve.
And we, all of us, are the beneficiaries. And I
want to thank you, on behalf of my colleagues,
for doing that.

Because again, you know, without you
we would be very narrow in our focus. We would
not come up with the best and most robust ideas.
Coming from industry, coming from a consumer
groups, coming from all of you. And again, I
cannot thank you enough for your service. Have a
great meeting.

CHAIR BARTHOLME: Thank you.
MR. MARSHALL: Thank you.

CHAIR BARTHOLME: So next up on the agenda, we're very pleased to be joined by a number of Members of CGB staff, for an update. I believe we're going to start with Patrick. Many of you know Patrick Webre. Patrick is in charge of CGB right now, and joined us at our last meeting, so.

MR. WEBRE: Good morning everyone.

Thank you, Ed. Excuse me. I want to join Chairman Pai, who I know you saw a video from, and Commissioner Clyburn, in welcoming you to this month's Consumer Advisory Committee Meeting.

Chairman Pai wanted me to pass along his regrets for not being able to attend in person.

But he is, well as a number of other folks in the telecommunications field, are crossed upon as they say, in Barcelona this week. So thank you for your service. We say that a lot, but it's meant heartfeltly. I mean this is a, you know, a challenge. And it can be somewhat
inconvenient for you all to come in and sit here for a day, and listen to the things that we do, and to engage us in conversation. Sometimes these are difficult topics.

We really appreciate your dedication, your service to the public, you know, for all you do here. So, thank you again from me, and from my staff as well.

So Chairman Pai has already touched on many of the topics, on your agenda today. Your meeting theme, which is public safety, is particularly timely.

In light of the hurricanes that we all heard about, and some of us suffered personally from, last fall, and the recent 50th anniversary of 911 service.

In addition, the President recently signed Kari's Law into effect, which will facilitate the dialing of 911 services, without the need to dial access numbers in advance, in places like hotels.

And as we all know, such facilities
require dialing of nine, or other digits, before you can get an outside line, and that can slow down the process for dialing 911. So, you know, kudos for that taking place. And I know the Robocalls Working Group has worked very hard on the call authentication recommendations, that you will be considering this afternoon.

And my thanks to Ed, and also Kevin for spearheading this effort. And thanks to all of you again for working on it.

Next I'll have -- I'll ask members of my Senior Leadership Team to give you updates on what we've been doing, in the Consumer And Governmental Affairs Bureau.

One recent addition to our Bureau, who many of you may know, she came aboard last November, is Barbara Esbin. Barbara is back at the Commission.

She is going to be overseeing -- she is overseeing our Office of Native Affairs and Policy, and our Intergovernmental Advisory -- Office of Intergovernmental Affairs.
Barbara is traveling with our relatively new Chief of ONAP, the Office of Native Affairs and Policy, this week. They're visiting Navajo Nation, so she couldn't be with us today. But I'm sure she's looking forward to joining us in future meetings. So with that I will turn it over to Mark Stone, who will address some of the policy issues we've been working on.

MR. STONE: Thank you Patrick.

MR. WEBRE: Thank you.

MR. STONE: Good morning.

CHAIR BARTHOLME: Good morning.

Mark's another familiar face.

MR. STONE: Make sure my card is facing outward. Good morning. Good to see all of you again. I know it's been a while since we met last, so.

I've been working a lot on robocalls, and I bet a lot of you have been working on robocalls as well. So I wanted to give you a quick update on what we've been doing since you last met.
The big headline, for us, was a November item that Commission issued, relating to call blocking, the blocking of presumptively illegal robocalls.

That item built on a number of CAC recommendations, so thank you for your hard work, in the past and in the future, on robocalls.

First of all, the item acknowledged, really for the first time, that voice service providers are our partners in blocking illegal robocalls.

The Commission authorized voice service providers to block certain categories of calls, that are presumptively illegal, and that was based on probably spoofed caller ID.

So, what the Commission said was there's three categories of calls that voice providers can block, before they ever reach a consumers phone.

And those are calls that one, have caller ID that purports to be from a number that we know from the owners -- the number's owner they do not make outgoing calls.
So, this is like the IRS scam, where we know the IRS has said we do not make any outbound calls from this number. If a call purports to be from that number, you should block it.

The second category of calls are those that purport to be from numbers that are invalid. So think of 000 number all the way through the number.

And then the third category are calls that purport to be from numbers that have not been allocated to a carrier, or have not been assigned to a consumer.

So, the Commission found that calls that purport to be from these types of numbers, highly likely to be illegal, can't think of a good reason why a legitimate call would have that type of caller ID.

And so voice providers are encouraged, although not required, to block these types of calls. And in a companion FNPRM, the Commission acknowledged its history of trying to ensure that
calls are completed.

That's the general policy of the Commission for a long, long time.

So, what the Commission acknowledged here, was a need or desire to sort of mitigate the chance that good calls would actually get caught up in the call blocking net. So, it asked some questions around that.

First of all, it encouraged any voice provider that's doing blocking to make sure they have a mechanism in place to avoid false positives.

And secondly it asked whether it should, in the future, require a call block challenge mechanism whereby callers that make legitimate robocalls that feel like they're inadvertently having their calls blocked would be able to identify that situation quickly, get in touch with the voice service provider, say hey you're wrongly blocking our calls, can you fix it?

The Commission also asked a number of
other questions, in the FNPRM, including how it
could go about best evaluating the effectiveness
of our efforts in trying to ensure consumers stop
getting illegal robocalls.

For example, whether a provider should
report the number of calls they block, whether
they should report the number of false positives
and the like.

And then finally, the Commission
directed CGB, in consultation with the Federal
Trade Commission, to issue a report in a year.

Roughly January of next year on how
well industry, Government and consumers are doing
in blocking illegal robocalls, as well as the
remaining challenges to continuing those
important efforts.

So that'll be a big part of our work
in the upcoming year, and I'm sure we'll be
looking to you all for your help.

So a lot of this work does track the
recommendations you all specifically recommended
that the FCC authorize voice providers to block
specific categories of calls.

And that we be careful about trying to avoid blocking good calls. So I want to thank you for your hard work on that. And I know you all are thinking about another big portion of our work here, which is caller ID authentication.

So we look forward to your work in that area as well. Thanks.

CHAIR BARTHOLME: And keeping with the familiar faces theme, we have Karen Peltz Strauss joining us now.

MS. PELTZ STRAUSS: Thank you. There are a lot of cards up here.

CHAIR BARTHOLME: Now you're official.

MS. PELTZ STRAUSS: That's right, now I'm official. I have my name in front of me. Hi, it's great to see all of you again. So, yes it's been a few months so we have a lot of update. I'll go as quickly as I can.

Probably the most significant thing that we did since the last time you met, was adopt --
hearing and compatibility, on both wireline and
wireless.

It did a number of things, including
adopted a revised volume control standard for
wireline handsets, to provide a more accurate
measurement of voice amplification.

It also implemented a provision of the
CVAA, that's the 21st Century Communications and
Video Accessibility Act, to require that wireline
phones, used with advanced communication
services, have hearing aid compatibility,
including compatibility with VOIP phones, voice
over internet phone services. It also requires,
and this is probably the most significant portion
of the item, that all wireless handsets, newly
certified as hearing aid compatible, include
volume control suitable for consumers with
hearing loss, within three years.

Many of you know that your phones
already -- your wireless phones already have some
amplification, but it's minimal. It's actually
going to require compliance with a particular
standard that's designed to meet the needs of people with hearing loss.

And of course we'll end up probably meeting many of our needs, and everybody else's needs, when for example you're in an outdoor area, in public place and you just can't hear on your cell phone.

You'll be able to give it that extra bump in the amplification. In the video programming area, we had some rules that were -- had been adopted in the past, go into effect this last December.

Specifically rules rising our complaint procedures, and creating a compliance ladder for closed captioning quality complaints.

We adopted rules on closed captioning in 2014. And in order to -- if there's a complaint filed there are several steps that one must go through --

that we must go through before we actually bring enforcement action, to give the industry an opportunity to remedy the problem.
On video gaming, on December 26th, we granted a final extension of a waiver for a particular class of video gaming software that can access advanced communication services, such as internet voice and text communications. That class does not have to comply with our advance communication services rules, for one additional year.

This was a series of waivers that were granted over the last several years. And this, we made clear, that this will be the final waiver for this particular class.

On video description, in January the Media Bureau released a public notice announcing the top 10 non-broadcast networks, according to Nielsen ratings.

The reason that this is important is because of that top 10, the top five have to provide video description. That we look at the top five every three years.

The top 10 are Fox News, ESPN, USA, MSNBC, HGTV, TBS, Discovery, History, Hallmark
and TNT. You may wonder why we're choosing a top 10.

Well that's because only the top five will be chosen depending on whether or not they have at least 50 hours of programing that's not live, or near live or is otherwise exempt. So this actually allows networks -- non-broadcast networks to come forward and say, we want an exemption because we don't fit into the category of networks that should be covered.

Also, beginning this July, just so that you know, there's approximately a 75 percent increase in the amount the video description that will be required to 87.5 hours per quarter.

In emergency communications, since I know that that's the theme of this particular meeting, I do believe that you're going hear from the Public Safety Bureau.

But just so that you know the -- as you -- or you may already know that they released a public notice, seeking comment on the effectiveness of emergency communications during
the 2017 hurricane season.

And, among other things, comments were sought on the experiences of people with disabilities, and how emergency communication can be improved for these individuals. And the commentary had already closed on that.

In addition, on January 18th, the Public Safety Bureau and DRO, the Disability Rights Office, co-hosted a round table about emergency alert -- the emergency alert system, to gather input about the accessibility of emergency alerts, with representatives from consumer organizations.

On January 31, 2018, the Commission released an item that will improve wireless emergency alerts by increasing the geographic accuracy of these alerts.

And the order also requires that WEA capable mobile devices preserve the alerts for 24 hours, so consumers have more time to review the emergency information.

And that during this 24 hour period,
the messages displayed must continue to be accessible to people with disabilities.

On January 30, 2018, a preliminary report was released, and I'm sure you're familiar with this, by the Public Safety Bureau, again, regarding the Hawaii Emergency Management Agency's January 13, 2018 false ballistic missile alert. We have also received comments, and they are in the docket, that were very insightful from consumers with disabilities.

There actually was meeting being held there by the National Association of the Deaf. And so their perceptions, and their perspective on what went on was very helpful, and has been filed in our record. Also, text-to-911 is becoming increasingly available in the U.S.

And, you may be aware since we live in this area, it was recently announced that the State of Maryland is going to be one of the next State's to adopt text-to-911.

We also have rules on real-time texting, though I've talked to you about this in
the past.

These real-time texts allows people to send texts, and have the text received exactly as it's being sent, without the need to press send, or an enter key, which has proven to be very helpful in emergency situations.

And I'm so happy to announce that, as of January 1st, several nationwide carriers have actually started implementing real-time text. You can get it on some of your phones. It's pretty cool, I suggest you try it out.

We're very, very excited and thank those companies for meeting the deadline, and taking the step to make this available. And we're hoping that this is also useful for the piece apps that do move to a text-to-911. In that regard, we did issue, in November, a clarification of how text-to-911 -- or actually real-time text needs to be used, when emergency services internet protocol networks are used.

In that situation the carrier is not responsible to transcode the call from real-time
text to tty. This is a technical matter, but it's important to those who deal with 911, and text-to-911 and real-time text.

Upcoming we are going to be doing our Chairman's AAA again. These are awards for accessibility -- awards for advancement and accessibility and they recognize the efforts of individuals, organizations, academic institutions and companies and agencies, to make communications products, and services more accessible to people with disabilities. The nomination period actually closes in two days.

There's still time to get your nomination in, and we encourage you strongly to do so. We know that entities that have been recognized in the past, are very happy to have this plaque on their wall, so to speak.

It gives a good -- it's a good way to outreach your product or service, when it's providing such accessibility.

And the nominated products, or services or practices must be introduced to the
public between January 1, 2017 and December 31, 2017. And the winners will be announced, again, at the M-Enabling Conference this June.

All nominations should be sent to chairmansaaa@fcc.gov. And if you search for Chairman's AAA you'll find all the information about the nominations. Finally, actually next to finally, relay services.

There are some relay services now, video relay services, that are able to provide these services from their home. We have a trial going on, so I just wanted to let you know that that became effective in October.

In December we released a public notice announcing that our user registration database, to accept registration for VRS users opened up.

This is a database that was required by a 2013 set of rules, that the Commission adopted. And individuals must submit their information, some basic information, so that we can verify their identities. That is actually
the requirements for that have gone into effect, and there is a 60 day period in which we're accepting that information.

We've also been accepting requests for a renewal of State certifications, of relay services.

The way relay services are done is they're kind of bifurcated. And there is a State component, and there are 50 States plus several territories, that have their own relay programs.

They have to renew their certification every five years. This is the year that we do this. So we've been doing this. And finally, I promise this is really finally, on Wednesday we have our Disability Advisory Committee meeting.

And we know we have a little bit of overlap. We always welcome those of you who are interested in attending, or watching online.

The Disability Advisory Committee will also be holding a round table, in April, to talk about good technical solutions for making real-time text accessible to braille devices, or
compatible with braille devices, and other assistive technologies. And that wraps it up for the disability update. Thank you.

CHAIR BARTHOLME: Thank you Karen. And we'll make sure that we get the dates for that out, as well as the email address for the Chairman's org as part of the follow-up. Next, we're happy to be joined by Roger Goldblatt. Roger is also a familiar face here in the room, and he's going to update us on outreach and education activities.

MR. GOLDBLATT: Do you need these people?

CHAIR BARTHOLME: Choose who you want. It's identity theft, but we'll look --

(Simultaneous speaking)

MR. GOLDBLATT: You see the real Roger spilt coffee on his white shirt, so he has to keep tie right here.

MALE PARTICIPANT: So it'd be grounds for dismal, you spilled coffee on there.

MR. GOLDBLATT: As you all know, what
we do at Outreach and Consumer Education is a little be different than people that you've heard. But we have a lot of things going on, that I actually call most of you, on a regular basis, to get ideas of how we can get the word out, to help use your networks. Next week happens to be, you know, National Consumer Protection Week.

And what we do, quite a few things, we're going to have like a little table outside, because we want to make our employees good consumers.

Let them know what they can do. We're also starting a series of -- we haven't decided on the title yet, but it's similar to like The Talk or The View. Like Patrick calls it --

CHAIR BARTHOLME: What do you call it?

MR. GOLDBLATT: -- Between The Palms, or something.

CHAIR BARTHOLME: Is that it?

MR. GOLDBLATT: Oh, Between Two Ferns.

MR. WEBRE: That's right.
MR. GOLDBLATT: Oh, sorry. I don't watch that much. And basically it'll be an interview with a FCC policy maker giving good consumer tips in consumer stake.

And the first one we're picking three items, three areas where we have a lot of consumer complaints. Obviously robocalls, we were paying slamming, cramming, charges on your phone bills. I've been here 18 years, and it's always been one of the top areas that people call and complain about.

And I think bringing two other surprise topics, so stay tuned and watch it. It'll be on our web page for a while.

But we have a whole series, we're building a set, handmade, no Government funds used what-so-ever.

Another thing we're doing -- I also want to reiterate, if anyone knows of any nominations for the AAA awards, there is two more days and they're really nice little glass awards. They're nice. Spread the word.
What we do is a series of tip cards now, that we're trying to put out everywhere we can think of.

We're working out a deal with the libraries, American Library Association, so our consumer information, our posters, we're selling a whole poster series.

We find, I mean, no surprise to most people in the room, that people don't read as much as they should, or use to. But they'll look at a poster, or they'll look at a video, they'll look at a infographic. So it took us a few years, but we're -- we've come around that we're doing a poster series, infographic series, the videos.

We want a whole lot of consumers to be a little bit more educated, so they know when they get a call what they should do, what they should not give out.

You know, like, you know, if a utility company calls and says buy gift cards to pay your bill, don't run to the store and buy gift cards.
A whole lot of things FCC can do, but the consumer needs to be better educated, and that's our job. We also had to deal with some grocery stores, out in California, that are putting our information in their Kiosks.

We want to go to where consumers are. We learned, a while back ago and a lot of it you worked with us during the DTV transition, that we can't expect consumers to come to us, we have to go to where they're going to be.

And then they'll ask questions, they'll take our information and they'll follow-up. Other than -- I really am quick, and AAA awards. Oh, we have the newsletter which I believe -- Scott did you pass around our newsletter?

MR. MARSHALL: Yes.

MR. GOLDBLATT: Yes, Scott's a great guy, if you all don't him. But, we're also changing the focus of our newsletter. In the past it's been these are the things we've done in the past three months.
You know, that's okay, but we want to make it more forward. Like, this is what's coming up. So it gives you a chance, if you want to participate, so you know we're going to give the dates of the next Commission meetings.

But this is where you would be with Consumer Information, these are people we're partnering with. I want to be more forward. We're really, hopping in our little office, you know. I'm kind of proud. So that's it.

This really is the end of it. But thank you all -- oh, we also have some -- I always wanted to say this, stay tuned.

We have a lot of things coming up, on the robocall front, that just wait around and you're going to be quite impressed. Thank you all.

CHAIR BARTHOLME: Well with that teaser. Do we have some time for questions? Sir.

Okay. If we could remember to throw our tent cards up if you want to ask a question.
MEMBER SIEFER: Oh, I'm sorry.

CHAIR BARTHOLOME: That's okay.

MEMBER SIEFER: I didn't have my tent card. Hi, Angela Siefer, National and Digital Inclusion Alliance. I'm curious, like the posters, is there a way for organizations that aren't libraries, but are serving communities to request a poster?

MR. GOLDBLATT: Absolutely. We're going to be putting them on the web page to download, or if you want to order some, just contact -- we're setting up like a whole page of how you can order them.

And they're actually very -- they're cool. We want to get past oh this is a Government publication, this is a Government poster. We want people to stop and think, and read it.

MEMBER SIEFER: And so notification of that will come through Scott, to us? Is that?

MR. GOLDBLATT: Yes. I'll --

CHAIR BARTHOLOME: Can we get a list of
the topics, as they're coming out, to share?

MR. GOLDBLATT? Absolutely.

CHAIR BARTHOLME: Great.

MR. GOLDBLATT: Yes. And if you have ideas of the other topics. Like the first one is the spoofing poster. But if you have ideas that maybe we haven't thought of, that people out there are confused about, we'll be happy to work on that as well.

CHAIR BARTHOLME: Okay. Thank you.

MR. GOLDBLATT: Okay.

CHAIR BARTHOLME: Susan.

MEMBER GRANT: Thank you, this was all -- don't go anywhere Roger.

This is great, and we have Members from consumer organizations, as well as State and local consumer agencies that are always looking for consumer education materials. So, would be very excited to share that information with them. I wanted to know, are any of these materials going to be produced in languages besides English, and if not, do you have a plan for
rolling out versions in other languages?

MR. GOLDBLATT: What a great question.

I could have paid you to ask that question. Yes.

The answer is yes. Obviously, we'll do

everything in Spanish, automatically.

But lately we've been doing three

Asian languages, and plans are to even expand

further. We don't want to like -- during DTV we
did 28 different languages. And we found some of

them were for show.

Like, people from France really don't
come here and speak only French. There are
certain Countries it was unnecessary, but there
were certain ones that were very popular.

And when you go back to that model,

but the Asian ones came to us because there was a

need. There was a whole generation, especially

out West.

So if you have ideas of languages

maybe we haven't thought of, we do have a

contract now. We've been working with the

Incentive Auction Team, because they want a lot
of their consumer information translated. So we've taken control of that.

    MEMBER GRANT: Okay.

    MS. PELTZ STRAUSS: Can I add?

    MR. GOLDBLATT: And we also, when I saw Karen, and she -- well, asked, everything we do is, you know, a request for braille, intake, whatever, accessible in all formats.

    MS. PELTZ STRAUSS: In addition.

    MR. GOLDBLATT: Oh, in addition.

Something else.

    MS. PELTZ STRAUSS: No, no, no don't mistake. Just really quickly. I need to sit down in order to speak. All right, just really quickly. In addition we have a new ASL Library, American Sign Language Library.

    It's actually not new, we've done several videos in the American Sign Language, in the past. But we're now more coordinated in our efforts, and so we are now seeing that we have an ASL Library.

    And we did -- I don't know whether --
I don't think it's ready yet, but we're working
on an incentive options video, on that.

    MR. GOLDBLATT: Yes, that sounds
great. Yes, but we do, like if that's the FCC we
have if so -- oh we've done about the FCC --
we've done several topic ones --

    MS. PELTZ STRAUSS: Right.

    MR. GOLDBLATT: I think it's due in a
week.

    MS. PELTZ STRAUSS: And of course we
do several of the clearly disability related
ones, so.

    CHAIR BARTHOLME: Debbie.

    MEMBER BERLYN: Oh, Karen don't go
away. Question for you. So, with text-to-911.

    MS. PELTZ STRAUSS: Yes.

    MEMBER BERLYN: Can you to talk about
how, as it's rolled out, how consumers will get
to know about it. Because I think the use of it
will go beyond the disability community.

    MS. PELTZ STRAUSS: There's no
question. Right. I mean, there's absolutely no
question the text-to-911. All we have to do is 
read the news to see that there are times that 
you need to text in quiet situations. We have a 
website -- and are you going to be having 
somebody from Public Safety come this afternoon?

    CHAIR BARTHOLME: Yes.

    MS. PELTZ STRAUSS: I'm sure that they 
can provide it, and I'm sure that you can send it 
out, the link. But there's a website that keeps 
track of who was rolling out text-to-911.

    And you know that we, at the 
Commission, do not have jurisdiction over the 
piece apps of the 911 centers. We only have 
jurisdiction over the carriers.

    For disability purposes, it's the 
Department of Justice that has to make sure that 
911 centers are accessible to people with 
disabilities. Otherwise it's State and local 
matter. I hope that answers your question.

    MEMBER BERLYN: Partly.

    MS. PELTZ STRAUSS: Okay.

    MEMBER BERLYN: I'm just wondering if
you're working with the carriers on a plan to have them notify consumers that it will be available.

MS. PELTZ STRAUSS: Right. I think that probably Public Safety can answer that a lot better than I can.

MEMBER BERLYN: Okay.

MS. PELTZ STRAUSS: Okay.

MEMBER BERLYN: Thank you.

MS. PELTZ STRAUSS: Sure.

CHAIR BARTHOLME: Zainab, did you have --

MEMBER ALKEBSI: Karen already answered the question, so thank you.

CHAIR BARTHOLME: And actually Karen, while you are here, to sort of build on that. What does happen when somebody is in a non text-to-911 service area? You know, so maybe you're traveling --

MS. PELTZ STRAUSS: Right.

CHAIR BARTHOLME: -- and you have it at home, but it's not in the area where you're
MS. PELTZ STRAUSS: Thank you, that's a really good question. So, our rules require that there is a bounceback message. So if you dial a 911 center, and the center is not equipped to accept texts, you're going to be getting a bounceback message that says use either relay, or use voice.

So the presumption, to date, is still to use -- that you're not going to have access to text-to-911. The presumption is try to use voice first. Only use text-to-911 if you have no other alternative. Hopefully, over time, that will change. And the numbers are definitely going up.

As I said, we were really excited to see Maryland make its announcement. And again, Public Safety can speak to the many other States that have come on board. And within States, even if they haven't come on as a whole State.

Many cities and townships have come on, so. And we're again, we're hoping that real-time text also helps. Our rules do not require
what kind of text the piece apps have to use, or can use.

Again, we don't regulate the piece apps. They can use SMS, Short Messaging Services, they can use real-time text.

But we were very excited to get the real-time text option out on the table, because it does provide another alternative. And some locations may use both.

CHAIR BARTHOLME: Any other questions in the room? Any questions on the phone? Well, before you guys run out, I do just want to take a second and say thank you very much. It's been a very responsive process, with the recommendations we've made in the cycle of the CAC. And it's been fun to sort of get feedback and to interact, and to see so many things that we've recommended become a reality so quickly. So thank you all.

MS. PELTZ STRAUSS: Thank you. Thanks for having us.

CHAIR BARTHOLME: So, next on the agenda we do have a break scheduled, so we will -
MR. MARSHALL: We're ahead of schedule.

CHAIR BARTHOLME: A little ahead of schedule, so we've got a full, sort of, 15 minute break. We'll be back in here, ready to go, at 10:15. Thank you.

(Whereupon, the above-entitled matter went off the record at 09:57 a.m. and resumed at 10:15 a.m.)

MR. MARSHALL: Still got a lot of material to cover.

CHAIR BARTHOLME: Welcome back from break everyone. We're going to keep us on schedule. Next up we're very happy, and pleased, to be joined with Micah Caldwell, by Micah Caldwell. Micah -- many of you know Micah, she's been in the room many times before.

And she is currently an Attorney Advisor for the Office of the Bureau of the Chief with CGB, and is doing a lot of work focused on consumer inquiries and the complaint centers.
MS. CALDWELL: Good morning everyone.

I see some familiar faces out there.

So, I have been in the CGB front office for a couple of years now, and I've worn a variety of hats. I think most of the work, that I've done with the Committee, has been in the robocalls context.

That use to be part of my portfolio.

But since D’wana Terry has moved to the Wireline Competition Bureau's front office, I have taken over for her as their front office manager, for the Consumer Inquires and Complaints Division.

And I'm Micah, as Ed said, Micah Caldwell. So, I'm relatively new to this position. I'm still learning the ropes, as it were.

So, I don't know that I have a lot of substantive updates to provide today, other than I wanted to come down and take the opportunity to introduce myself, for those of who that don't me. And let you know that I am looking forward to working with you, in the coming months.
I've taken a look at the recommendations, that the CAC adopted in May, and I've checked in to see what the status is on all of those.

And was pleased to see that, before I came on board in this role, that we've already implemented a few of them. There still are a couple that are outstanding, that we're still looking into.

One of which is the concept of an app, for consumers who want to file an unwanted calls complaint, to use their mobile device.

And an app on the mobile device to file their complaints, and have it, you know, directly be funneled into the Consumer Complaint Center. And that's something we are still looking into.

As you can probably imagine, that is something that takes a little bit of time. And we also want to, and I think D'wana mentioned this when she was here last fall, to make sure that we have the right strategic partner to
undertake that endeavor. So it's something that's still on our radar. Another new development, other than me, is we also have a new permanent division chief of CICD. She's not down here this morning, but her name is Sharon Wright.

You're probably very familiar with her, because she has been the acting Division Chief for quite a while now. And she was appointed as the permanent Division Chief in January.

So you've got two new faces, when it comes to Consumer Inquiries and Complaints. Although Sharon's been around much longer than I have been.

I'm looking here to see if there were some other recommendations, that you all had adopted in May, that we are still looking into. The app is the primary one.

The one that we were able to implement, relatively quickly, was the separate button for unwanted call complaints. So, it's on the Consumer Complaints Center. We've actually
gotten quite a bit of positive feedback to that.

And we've also gotten a lot of positive feedback, from consumers, about some of the changes we've made with respect to the content that we provide to consumers, when they file a complaint.

I don't know if any of you have actually filed an unwanted calls complaint yourself, but when you do that you get an email notification that tells you that your complaint's been submitted successfully.

And it's an opportunity for the Commission to educate consumers about that particular issue and let them know, like, what's going to happen next.

And I think the biggest improvement, that we've been able to make with respect to that sort of dialogue, if you will, with the consumer, is to manage expectations a lot better. And there's been a really positive response to that.

So, you know, we tell consumers, quite frankly, we can't stop every unwanted call. We
realize that when you're contacting us, with a complaint about that particular situation, you're already very frustrated.

But we do make it clear that it's very important to us that we get this information from consumers, so that we can use it as part of our complaint data, which we push out on our Complaint Data Center, in which a lot of third party apps, and other companies and organizations use, with respect to their call blocking and call filtering, the applications and other resources.

And I think we got, as recently as two weeks ago, an email that went directly to the Chairman that said that this person was really possibly surprised with the changes that had been made,

and that the new Complaint Center is a lot more user friendly than the previous one was.

I think there's definitely still an interest, among consumers, to be able to file multiple numbers at a time, with a single
complaint on one form.

That turns out to be a little bit more complicated than one might think it would be.

But that is something else that we're still looking into.

And hopefully one of those two ideas, that we're exploring right, will be able to move forward in relatively short order. I look forward to having a dialogue with all of you going forward. I'm open to ideas for ways that we can improve the Complaint Center. That's something that we're always looking at, of course.

And it's one of my goals, in undertaking this new position, is to make sure that the Complaint Center is working to the best that it can, for consumers.

And that they're getting the relief that they need, and that they're getting the information that they need, and that it's seen as an outlet, or a place where they can go to actually get some resolution.
As opposed to continued frustration.

And so, if anybody has any questions that they want to ask me, I'm open to some questions.

Hopefully I can answer them. And if not, then I'll turn it back over to Ed.

CHAIR BARTHOLME: Sure. Steve?

MEMBER POCIASK: Hi, I'm Steve with ACI. Okay, so you just mentioned, in closing there, about consumers getting resolution. And I know that we want these filed, in part, because we want to measure the size of the problem.

But what really is, like, the probability of some remedy, or action taking place at this point. Because when I get these calls I really don't have a number to report.

So I -- you know, the numbers are spoofed, or something funny, but. So how does that really work? Are we just filing these complaints so we can size the problem?

Or is there, in fact, some resolution that's taking place in many instances? I just don't understand that.
MS. CALDWELL: Right. It may not be the individualized resolution that some might prefer. But there are a number of ways that we can use that information to provide relief for consumers, sort of more broadly.

One is that we use it in our policy making decisions, that we've been very active over the past year.

And I think -- maybe Mark was in here earlier to give you an update on some of the work that we're doing and, with respect to unwanted calls.

The data that we gather, in the Consumer Complaint Data Center, is used as part of that decision making in trying to figure out, you know, how can we better inform policy so that we can make some changes that will more globally impact consumers, in a positive way?

Another way that we use that data, and probably the primary use for it, is for enforcement actions.

And that would be something that the
Enforcement Bureau would need to speak to, but they have access to all of that data.

And they've also been very active, over the past several months, with enforcement actions against bad actors who are making illegal robocalls, and doing caller ID spoofing as well.

CHAIR BARTHOLME: Are there questions in the room or on the phone line?

I had something, so. In addition to filing multiple numbers at once, which is something that we did flag, and I appreciate the fact that you guys are still working towards that.

Another thing that we had teed up was possibly the ability to do a single complaint submission, that would go to both the FTC and the FCC --

MS. CALDWELL: Right.

CHAIR BARTHOLME: -- for consumers. Because right now there's sort of two different pathways to complain. And, you know, consumers may not want to have to deal with doing all of
that twice.

   Especially if they have to do it for
every single call that they get, on a one number
at a time basis. So with the report coming up,
that's sort of a joint activity --

   MS. CALDWELL:  Right.

   CHAIR BARTHOLME:  -- I was wondering
if that might be an opportunity to move the ball
forward with that item, as well.

   MS. CALDWELL:  You know, it's always
a possibility. I mean, we work pretty closely
with the FTC to figure out ways to coordinate and
collaborate better.

   And that is something that we will
definitely be doing in the current
administration, and with this Joint Robocalls
Report.

   I can see that as being an opportunity
to explore that some more. So, I appreciate the
idea.

   CHAIR BARTHOLME:  And I will not let
you leave before taking a second to thank James
Brown, on your team, for his great work in sort
of helping us to think through some of the ideas,
like the button on the website, and
actually making those a reality for consumers.
So, I wanted to make sure he got in there.

MS. CALDWELL: I will pass that along
to James. James is fantastic, and I thank him as
well for all of his help in making sure that
we're able to implement the recommendations that
you all have made. We'll continue to move in
that direction.

CHAIR BARTHOLME: All right, thank
you.

MS. CALDWELL: Thanks so much.

CHAIR BARTHOLME: So next, we're
looking forward -- Chris Anderson is joining us.
And he is with the Operations and Emergency
Management Division, in the Public Safety and
Homeland Security Bureau. I have a card for you
there.

MR. ANDERSON: All right, thank you.

CHAIR BARTHOLME: I think this is your
first time joining us here, at the CAC. So hopefully we'll be kind and gentle.

MR. ANDERSON: Let's hope. Good morning everyone, I'm Chris Anderson. I'm the Chief of Operations and Emergency Management, here at the FCC.

A quick introduction for myself. I've been with the Commission about four years, and been in Ops and Emergency Management that whole time.

I came to the Commission from an op centric role, for a job that I had with the Department of Homeland Security, looking at critical infrastructure protection more broadly, and sort of DHS led incident management structures. So, this has been my background for a while.

I work within the Public Safety Homeland Security Bureau, as was mentioned, which has the overall responsibility within the Commission.

We don't necessarily do it all
ourselves, but we coordinate among all of the
other bureaus and offices when major disasters
and incidents strike. And that's what I'm here
to talk a little bit about today. To give you a
sense of what the Commission's role is, and the
kinds of things that we do, during disaster
response.

So, first of all, our role in disaster
response traces its lineage, as with most things
here in the Commission, back to the
Communications Act which charges, among other
things,

for us to promote life safety and
national security in the use of communication
systems. So we tie it back to that initial
reason for being for the Commission.

But how it all sort of comes together
is through -- there's a national -- a set of
national level strategies, plans and doctrines
called the National Preparedness Framework, which
lays out for all federal departments and
agencies, how we coordinate with each other, and
with federal, state, local, territorial, and tribal governments.

When disaster strikes, how does this all come together? The Preparedness Framework, in turn, looks across sort of five major areas preventing disasters, protecting against them, mitigating their effects, responding when disaster happens and then long term recovery. So those are really the five components.

And mostly what I'm going to talk about, here today, are the responding recover pieces, which are in my portfolio. Our key partners -- I think, it's important to understand how the framework all comes together.

And we work very closely with a number of federal departments and agencies.

But primarily with FEMA, the Federal Emergency Management Administration and DHS critical infrastructure protection, and their Office of Cybersecurity and Communications.

So, sort of DHS proper, and FEMA's technically part of DHS, but FEMA as its own
entity, and then DHS are our key partners.

Within that framework what the FCC brings to the table is we have the ability to compile and analyze communications, infrastructure, outage and restoration information; we assign radio frequencies to our licensees; we assist with the provision of communication support to federal, state, tribal and local governments; we conduct outreach; and we will deploy personnel at FEMA's request or direction under a mission assignment process to send people into the disaster areas to get a little bit more hands on with coordination.

So I think that's sort of a little bit of a framework, but it makes a lot more sense to sort of step through a disaster and really kind of get down to the, well, what do we do? And I'll begin -- a lot of this will focus on hurricane response. That sort of has been near and dear to our hearts over the last year. Certainly the hurricane season of 2017 was unprecedented in many ways.
When we think about disaster and disaster preparation, I'm going to mostly limit my remarks to as we see an actual incident coming. Either a threat level has been raised for some reason because of weather events or we can see it coming. We track those hurricanes quite directly. All summer long I'm at the National Hurricane Center web page first thing in the morning with my coffee every day. So we're watching them coming and predicting.

I'm not going to go into a lot of detail because it's sort of outside my portfolio, but it is important I think to recognize that many things that the Commission does in its day to day activities promote the kinds of resilience, redundant communications networks, public messaging, public alerting, those kinds of things that enable sort of the underpinning of a resilient communications infrastructure.

But really when I talk about preparatory activities, I'm talking about in the lead up to a disaster. So there are a couple of
things that we do: We begin to coordinate with our federal partners: DHS and FEMA, as well as industry providers through daily or sometimes multiple times a day conference calls, just exchanging information, seeing are there road blocks, are there obstacles to being ready for the storm or whatever the incoming incident is? We'll conduct outreach to a number of our constituencies. So we'll reach out to public safety officials, we'll reach out to service providers, broadcast associations.

We have -- over the last year as hurricanes have approached we've released a set of public notices to provide visibility into how to contact us if there are problems, how to seek waivers or special temporary authorities, those kinds of things so that before the disaster even strikes we've kind of refreshed everyone's memory on how to deal with those incidents.

We've also set up -- this is relatively new. For each of the hurricanes this year we've set up specific web pages on the FCC
home page where we could put all of the
information related to a given incident so that
it was easy to find in one stop, linkable from
the FCC home page to try to get that information
out there. So that's sort of the preparatory
phase.

In the actual disaster response I look
at our role as really sort of three major things
that we do: First, we promote, develop and share
situational awareness. What is the status of the
various elements of the communication system?
What's up? What's down? What's working? And we
share that information as broadly as we can.

Second, we take regulatory actions to
enable the -- our licensees the flexibility to
respond to incidents and to reconstitute their
communications capabilities as rapidly as
possible.

And then sort of the other bucket,
which actually fills up a lot of our time. It's
facilitating other assistance. It's things like
helping communications providers get access to
their transmitter sites so that they can repair them, working with FEMA on logistics issues, on everything from Customs -- helping get generators through Customs on Puerto Rico, you name it.

    In terms of -- so I'm going to talk in a little bit more detail about each of those three buckets.

    Situational awareness. Probably the cornerstone of our ability to understand what's going on is our Disaster Information Reporting System, which we call DIRS. So DIRS is an online portal that industry members use to report to us their status after a major disaster. Normally during steady state we have a separate system called NORS, the Network Outage Reporting System. When a disaster strikes, we will waive -- NORS is a mandatory reporting requirements for certain carriers. So we will waive NORS requirements and instead encourage all of our communications providers to report in DIRS.

    DIRS gives us much more detailed information down to the county level about what
major pieces of equipment are up, are down,
what's the status of wire line, wireless, cable
providers, broadcasters, you name it, and also
affords them the ability to communicate more
directly with us about what their needs are and
what their requests for assistance are. Hey,
where -- we have this many cell sites that are
down that are on generator power and we're going
to need help coordinating to try to get fuel,
those kinds of things.

In addition to DIRS -- so DIRS is what
industry tells us. We take that information on a
daily basis, we compile it, analyze it, boil it
down into sort of statistical looks at how the
different sub-sectors within communications are
doing, and then we share those back out. Over
this past year's hurricane season, for all of our
communication situation status reports, we were
able to generate a publicly available version of
those reports and share that out on the web site
so that anyone coming to fcc.gov/maria, or any of
the other named storms, would be able to daily
get an update on communication status.

The second way that we develop situational awareness is through direct measuring and monitoring of the radio frequency spectrum, which we do in a couple of ways. During a typical response to a hurricane or another disaster we will deploy a team, a vehicle-borne team with antenna, receiver, spectrum analyzer who will drive to the areas of interest, sort of run the spectrum analyzer and look at a broad swath of the RF spectrum.

And what they're able to report back to us is the public safety entities that we expect to see broadcasting. Are they up, are they down, are the life flight dispatch frequencies active, are the smaller police departments that we can't necessarily get to right away -- are they active and broadcasting? So we're able to provide that land/mobile radio look back to public safety officials in the states and in the localities.

We also use that RF sensing to look at
AM, FM and TV broadcasting so that we're aware of what's available in terms of public messaging. Are there stations available where people can get news, where people can get alerts, where information can get out to the public?

In addition to those deployed teams we will use a high-frequency direction finding system that we maintain. For other purposes and other pieces of our interference resolution mission we maintain a network of high-frequency direction finding stations nationwide. Because of the nature particularly of AM broadcast stations, depending on exactly what the atmospherics are like and how close it is to one of those stations, we can very often sense or listen for AM radio from very great distances.

So we were able to do that to pretty good effect for Hurricanes Harvey and Irma this year. We had less success frankly during Maria for the simple fact that one of our listening stations is on the island of Puerto Rico and was pretty severely damaged during the storm itself.
So we were unable to use that for monitoring. In fact, I just got an email this morning. We had our commercial power restored to that facility just this morning, or just this weekend.

The last thing that we'll use to monitor RF spectrum is a series of remote receiver analyzers that we can dial in either through old school dial-up modems or through IP connections into those receivers to be able to look and hear the radio spectrum without having to put personnel in harm's way. So we used those, for example, quite successful during Hurricane Irma throughout South Florida to get very rapid assessments of broadcast capability post-landfall.

In addition to those sort of what industry reports to us, what we're able to sense for ourselves, there are lots of other sources for information that we use. We will routinely reach out to state 911 coordinators, check in with them on a daily basis, make sure they're not any unidentified issues. We'll reach out through
the national or the state broadcast associations.

We'll coordinate with FEMA. In many cases we're also gathering situational awareness of other critical infrastructure sectors that are important to communications, most specifically the energy sector and transportation. So that's sort of the situational awareness piece.

In terms of regulatory flexibility, during response to disasters we very often see a range of our licensees need to operate in ways that are different than they normally operate. So over this last hurricane season we issued literally hundreds of temporary authorities to different licensees for a range of things from first responders who are volunteering to show up in Puerto Rico, but all of their radios are licensed back at their home location in New York. They need authority to use those frequencies somewhere else. And if those frequencies are busy where they're going, we need to help them find frequencies they can use.

Wireless providers. In many cases
they're trying to reestablish not just the power
and the capability of the cell site itself, but
that cell site has to connect back to the rest of
the communications infrastructure. And often
during disaster response you have to come up with
ways to do that aren't how you planned to do it.
So lots of things like microwave links to provide
backhaul for cellular providers.

Broadcasters often request changes in
status either because they can't broadcast
because they're down or they want to change or
increase or decrease their power levels based on
their operating on generators or, hey, I know I'm
the only station in this area. I'd like to up my
power a little bit to get a broader footprint so
that I can get more information to more people.
So that's the sort of special temporary authority
piece.

In addition, there's a range of other
orders and waivers that may be required based on
the situation, anything from the simplest --
extending administrative deadlines where we can,
not making someone who's trying to pump water out of their radio station have to make a filing that's simply administrative in nature, looking at changing numbering rules so that, for example, when a number goes dormant in an impacted region it doesn't get recycled and reissued right away. It can be held onto a little bit longer than our rules normally require. So if somebody evacuates and shuts down their service for a few months and then comes back, they haven't lost their phone number. Looking at how we can use -- and in cases this fall accelerate availability of USF funding to help those providers sort of have that initial infusion of cash to help fund their response activities.

The next piece that we -- oh, a couple of other key regulatory pieces. Experimental licenses. Certainly during disasters they're -- very often we're looking for any means that we can to help restore communications. So looking at things like the Puerto Rico Project Loon ran some wireless connectivity trials under
experimental licenses that we issued to provide
-- sort of in the more rural areas, mountainous
areas of Puerto Rico to provide at least some
cellular coverage.

The last piece is working with even
just sort of sharing the situational awareness of
regulatory actions that are the -- in the
cognizance of other regulators, but are of
interest to those in the communication sector.
So as a specific example from last fall looking
at the EPA waiving some of the rules that they
have on the books regarding portable generators,
what kinds can be imported into the U.S. mainland
or U.S. territories. And they provided some
flexibility broadly, but making sure that
communications providers were aware that that
regulatory framework had changed a little bit so
that they could adjust accordingly as they
brought temporary power into the islands.

The last piece that we do a lot of
significant work I think during incidents is the
sort of request for assistance or information.
So as you can imagine when sort of all heck has broken loose and people have problems that they need help with we will often get calls from citizens, from providers, from other government agencies with communications-related issues. And we try to help in those where we can.

What we see a lot of from the providers is contacting us looking for access to their facilities or sites, where sometimes they either physically can't get there because the water is too high or roads are blocked by debris and they need help getting those roads cleared so they can get back and restore communications or coordinating through state and local officials. The road blocks are up, the parish sheriff won't let anybody across the parish line or across the county line. So working with them to help them understand this is really important that you allow the communications restoration teams in so that we can get radio stations back up and wireless communications back up and broadband Internet services back up. So it's those access
pieces.

Fuel and energy another huge issue for providers, not only getting their hands on generators where they didn't already have them, but often even where providers had generators, they're not designed to run continuously for three weeks, four weeks, three months, four months. So then it becomes new generators, generator parts, generator oil, fuel to keep those things going, prioritization for restoration, all of those elements.

Now we don't have a magic wand to make that happen. The way that those requests actually flow, we'll collect them, we'll provide a little bit of a sanity check. And as the regulator hears the impact of this particular piece of equipment being without power, we funnel that down through FEMA to the state and locals, because the way that disaster management writ large works all disasters are local disasters.

And it really is up to the local mayor to make initial prioritization decisions about
how he or she thinks things need to happen in
their area. When they're overwhelmed, they will
turn to their county and then their state
government for help. When the state government
is overwhelmed, they turn to the feds. So a big
part of what this behind-the-scenes effort winds
up being is helping the state and local incident
responders understand the strategic impact of a
given communications asset so that they can make
the right kinds of prioritization decisions that
are theirs to make.

So if you imagine a county emergency
manager or state emergency management official
trying to determine who gets fuel. Is it the
hospital? Is it the telephone central office?
Is it the -- some other critical facility? We
can't make those decisions. We don't have the
authority to. What we can do is get those to the
right place for the decision to be made with the
right background information so that people can
make good decisions. So that's sort of the
request for assistance/request for information
The last thing that I'll mention, which sort of in some ways straddles the line between longer term preparatory activities and the shorter term is the role that we have in establishing and then sort of operationalizing an agreement we had with wireless providers called the Wireless Resiliency Cooperative Framework.

So the cooperative framework was adopted in December 2016 between the major wireless providers, CTIA and the Commission, and it essentially provides a five-pronged approach for enhancing coordination during emergencies.

The first thing, the carriers agreed to provide reasonable roaming under disaster arrangements where that's technically feasible. So we saw this a lot in responses to all three of the hurricanes this year, certainly in Puerto Rico over months and months. Affording that roaming capability so that if company A has a cell site restored in a given town, company B can focus on a cell site in a different town. Each
of their customers can roam onto those respective cell sites so we get more services up for more people in a faster manner.

The carriers will also agree to provide mutual aid to one another where they can and where it's feasible. So we saw this in -- again in this past hurricane season, things like sharing logistics flights, sharing logistics shipments, sending -- sharing generators at a given tower site. Many times the physical tower is owned by one company. On the tower are antennas for multiple providers and coordinating amongst themselves, hey, we'll put one generator there, we'll put another generator somewhere else rather than each of us putting one generator at the same site. It's just not efficient. So that neutral aid agreement is part of the cooperative framework.

Additionally, they have agreed to help municipal preparedness in a couple of ways, both in terms of coordinating with PSAP, or public safety answering point managers, 911 call centers
to ensure that they have the latest information and a rapid mechanism to coordinate with carriers to ensure that calls are able to flow to 911 centers.

The next prong is consumer readiness and preparation. So CTIA for example has a number of outreach campaigns about how to communicate during an emergency, basic things like if you can't make a call, maybe you can text; how to preserve the battery for your cell phone because even if cell service is up, if power is out, once your cell phone runs out of batteries, you lose the ability to communicate. So those kinds of consumer preparedness things.

And then the last piece is the public awareness component. I had mentioned earlier the DIRS reporting, the agreement under the cooperative framework to release some of that information in those publically available reports so that consumers and the public at large have an ability to sort of track and see communication status over time.
So that's sort of quick broad strokes of what we do during an incident. I just want to touch on a couple things. I have just a few more minutes left.

In order to ensure that we captured lessons learned from this past hurricane season we have -- we published a public notice back in December. It closed for comments in January and actually just last week closed for reply comments. But we were seeking a broad set of inputs from communication providers, from consumers of your situational products, from consumers themselves. How did the communication systems fare? What can we learn from this last set of disasters?

And while we're still sort of going through those comments to understand what the record is showing us, a couple of things are starting to jump out right away. The first is a number of responders reported the importance of resiliency measures taken in advance, everything from pre-positioning equipment to pre-positioning
restoration equipment, just things as simple as, hey, don't put your generators in the basement in a flood-prone area. So those sorts of resiliency measures.

Lots of feedback on the performance of the wireless resiliency framework. We got lots of comments back on situational awareness overall. Certainly a number of responders underscored the critical interconnections between communications restoration and the electric power restoration, that those are just inextricably tied together, and the importance of understanding those links is really coming through in the record.

So we hope to continue to build upon that record, engaging in public discussions and working closely with our partners to sort of capture those -- sometimes I'm hesitant to use the term "lessons learned" -- lessons potentially learned until we have captured them, written them down, learned them, created the plans to fix problems where they exist and to codify the
things we did on the fly that, hey, that worked really well. We need to do that every time. Until we do all of that work they won't truly be learned.

But that's the -- that's sort of a 20-minute overview of what we do in terms of restoration. I don't know if I have a little bit of time for a question or two.

CHAIR BARTHOLME: Thaddeus?

MEMBER JOHNSON: Yes, Thaddeus Johnson with NASUCA. Can you talk a little bit about the coordination at the local level? You gave an example, let's just say for -- let's say safety reason a sheriff might say nobody can go past this point, but communications needs to -- personnel may need to get there. Is that more of a top-down, bottom-up? Are the protocols as strong for dealing with local cities, parishes as like with on a state level?

MR. ANDERSON: Great question. And it happens sort of in both directions. So before the disasters even strike working primarily
through DHS they do a tremendous amount of outreach to the law enforcement communities, the public safety communities. We piggyback on that and really encourage them to understand the importance not just of communications critical infrastructure, but the pipeline, the power crews, the water restoration folks, you name it. The critical infrastructure responders need to be able to get back in. So there's a baseline of outreach that goes on all the time.

The sort of next step, we work with our DHS partners at the National Coordinating Center for Communications who will typically -- as a disaster strikes they will draft letters on DHS letterhead that we're able to share with communications providers that basically say the bearer of this letter is a communications provider seeking to restore dot, dot, dot. Those are non-binding. That's the problem. The feds don't have the authority to say, hey, local sheriff, you have to do this. But those kinds of things can be helpful.
The last piece is as the response
gears up and you have a state emergency
operations center we'll have FEMA personnel
imbedded there. We will have other DHS personnel
imbedded there. As we gear up we'll mission
assign, so we'll have personnel in either the EOC
or the Joint Field Office. And it's those kind
of communication pathways that sometimes that's
what it takes is call down to our person at the
Houston Joint Field Office who can walk across
the room and talk to the sheriff's office
representative or a state police representative
and say we have somebody at a road block right
now who needs to get through.

Does that always work? No, because we
don't have a command and control relationship
that way, but we do really work hard to establish
the person-to-person relationships that (A) most
of those problems don't happen in the first
place; and (B) where they do, we can very rapidly
make the chain of people, the calls and
connections in order to resolve it.
CHAIR BARTHOLME: Barry?

MEMBER UMANSKY: Yes, as a follow-on to that last question, in the wake of 9/11 one of the findings included that emergency services weren't able to connect with each other. Police couldn't talk to fire. Different frequencies, different equipment. And with the Federal Department of Homeland Security, the FCC's a parallel bureau here.

And 10 days ago in Florida we had the shooting at the high school. A lot of media reports have stated that the county sheriff was unable to communicate with the city police. Same problem. Different frequencies, incompatible equipment. It's 2018. How is this still happening?

MR. ANDERSON: Good question.

MEMBER UMANSKY: Okay.

MR. ANDERSON: And one which obviously -- with respect to the recent incident in Florida I don't have any of the details, so I'm sorry, I certainly can't --
MEMBER UMANSKY: Understand. It's not your bailiwick. It's not a natural disaster. But I would have thought we would have solved those problems under the federal governance egis working with states and localities.

MR. ANDERSON: So I think that's work that continues on a number of fronts. Certainly -- I will dodge this a little bit. I'm not sure if our next speaker is -- is David Furth next?

CHAIR BARTHOLME: It's two speakers down and we --

MR. ANDERSON: Okay.

CHAIR BARTHOLME: -- have someone coming --

(Simultaneous speaking)

MR. ANDERSON: So I will just defer to my colleague from our Policy and Licensing Division other than to say from an incident management perspective I will add that when the big disaster comes, a huge level of effort goes into the Frequency Management Plan because even in those cases where it's just the state and
locals who already work together on a normal basis, when you have a response like Maria or Irma or Harvey where you have other state and local volunteers coming in from out of area with their own assigned frequencies and equipment, where you have tons of feds showing up with their own assigned frequencies, simply coming up with a frequency management plan of who's talking internally on what frequencies and who's talking others on what frequencies is a huge part of the level of effort of the coordination.

MEMBER UMANSKY: Okay.

CHAIR BARTHOLME: Do we have any questions on the phone line?

(No audible response)

CHAIR BARTHOLME: Ross?

MEMBER LIEBERMAN: Hi, Ross Lieberman, American Cable Association. First of all, I just wanted to say I guess congratulations, or I -- the activities that I've just seen come out of the FCC in the last year have been a lot of new things it seems and creative ways to be helpful.
And so the Commission really should be applauded for its efforts this year.

In terms of preparedness I certainly want to just throw out the opportunity that certainly an association like mine who represent small and medium-sized cable operators certainly impacted probably could benefit from more information in terms of the resources that are available through the Commission, and as well as using DIRS and other things like that prior to hurricane season or other things like that. And we certainly would like to work with the Commission to find ways that we could further educate many small cable operators to know what is out there for them and how they can help in terms of addressing the -- when disaster strikes.

MR. ANDERSON: Fantastic. And I will absolutely take you up on that. We are already planning for later in the spring: May, possibly into June, sort of in the April, May, June time frame, to bring in the different industry segments for what we -- a preparedness meeting,
which is really a way for bidirectional information sharing. We can tell you what we've been up to. We'll be interested to hear success stories or the kinds of things that different communication sub-sectors are doing to promote resiliency or issues that, oh, if only we could solve this, we would be able to do that. So those kinds of information exchanges are I think really important. And after I get up I'm going to swing around and grab a card.

CHAIR BARTHOLME: All right. Thank you, everyone. Thank you for joining us. That was very informative. And this is clearly an issue that the Commission is spending a lot of time on these days, and I expect that we'll hear more as deliberations and sort of lessons learned processes continue. Thank you.

So next we're happy to be joined by Gregory Cooke. He is the Deputy Chief of the Policy and Licensing Division with the Office of Public Safety -- or I'm sorry, the Public Safety and Homeland Security Bureau here at the FCC.
And he's going to be joining us today to talk about Blue Alerts and Wireless Emergency Alerts.

MR. COOKE: Thanks, everybody. Thanks for being here. Thanks for the opportunity.

Just to give you a little bit of background what -- my portfolio is public alert and warning. And the FCC regulates two public alert and warning systems. The one we're fairly familiar -- we're fairly familiar with both of them. EAS is the one you get over your TV and your radio and it's the one that has that big sort of loud noise and that eh, eh, eh that you hear. And you get weather alerts and AMBER alerts and whatnot from that. And the other one is the alerts that you would get over your wireless telephone, Wireless Emergency Alerts.

And in both of these instances what the FCC regulates are the service providers who regulate the broadcasters, the cable providers, DBS, Sirius XM, etcetera, for the purposes of EAS and the wireless providers for WEA.

Now in the case of WEA this is a
voluntary program. Wireless providers elect to participate in this program. Once they do, they have to follow the rules, however. For EAS all EAS participants must participate in EAS because they have to be able to deliver an alert that would be delivered in the case of a national emergency by the President. So they all have to have the equipment in place to be able to deliver this message. But any other message, be it weather or AMBER or anything like that, is voluntary. So we've got these two systems going. And so what we've done over the last year is a number of things with both EAS and Wireless Emergency Alerts.

Now EAS is comprised of about 25,000 participants. If you add up all of the radio and the TV stations and the cable providers and your direct broadcast satellite Sirius XM, it's quite a bit. And so we have been for the last couple of years running nationwide tests of the system to make sure that everybody who is a participant can receive the test from its source and to then
deliver it to the public.

And the sources would be the National Weather Service or NCMEC, the National Center of Missing and Exploited Children for AMBERs, or state and local government. And they get these either broadcast over the air from other sources that they monitor or through a system known as the Integrated Public Alert and Warning System, which is an Internet-based alert aggregator that is operated by the Federal Emergency Management Agency.

And so we did our first test in 2011, we did our second test in 2016, and we did our most recent test on September 27th, 2017. The Commission released a public notice about the initial results on that test on December 7th, 2017, and the initial results showed that in fact the system worked as it was supposed to and that everybody was able to participate and got the message.

Now the cool thing about where the system is evolving is that what they were testing
this year are the alerts being received from the
FEMA alert aggregator. And by receiving the
alerts that way they're able to receive very rich
IP-based data that is put together in something
called the Common Alerting Protocol. And what
that enables folks to do, for example, is to
receive alerts in multiple languages.

So this alert was sent out in English
and Spanish. It was also sent out with an extra
text file so that the audio and the text would
match up so that deaf people would get exactly
the same information reading it as the hearing
people would from listening to it.

So we're advancing this system to take
advantage of IP-based technologies. And to the
extent that it was received by folks; and it was
mixed as to how it was received, and that has to
do with technical issues and the distribution
architecture, it was very successful. So that
worked out quite well.

One of the things that the FCC has
also done in the last year is added
functionalities to the system. And the most recent one of those is what's called Blue Alerts. And there's a statute called the Blue Alert Act which requires the Justice Department to act as a coordinator for the various states to come up with plans to inform the public in the case that a law enforcement officer is either killed in the line of duty, injured in the line of duty or whose life is threatened or who has been kidnapped in the line of duty where the suspect is identifiable. And of course there's a lot of internal work in between law enforcement entities that goes on with Blue Alerts, but also there's a public element.

And so if you're going to have a public element to Blue Alerts, how do you do it and how do you set it up and how does it work in a way that's effective for the public and gets the message across without inundating people with alerts where the officer might be necessarily in danger? That's where we came in and issued a Notice of Proposed Rulemaking to develop a new
and specific event code for Blue Alerts, just as you would have for tornados, just as you would have for a missing child so that we would have one code that could then be applied consistently throughout the country, backed up by a certain set of guidelines that would determine the manner in which local enforcement would issue the alert.

And so the Commission adopted this new code on December 14th, 2017. It's got two years of effective -- it's going to be effective in two years. In the meanwhile we continue to work with the Department of Justice, with their Community Office of Policing Services, who are the Blue Alert coordinator, to work with them and to work with the states to get this system up and running in an effective fashion.

The other system that we have is our Wireless Emergency Alerts, and Wireless Emergency Alerts -- we've probably all gotten them if there's a thunder storm coming or whatever and your phone vibrates and makes this terrific noise and then you see this text on this. Now that is
-- again, this is Wireless Emergency Alerts or WEA, which goes back to the WARN Act in 2006, but it's something that has been up and running since 2012. And what the Commission did in September of 2016 was adopted an order to strengthen it and make it more effective.

So for example, when the Blue Alerts launched -- not Blue Alerts, when the Wireless Emergency Alerts launched, the amount of text that could be carried in one was limited to 90 characters, which you really can't say a lot with 90 characters. So the Commission adopted rules to increase the maximum length of WEA messages from 90 to 360 characters for 4G LTE and future networks. It added new functionalities to the actual message so that for example if you have an AMBER Alert, you could also have a URL imbedded in the alert to allow you to click onto the picture of the missing child. So adding URLs. Adding callback numbers, URLs that would bring you to a callback number are added in.

Initially for technical reasons alerts
were limited -- could be no greater than a county. Well, Montgomery County, Maryland is big enough, but you go out west and you've got counties that are bigger than some eastern states and you really don't want to alert the folks about the weather emergency in the northern part of the county in the southern part of the county where it's irrelevant. It takes away from the efficiency and the effectiveness and the impact of the alerts.

So what the Commission did was narrow it down to a polygon, okay, that would be the actual area affected as the best approximates to the polygon. Now this is going back into 2016. What the Commission did more recently in January was narrow this even further so that alerts that will be going out will be limited to the actual polygon and cannot exceed the polygon more than one-tenth of a mile. So it's really, really tight.

And one of the ways that the Commission has suggested this might be done would
be to augment the information that is delivered
by the National Weather Service, for example,
with intelligence that might be existing in the
handset that would be able to know where it is
and when it's within the area of danger to give
the alert then.

So we hope to be able to have a very,
very tight, very accurate wireless emergency
messages that give sufficient information to
inform the public, given them access to other
data through URLs, and only affect those folks
who are really in the danger zone.

Other things that the Commission has
done is create a new class of alert called Public
Safety Messages. The way the system is broken
out right now is that you have the Presidential
Alert, which you cannot opt out from. If that
ever comes across, you got to listen to it.

AMBER Alerts. Okay. And what are called
Imminent Threat Alerts.

Imminent Threat Alerts are alerts that
are serious, are life and property-threatening,
are very close to you and are going to happen within a very quick period of time. So for example, a tornado would be an imminent threat whereas a hurricane, that might be a serious hurricane that's three days out, might not be an imminent threat, however, storm surge could be an imminent threat.

So it puts a lot on the alert initiator to sculpt these correctly, but we find that in the case of let's say a tornado alert, and there's the tornado, you might want to do follow up to it. Is -- are there -- do you need to inform people about evacuation centers? Do you need to give them boil water alerts? Do you need to give them information that is sufficiently related to the imminent threat but is not in and of itself imminent?

So what the Commission did was adopt a new category called Public Safety Messages that convey this essential recommended action that can save lives and property that would be associated with an imminent threat.
The Commission has also introduced and requiring Spanish language WEA messages. And most recently has adopted other rules that require that the information stay on the phone. So for example, you could get this and you get it while you're driving. You go holy smoke and you go to pull over and then you go to look at it again and it's gone. Right now what now is is that the Commission requires that alert messages remain in a consumer-accessible format on the wireless device for 24 hours after receipt or if the consumer chooses to delete the message.

And at this point the extended character length is 2019. Spanish is May 2019. The URLs are in place now. Spanish language would be May 2019, as well as the more narrow geographic message codes.

So that kind of covers it for alerting. Happy to answer any -- if there are any questions.

CHAIR BARTHOLME: Okay. Does anybody have any questions?
(No audible response)

CHAIR BARTHOLME: I had one actually.

The situation in Hawaii, what category did that alert fall into?

MR. COOKE: You know, I really can't -- the Commission announced results of an initial investigation at a prior meeting and this investigation is ongoing, so I really can't comment.

CHAIR BARTHOLME: Okay. All right.

MR. COOKE: Thanks, everybody.

CHAIR BARTHOLME: All right. We have a little bit of an agenda change. I understand that Roberto was actually deployed to Puerto Rico over the weekend and will be unable to join us here in person, so David Furth, who is the Deputy Bureau Chief for Public Safety and Homeland Security, will be joining us to cover both, information about FirstNet and information about Next Gen 911. And we'll let you -- do you want to -- if you want to run through all of your stuff and then do questions at the end, or if you
want to sort of keep it segmented and break it up, happy to accommodate either way.

MR. FURTH: I think I'm happy to break it up. I'm really open to whatever it is that would work better for the group. And since we had two segments planned, there isn't -- there is a relationship between first responder communications and 911, which we will certainly talk about, but maybe just for simplicity sake to put this into a bit more bite-sized chunks let's start with -- and hang on, my phone is ringing. No, that's a robocall.

(Laughter.)

CHAIR BARTHOLME: That's later on the agenda actually.

MR. FURTH: So, no, when my phone says it's potential spam, I generally take the hint.

So let me start with a very basic overview. I know that the CAC was interested in FirstNet and I will certainly be happy to talk about FirstNet, but it struck me that maybe in order to put FirstNet in perspective it would be
helpful to go back a little bit to provide a little bit more of an overview of first responder communications.

And I happened to be watching upstairs when Chris Anderson was here and I think you asked a question about interoperability --

CHAIR BARTHOLME: Right.

MR. FURTH: -- and which I would like to get to, because it's an extremely important issue. Your question was spot on. And there is a lot of history about how we got to where we are and I think that there is both a glass-half-full and a glass-half-empty aspect to the issue of interoperability. Why don't we have it everywhere? And where we do have it how is it that we've gotten there and in the places where we don't why is that?

So let me just step back a little bit and talk about the FCC's specific responsibility when it comes to first responder communications as part of that larger landscape.

The Commission is responsible for
licensing of spectrum for all types of services including television and cell phones and all of the things that everybody in the wireless age is very familiar with.

We also license public safety radio spectrum, which is spectrum that's been designated for use by public safety. And this is something that actually started in the '30s and '40s when the Commission was first formed and when law enforcement particularly started to put radios in their cars. The Commission began to license those systems. And so basically any system that is used by a local police department, fire department, emergency medical response is licensed by the Commission.

And there are specific bands in the spectrum that are dedicated for public safety use, some of which are quite old. We started licensing spectrum again back in the '30s and '40s in the VHF and UHF bands that was for some of the first of those radio systems. And these are essentially voice dispatch radio systems
where typically you'll have a command center, a
dispatch center at the headquarters of the police
department or the fire department and they will
be interacting on the radio with people, with
first responders in their cars or with portables
that they're carrying on their person. And that
technology goes back a long way, but it's evolved
a great deal since the '30s and '40s.

So all of those systems are licensed
by the Commission. They are on multiple bands.
As I said, the oldest systems which we started to
license in the '30s and '40s were largely on VHF
and UHF spectrum. Then starting in the '80s and
'90s we opened up newer bands in the 700 and 800
megahertz range for additional capacity for
public safety. And most of those systems have
been licensed more recently.

So one of the things that affects
interoperability is simply what band is a given
police department or fire department using when
-- for their communications, because in fact the
bands differ. And I would say generalizing a
little bit we have thousands of licensees around the country. Many of them are still on those UHF and VHF bands. Those are particularly popular in rural areas because typically UHF and VHF has better propagation over distance.

And the 700 and 800-megahertz systems that have been deployed more recently tend, although not always, to be in more urban areas, suburban areas. There are statewide systems. There has been over time a trend towards, in the evolution of the technology, from what was originally analog technology to digital technology.

There's also been the development in the standards and in the equipment that's available a much more enhanced ability to have interoperability as a feature in your radio. So in fact, most radios that are deployed today are designed for interoperability, support interoperable communications. The technology is there to do it, but often the issue of whether you have interoperability depends on whether
those local and state agencies choose to do it. And that is still essentially a state and a local decision.

There's been a lot of progress on interoperability over certainly the time that I've been at the Commission. And most states now through a program that's funded by DHS have statewide interoperability coordinators whose responsibility is to try to bring the systems that are within the state into an interoperable frame. So interoperability has progressed a great deal, but it's still not ubiquitous and uniform.

And I don't know -- I know you had asked about Parkland. I can't comment on the specifics of Parkland. I don't know what exactly what the situation was there. But there are certainly instances where we see that in incident response interoperability is -- or lack of interoperability is still an issue, and that is an ongoing challenge for us at the federal level, and I think also for state and local government.
And there are areas where in fact a lot of work has been done on interoperability, just as a sort of historical side note. If you look at 9/11, all of the issues that most people talk about with respect to interoperability came out of New York, because it was about the New York Police Department and the New York Fire Department and who could communicate with whom in the Towers.

Interestingly you will not see a similar discussion about a lack of interoperability in the Metropolitan Capital Region on 9/11, and historically the reason for that is that back in 1981 when we had the Air Florida crash here in the D.C. area that was the event that focused this region on interoperability, because that was the event that revealed the seams in all of the local systems here in the area and we had lots of agencies converging on that incident not able to communicate with one another.

And that began a long evolution within
the National Capital Region to build an
interoperable framework in terms of the
technology, in terms of the operations, in terms
of the governance, in terms of training. And all
of those things have resulted in fairly robust
interoperability here in the National Capital
Region.

And in fact DHS does periodically a
kind of interoperability score card where they --
I don't know that they've done one in the last
several years, but I know they did one a few
years back where they actually graded
jurisdictions on how far they had come in terms
of interoperability. And again, there's still a
great deal of variation in the way that different
jurisdictions respond to that challenge.

So for -- really I think for
consumers, for citizens you need to look at how
it is working or not working in your community.
The Commission can do a great deal to make
interoperability possible, to ensure that the
spectrum planning and the technology will support
interoperability, but the Commission doesn't have
the ability to make it happen at the governance
and operational level where those are state and
local government decisions. And that's the --
that's essentially the lay of the land.

Now let me then add FirstNet to the
equation, because FirstNet is a bit of a game
changer when we talk about interoperability. One
of the key findings, as I think many of you know,
out of the 9/11 Commission was that
interoperability remained a huge issue and
something that still needed to be tackled, not
enough progress had been made.

And short-cutting a lot of history,
one of the things that came out of that was the
legislation that created FirstNet. And the
vision of FirstNet was to create a nationwide
public safety broadband network that would be
fully interoperable and it would be governed at
the national level.

And so that legislation, which was
passed in 2012, did a number of things: It
required the Commission to allocate spectrum that
would be licensed to FirstNet. It set up the
governance structure of FirstNet. It set up a
funding mechanism for FirstNet which was to take
funds from FCC auctions that would be dedicated
to the build-out of this network.

And the vision was let's have a state-of-the-art broadband network that serves public
safety and that's fully interoperable everywhere
in the country, which was not something that this
country, or really any country had ever done
before. So it was a very, very dynamic way of
addressing the interoperability challenge.

A couple of things to note about
FirstNet: One is that the vision was a broadband
network that would primarily, at least in its
first iteration, support data, would not
necessarily support voice. If you talk to first
responders and if you look at the equipment that
they have, I mean, typically now most of them
still are relying primarily on voice
communications in their vehicles with their --
the radios they carry with them. And often they
will also have their own iPhone or Android, their
own smartphone, that they carry as a second
device, because those radio networks that have
been licensed for decades, they're voice
networks. They're not data networks.

And so one of the visions of FirstNet
was let's create the opportunity to afford public
safety, the ability to also access data, because
there are all kinds of situations where as first
responders are coming to a scene data as well as
voice communications could be very important to
the response.

So that was the vision behind FirstNet
was to require it to use commercial broadband
technology. FirstNet is required under the
statute to use the same LTE technology that is
used by the major carriers. Anybody here with a
smartphone, you're probably -- if you're looking
at your data on your smartphone, you're probably
using LTE to do it. FirstNet is based on the
same platform.
What is different about FirstNet is,
No. 1, it has dedicated spectrum that is licensed
to FirstNet. So they are not required, they are
not limited to operating on commercially-
allocated bands. That means that in an emergency
FirstNet can go to capacity that is dedicated to
public safety. And even if you have an emergency
where everybody gets on their cell phone,
everybody is loading up the system, there is
dedicated spectrum that FirstNet has access to
that is priority spectrum capacity for public
safety in that emergency. And that's -- again,
that's a real game changer from what we've had in
the past. So that's one aspect of what kind of
makes FirstNet unique.

Another is the way that we're not
seeing FirstNet roll out, because the concept was
developed in 2012 in the legislation. We are now
at the point where FirstNet is actually beginning
to deploy and provide service to public safety.
They entered into a contract with AT&T that was a
competitive process with the -- in which vendors
were -- had the opportunity to bid for the FirstNet contract. AT&T was the winner in that process.

So FirstNet and AT&T are now partners and are building the network. Public safety will have access to AT&T's commercial spectrum, but will also have access to this dedicated band of spectrum that's allocated for public safety and specifically licensed to FirstNet.

There was in the legislation and option for states if they wished to opt out of FirstNet and to build their own networks, provided that they were interoperable with FirstNet. We opened a window that allowed any state if they chose to elect that option. In fact, no state did. So we now have and we now know that FirstNet will be deploying and building the network in every state and in all the territories. And that's happening now.

And I think that what will happen, what the benefits of that will be for public safety -- to some extent it remains to be seen
because we're now at the point where the FirstNet network is being deployed. And public safety is not required to use it. FirstNet is going to go out and have to win public safety customers, and they're in the process of doing that. But it provides an option for public safety that public safety hasn't had before, which is access to a broadband network that's fully interoperable across the country and that provides capacity in emergencies to public safety regardless of how congested the commercial networks are.

So it provides the potential for a much improved response to emergencies. And because it is being across the country based on standards that have been articulated for interoperability, it will be fully interoperable across the country. And that will be a major change in the environment for public safety.

So with that, let me stop for a second and just ask if there are questions about FirstNet communications, about interoperability, about FirstNet that I can answer, and then we'll
switch over to 911.

CHAIR BARTHOLME: Thaddeus?

MEMBER JOHNSON: Yes, in situations where systems don't talk to each other is it more of a situation or a problem of different hardware providers or technical standards? And I'm asking because I'm thinking about sunk costs. If a city or county or whatever puts $200,000 into system A and system B is better, like how many years are going to have to go by before they upgrade to something if the problem is the provider or a technical standard?

MR. FURTH: It's really -- it's really going to vary. I think the one thing that's a constant is that when agencies are making decisions about what equipment to buy, about what system to implement, they are making a long-term decision about what -- the investment that they're making.

And because typically when, let's say, Washington, D.C. or Montgomery County or San Francisco or Dallas, Texas, goes out and buys a
radio system that they are going to be using for their first responders, they are going to be -- they should be looking at all of those issues because that's a system that's probably going to be used for a number of years, possibly more than a decade.

And so it's -- it's important for jurisdictions to ask those questions. It is -- and the answers to the questions and the choices they make may have consequences. As I said, in general, the technology at this point that is available when a jurisdiction is going out and looking at what to -- what to acquire, what to purchase, supports interoperability.

It should not be an issue of whether this -- there is a standard that supports interoperability. But there are still issues that you have to think about in terms of the cost of the system, the functionality of the system, and who within that community are you going to be interoperating with.

And that's a matter of planning, of
deciding in advance that not only do we have a system that's capable of interoperability, but we're going to work with our neighbors to program -- program that into the radio. So it starts with as simple a thing as deciding what channels are we going to all use if we are in a situation where we're doing joint response to an incident.

That's -- again, to take National Capital region as an example, that is something that they spent an enormous amount of time on planning, so that -- that -- because you have many incidents here that are going to have multiple jurisdictions converging on a scene.

And you have to have planned in advance how you're going to use the technology to support interoperability.

What channels are people going to use if they're from different jurisdictions? What channels are you going to use to speak to the people within your own organization? How is that all going to be managed? The technology will support any way you want to do it, but you have
to decide how to do it.

And then, beyond that, there is the question of -- of planning and of training. If you look at the interoperability criteria that DHS put out, they put out something called the Interoperability Continuum, which is kind of a five-step analysis of how do you get to full interoperability.

Only one of those five steps has anything to do with technology. The other four have to do with operations and governance and training. And so I think that tells you something about how complicated this decision is. It's very important. It's critical. But it's not just a question of, what radio do I buy?

MEMBER HERRERA: This is Mitsu Herrera on the telephone. Can I chime in on this?

CHAIR BARTHOLME: Sure.

MEMBER HERRERA: So it is true that in -- particularly in the National Capital Region, that we have been working on inoperability since 1991 when there was a -- there was a plane crash
in the Potomac River, and that's what first
brought the problem to light.

So I think that there is -- there has
been a lot of coordination. It is multi-state,
multi-jurisdictional, federal, state, and local.
But what I'm curious about is, almost all of that
work has been done by the local governments, in
partnership with some of the state, to have that
happen.

But there hasn't, as far as I know,
been that much technical expertise provided by
the various federal agencies, either by FCC or
Homeland Security. The drivers have very much
been the local level.

And in some places where you'll have
places like, say, a Kansas City where you have a
city that sits in two states, you have a lot of
people who are used to working together, and I
think that the interoperability is improved.

But in other places, and somebody had
mentioned previously the recent shooting in
Florida, where you have agencies in which they
just haven't had to work together across those
different jurisdictions, does the FCC -- are you
doing anything to either have a checklist or a
task list, or do you have -- is there some kind
of identification of where the inoperability is
working well? Are there guidelines? What is
happening in places where you are not at the
center of the nation's capital with, you know, 20
or 30 years of experience doing this?

MR. FURTH: Well, let me -- let me
talk about what the FCC does and then also a
little bit more broadly about what resources are
available at the federal level, because a lot of
this actually takes place outside the Commission
but with agencies that we coordinate with very
closely.

When we -- when we allocate spectrum
and license spectrum, we in some instances will
require the use of equipment that incorporates
standards for interoperability. But we don't go
out and monitor. We don't have the resources to
go out and monitor what jurisdictions actually do
with the technology, with the radio systems that they operate.

Our primary concern is to make sure that they're not interfering with one another, that they're complying with our technical rules.

Now, having said that, there are a lot of resources that are available at the federal level. In fact, within DHS, there are several parts of DHS, their Office of Emergency Communications, that provide technical assistance, that provide grant funding, on these very issues.

So there is actually a fair amount of federal technical assistance that is available to jurisdictions that want to address interoperability issues. But the underlying fat is that most first response, most emergency response in the U.S. is provided at the state and local level.

And there are a lot of advantages to that in terms of how effective that response is for those communities and for people in those
communities. What that also means, though, is it's very difficult to impose a top-down solution when it comes to interoperability.

It really has to be developed from the bottom up, and part of that is for the reason that you point out, which is that the solutions are going to differ in every community. It's going to be a question of thinking, what kinds of incidents are we going to be needing to respond to? Both on a regular basis and in an extreme situation. And what are the other agencies that are going to be coming on the scene in an incident that is one that crosses jurisdictional boundaries, for example.

That kind of planning really has to happen at the state -- at the state and at the local level because that's where the response agencies are. And they are in the best position to figure out what it is that's going to be responsive to those community needs.

So it is frustrating because not everybody engages that effort, and there will
always be incidents where you discover perhaps a scene that you didn't anticipate. It may be that interoperability works well for 99 percent of the incidents that you respond to, but then there is that one percent where something happens that you realize you haven't adequately prepared for.

And that's the challenge I think for everybody at all levels it to -- to anticipate what the interoperability requirements are going to be, who is going to need to interoperate with one another.

I can give you an example in terms of an issue that the Commission looked at a few years ago, which was making public safety channels available to law enforcement that operates on railroads.

If you think about it, think about a rail accident. It could happen anywhere on the rail line, so it could -- it could happen, you know, anywhere across thousands of miles of railroad infrastructure. And there may -- if there are -- if there is law enforcement, if you
have railroad police on the train, are they going
to be able to interoperate with whoever is in the
local area in order to be able to respond to that
disaster. And it could be anywhere.

So what the Commission did was to
authorize railroad police to use the same
interoperability frequencies that local -- local
public safety agencies use. So at least they all
have access to the same channels, because until
we made that rule change they couldn't even use
the same channels.

Once we've done that, then the
challenge is, okay, you have the ability to use
the same channels, the railroad police do, along
with state and local law enforcement. Then it's
a matter of how do you plan for that incident?
And the likelihood of an incident happening in
any one jurisdiction may be very small, but it's
something you have to anticipate if you have
railroads coming through your jurisdiction.

So the Commission can set the table
for an interoperability solution, and we can
encourage and advise people to plan for those kinds of incidents. But, ultimately, it's going to be up to the responsible agencies to come up with a plan, so that if that happens they will be prepared.

CHAIR BARTHOLME: Thank you. I think we're ready to segue to --

MR. FURTH: Okay.

CHAIR BARTHOLME: -- next gen 911.

MR. FURTH: Okay. So we're going to switch now to 911, and I actually think about 911 -- what we've been talking about and what we're about to talk about as parts of a continuum. Because if you think about an incident, often that incident will start with somebody making a 911 call or maybe multiple people making 911 calls.

So something happens, a traffic accident, a fire, a medical emergency, and you know that at the end of this process you want first responders there on the scene to respond to that emergency. And we've talked about the first
responder side of it. How do they communicate
with one another in order to get to that
emergency and provide the proper response?

But now we talk about the front end,
which is how does the public communicate with
emergency responders in the first place in order
to get help? And the 911 system is our answer to
that question.

Some of you may have seen some press
coverage a couple of weeks ago because 911
celebrate its 50th birthday, the 50th anniversary
of the first 911 call, which happened in Alabama
in February of 1968, was just a couple of weeks
ago. And so the 911 system has been around for a
long time.

And I will talk a little bit about
next generation 911, but before doing that,
again, I think it's worth stepping back to think
about how 911 has evolved. So the original 911
system, when it was -- when 911 was first
identified as an emergency number in the late
'60s was essentially a system that was built to
use landline telephones.

At that point, cell phones didn't exist yet. The internet didn't exist. All of the technology that we're now used to did not exist. So 911 was originally developed basically to work with landline telephones.

And for the first couple of decades, that's essentially what it did. And the concept was you dial 911 on any landline telephone in the country, and it will get you to a 911 call center, what we call a public safety answering point, or PSAP, in your area, and they will then be responsible for dispatching help to where you are.

As the technology that we all use to communicate has evolved, the 911 system has had to keep up. And that's -- that has been one of the challenges because, again, 911, like what we've been talking about, like what we've -- when we talk about public safety radio systems, 911 is a service that is provided at the local level.

We have somewhere north of 6,000 911
call centers in this country. Most of them are run out of county/city government, often out of a police station. Most of them are very small. Some are essentially a couple of telephone stations in a police station.

Obviously, there are some 911 call centers that are very large. If you go to the D.C. 911 call center across the Anacostia River, it's a marvelous state-of-the-art call center, takes about 1.3 million calls a year, and is a really tremendous facility. And in other urban areas, you will see that. But, again, 911 is something that is provided at the local level.

The Commission's role in 911 has, from a regulatory point of view, been not to regulate those state and local governments that provide 911, that answer the calls, but to regulate the way in which commercial carriers that we all use to contact 911, to make sure that they support 911, so that if -- if I am in some kind of distress, or there is an emergency that I need to contact 911, I am going to be using a commercial
I am going to be using a commercial service to dial that number. Actually, I'm not dialing it anymore, even though we still talk about dialing 911.

So as I said, the 911 system started really as a landline system. Then, as cell phones came to the fore and became ubiquitous, 911 had to adapt to be able to support wireless 911 calling. And a lot of the regulatory activity that the Commission has engaged in has to do with how to ensure that the carriers, landline carriers, and then wireless and VoIP carriers, support 911.

So that if you make a 911 call, it will get through to a call center that can provide -- that can provide help. But that's meant -- technologically changing the system through all of these different phases.

And where we are now with next -- what we call next generation 911, and if you Google it you'll see a whole lot of different things. And I'm going to oversimplify a little bit, but next
generation 911 really -- there are kind of two
basic components to it. One is that, as
communications technology has moved from what we
call circuit switch to kind of telephony
technology to IP, internet protocol-based
technology, it's the technology that is the
foundation for the internet and for most of the
commercial communications that we're all engaged
in all the time.

As the communications platforms have
become IP-based, next generation 911 is in part
about ensuring that the 911 system also becomes
an IP-based system, and makes that migration from
the kind of legacy telephone technology world
that it started in to an IP-based platform.

And there are a lot of different
pieces to that that will make -- that ultimately
should make no difference to what happens if you
make a 911 call. If you make a 911 call, do you
care whether it's going over a landline circuit
switch system or going over an IP-based system?
No. What you care about is that somebody answers
the phone, they know where you are, and they can
get help you to.

And so the vision of doing it over IP
is, in a lot of ways, something that consumers
should never have to see because it should work
seamlessly the way 911 always has worked. But
the challenge of actually accomplishing that
upgrade is an enormous challenge. It means new
technology, it means new -- and new technology
both on the carrier side and on the -- on the
call center side.

And it also means overcoming the
funding challenge. How do you pay for it? So
there are a whole host of issues that are
associated with how do we -- how do we make that
conversion from telephony to IP-based? That's
one aspect of next generation 911.

The other is actually something that
consumers will see, which is, how do you
communicate with 911? The concept of calling 911
is still essentially you can make a voice call.
Most of us, and certainly -- I mean, I've got
kids in their twenties. They are texting. They're doing all kinds of things. Often, the last form of communication they are using is voice communications.

And so the other aspect of next generation 911 is expanding the 911 system so that it will -- it will continue to support voice, voice continues to be very important, but so that it will also be able to support other ways in which people communicate, by text, by being able to send photos and video and data.

Right now, in most parts of the country, if you call 911, you cannot do something as simple as send a photo to the 911 call center. And the Commission, about four years ago, adopted rules that required carriers to support text to 911, so that you would -- if you had a situation where, for example -- it could be a couple of things.

One would be let's say you're someone who has a hearing or a speech disability, so making a voice call is difficult. There is very
old, just kind of -- there's old technology
called TTY that has been out there for a long
time that was designed in the '70s and '80s to
support that. But now we are in a world where
text is ubiquitous.

So the Commission said four years ago,
let's have carriers that offer text to their
customers support the capability to use text to
contact 911, which will help the disabilities
community. It can also help in certain
situations where maybe a voice call is either not
possible or could be dangerous to the caller.

If you think about a domestic abuse
situation, if you think about an active shooter
situation, there are a number of instances where
it might be preferable from the caller's point of
view to text rather than to call.

The Commission mandated that for the
carriers. We did not mandate that for the call
centers because we don't have jurisdiction to do
that. They are -- they are local and state-
governed entities. So that has been an
evolutionary process of encouraging communities around the country to adopt text to 911, to increase the functionality of their 911 systems, so they will support text as well as voice.

We're now at a point where about a third of the counties in the country support text to 911. There are more that are doing it. There was -- the District of Columbia went live with text to 911 last year. There was an announcement I believe last week that the State of Maryland will be going live with text to 911 within a few months.

So it's gradually spreading around the country. But, again, that upgrade -- and upgrading to text to 911 does not even require full upgrading to next generation 911. That's still something that has to happen in all of those 6,000 call centers around the country. So it's not going to happen overnight.

But at the end of the process, what we envision with next generation 911 is that it's a system that will support all of these
functionalities. It will enable anybody who needs to call to still be able to communicate by voice with the call taker, but also potentially to send important information like a photo or a video of an accident scene, or to be able to text if voice communication is not called for in that situation.

So that's also part of the evolution to next generation 911. It requires a lot of different -- a lot of action at different levels of government because there is no one agency, including the FCC, that has jurisdiction control over the entire system, the entire ecosystem.

But it's an extremely important endeavor that we are very focused on doing whatever we can to help to move that migration forward.

So I think with that, again, rather than talk more, let me just take questions, if people have questions about 911, next generation or otherwise, or specific questions about some of the Commission's initiatives.
CHAIR BARTHOLME: Anyone with questions in the room or on the phone?

So I know that one thing that we all see on our phone bills is a fee for 911 services.

MR. FURTH: Yes.

CHAIR BARTHOLME: And Commissioner O’Rielly recently put out a statement asking local municipalities to be a little more transparent with that. Can you maybe talk about the --

MR. FURTH: Sure.

CHAIR BARTHOLME: -- Commission’s role in that and --

MR. FURTH: Sure. Well, Commissioner O’Rielly was commenting on something that we reported, because the Commission, and in fact our bureau, is responsible every year for submitting a report to Congress on 911 fees. This is something that Congress required us to do in a law that they passed about 10 years ago.

And to step back, the fees that you see on your phone bill, whether it’s your
landline bill or your wireless bill, those are
set by the state. And in some instances, there
may be fees that are also set at the local
government level, but every state has the ability
to decide if they're going to require a fee or a
charge to go on consumers' bills to support 911.
And most states do that.

What Congress asked the FCC to do was
to report, to go out every year, gather
information from the states about their fee
collections and their fee expenditures. And so
that's what we do every year, and the report
comes out. We send it to Congress at the end of
the year, and generally publish it in January.
And so we published our most recent report a few
weeks ago.

One of the reasons that Congress
directed the FCC to issue this report was out of
a concern with fee diversion, which is some
states will collect that 911 fee, and then will
spend it on other things, not on 911. And that
was an issue that concerned Congress, which was
one of the key reasons that they directed the Commission to issue a report.

So one of the things that we do in that report every year is we identify which states are spending their money on something other than 911. And although it's a minority of states, there is -- I think this year it was six or seven states -- I think six, that diverted fees, and it's in our report.

And that's what Commissioner O'Rielly was sending a letter to those states about. Essentially, he is saying to them that he wants -- and I think he actually sent it to both the states that were identified as diverting and also to states that had failed to submit a report to us.

We go out and we collect data. We try to collect data from all 50 states, but we don't always get data from all 50 states. There are usually a handful of states that don't report back to us. So Commissioner O'Rielly has sent a letter to both the non-reporting states and the
states that have been identified as diverting funds, in an effort to try to combat this phenomenon of fee diversion.

So we're going to continue to issue this report every year. We'll do another one next year. And it's, therefore, an important source of information. And I think it's something that this Committee -- I would certainly recommend it to you. We'll provide a link to the report and to past reports.

In addition to information about fee diversion, it provides a lot of other useful information about how money is being spent in every state. There is an aggregate of about 2.5, $2.6 billion collected in 911 fees across the country. The amounts vary from state to state, and the way that the money is spent varies from state to state.

But there is a lot of useful information that you can get out of that report about your individual states, and also what trends are nationally.
CHAIR BARTHOLME: Thank you for joining us today. We appreciate having you.

MR. FURTH: Well, thank you -- thank you for inviting me.

CHAIR BARTHOLME: So next on the agenda we have a break for lunch. But before we do that, I have a couple of things. Larry, are you still on the phone? I wanted to give you a chance to mention the NAB event that was recently convened around disaster response? So maybe I just called Larry out for jumping off the phone for lunch early, but --

(Laughter.)

CHAIR BARTHOLME: -- I will plug their event. Earlier this month they had an event called Eye of the Storm, which focused on the way that broadcasters, the FCC, FEMA, and other agencies, coordinate efforts to cover disasters that are occurring, weather events, and otherwise, and also respond to those.

There is a video link for that event that we will send around with the rest of the
meeting packets. And if you're interested, you can -- you can take some time and watch that and learn a little bit more about sort of the day to day of disaster response and planning.

We did have a couple people pop in after we did intros this morning, and maybe a couple of people join the call. So I just wanted to really quickly let those of you who didn't get a chance to introduce yourselves at the beginning of the day, maybe take some time to do that now? We'll start with Alan.

MEMBER BUTLER: My name is Alan Butler. I'm from the Electronic Privacy Information Center based here in D.C.

CHAIR BARTHOLME: Okay. Great.

Thanks. Katie?

MEMBER McAULIFFE: Katie McAuliffe, Americans for Tax Reform and Digital Liberty.

CHAIR BARTHOLME: Okay. I think --

MEMBER ALKEBSI: Good morning. This is Zainab. Oh, sorry. You want to go first?

I'm Zainab Alkebsi, National Association of the
Deaf.

CHAIR BARTHOLME: Thanks.

MEMBER OCHILLO: My name is Francella Ochillo from the National Hispanic Media Coalition. I introduced myself this morning on the phone.

CHAIR BARTHOLME: Yes. Exactly.

MEMBER OCHILLO: Thanks.

CHAIR BARTHOLME: Good to put a face with the name. Anybody else on the call that joined?

MEMBER MAHONEY: Hi. This is Maureen Mahoney from Consumers Union.

CHAIR BARTHOLME: Hey, Maureen.

So quick reminder, at 1:00 today, we are going to be considering a recommendation. So that will be a vote, and I'm hopeful that as many of you as possible can stick around for that portion of the day. We will need a quorum to get that passed, so we look forward to your participation there.

And we will take a break for lunch and
be back here at 12:30. Thank you.

(Whereupon, the above-entitled matter recessed for lunch at 11:59 a.m., and went back on the record at 12:33 p.m.)

CHAIR BARTHOLME: Welcome back everyone. Before we get rolling, I wanted to take another second to acknowledge NCTA and their generous contribution of food for all of us today. So --

(Applause.)

CHAIR BARTHOLME: Next up, we're going to be joined by Evan Baranoff?

MR. BARANOFF: Yes.

CHAIR BARTHOLME: He is an attorney advisor for the Policy Division in the Media Bureau, and we're going to learn a little bit more about ATSC 3.0 and next steps.

MR. BARANOFF: That's right. He just took my first slide.

(Laughter.)

MR. BARANOFF: Hi. Yes. I'm Evan, as you said, in the Media Bureau, Policy Division,
and that's right.

Let's see.

MR. MARSHALL: Do you have a mic, or do you need me to slide this one over?

MR. BARANOFF: Hello?

MR. MARSHALL: Oh, there you go. Now you're --

MR. BARANOFF: Is it working? Okay.

MR. MARSHALL: Yes.

MR. BARANOFF: Okay. So if --

MR. MARSHALL: You pretty much have to eat that mic.

MR. BARANOFF: Okay. All right. So my slides will cover the report and order, the further notice briefly, and the post-adopter issues, including next steps in the rulemaking.

In November of last year, the Commission released a report and order and the further notice of proposed rulemaking authorizing broadcasters to use the next generation broadcast transmission standard called ATSC 3.0 on a voluntary, market-driven basis, while they
continue to deliver current generation service, ATSC 1.0, to their viewers. It's voluntary and not a mandatory transition.

ATSC 3.0 has enormous potential. It is the first transmission standard to combine the advantages of broadcasting and the internet. It enables enhanced and innovative new features to consumers, such as ultra-high definition picture and immersive audio, superior reception, advanced emergency alerting capable of waking up sleeping devices, mobile viewing capabilities, more localized programming, interactive educational children's content, enhanced accessibility features, and other enhanced features.

Local simulcasting is the key to protecting viewers during next generation TV deployment. Next generation TV stations must simulcast their primary video programming stream of ATSC 3.0 channels in 1.0 format. Because ATSC 3.0 looks -- because ATSC 3.0 is not backwards compatible with 1.0 equipment, the Commission requires local simulcasting to ensure viewers
continue to receive their existing ATSC 1.0 service.

Local simulcasting will be accomplished through voluntary partnerships involving two or more stations in a market.

Coverage and licensing requirements.
A 1.0 simulcast channel that is moving to a host station must continue to cover its entire community of license. Applications that do not result in a loss of more than five percent of the existing population will receive expedited processing within 15 business days. Other applications will be processed in about 60 business days.

1.0 and 3.0 channels broadcast on a partner host station will be licensed as temporary second channels of the originating broadcaster. Next gen TV broadcasters will be authorized for both its 1.0 and 3.0 channels under its existing license.

The programming on the primary 1.0 simulcast stream must be substantially similar to
that on the 3.0 primary stream. That is, it must
be the same except for features based on enhanced
capabilities of ATSC 3.0 technology.

Also, advertisements and promotions
are excluded. This requirement sunsets unless
the FCC acts to extend in five years.

The order afforded a blanket exemption
for LPTV and TV translators from the local
simulcasting requirement. Also, we will consider
waivers from aspects of the local simulcasting
requirement from full power and Class A stations
on a case-by-case basis.

MVPD carriage rights. Next generation
TV broadcasters' 1.0 simulcast channel will
retain mandatory carriage rights while the
Commission requires local simulcasting. And its
1.0/3.0 channel will not have mandatory carriage
rights.

1.0 channels moving to a temporary
host facility can retain mandatory carriage
rights, provided they continue to qualify for
such rights at the host facility location. These
channels cannot gain new carriage rights as a result of their new location.

Voluntary carriage through retransmission consent agreements is left to marketplace negotiations. Consumer education will be crucial to the successful deployment of next generation TV service and simulcasting of ATSC 1.0 service.

Consumers will need to be informed if the stations they view will be changing channels, and consumers will need to be encouraged to rescan their receivers for new channel assignments.

All stations that move their 1.0 channel due to 3.0 deployment must air daily on-air consumer education, PSAs, or crawls, beginning 30 days prior to the date that the stations will stop broadcasting in 1.0 on their current channels.

With respect to the ATSC 3.0 further notice, the further notice raises three issues related to local simulcasting -- whether more
guidance is necessary with respect to exemptions and waivers of the local simulcasting requirement, whether to allow full power broadcast stations to temporarily use vacant channels to facilitate the transition to 3.0, and the further notice tentatively concludes that local simulcasting should not change the significantly viewed status of next generation TV stations.

Now turn to post-adoption issues. Regarding the further notice, we are now within the comment cycle of the further notice. Comments were due February 20th. We have received 19 comments as of last week. Replies to the comments are due March 20th.

The report and order generally will take effect March 5th, except for the simulcasting rules which includes the licensing process.

So what does this mean for next generation TV deployment? Well, the new licensing rules require OMB approval, and we'll
also need changes to our LMS database. We expect
to have obtained the necessary approvals and
completed the changes to our LMS database by the
beginning of next year.

To the extent parties show a need to
begin ATSC 3.0 department -- deployment sooner
than that, we are contemplating using our special
temporary authority process to consider such
applications.

We are aware of two market trials --
the Pearl TV Group in the Phoenix market and the
Sinclair Group in the Dallas market. There have
been informal discussions at the staff level
about these trials, but nothing yet has been
formally filed with the Commission.

I will now turn it over to some
questions, if there are any on the issue -- on
the issues or next steps.

CHAIR BARTHOLOME: Real quickly.

MR. BARANOFF: Sure.

CHAIR BARTHOLOME: What were the test
markets that you just mentioned?
MR. BARANOFF: So the Pearl Group in Phoenix and -- in the Phoenix market, and Sinclair in the Dallas market.

CHAIR BARTHOLME: And has anyone approached the Commission about trying to coordinate this with the existing repack efforts related to the auction?

MR. BARANOFF: I'm not sure I entirely know how to answer that question. They can file, you know.

CHAIR BARTHOLME: Okay. But there hasn't -- you haven't gotten -- no one has filed, and there hasn't really been any --

MR. BARANOFF: That's right. There is just these two market trials that we're expecting.

CHAIR BARTHOLME: Okay. And do you know if any -- I know in Puerto Rico, for instance, they sort of accelerated the time table on certain retuning things as a result of the hurricane and getting the towers back online.

I would also be curious to know if
anyone else that was recently affected in a similar way is thinking of taking the opportunity, while a tower is powered off for other reasons outside of everyone's control, to consider.

MR. BARANOFF: No, not yet. I mean, consumer devices aren't -- to receive 3.0 isn't expected until 2020. So we're not sure how the timing of the rollout is going to be.

CHAIR BARTHOLME: Sure. Any other questions? Steve?

MEMBER POCIASK: That last point --

MR. BARANOFF: Yes.

MEMBER POCIASK: -- that's sort of the reason why -- my question is: what exactly do consumers need in terms of equipment? And how does that work? I mean, are they using their -- does that equipment connect to like WiFi in the home? I mean, how does this work?

MR. BARANOFF: There's a variety of equipment. I mean, first, the local simulcasting will be key to consumers, so that they can
continue to receive television service with their existing equipment, with their existing televisions.

For any that want to take advantage of this, they will have to obtain a receiver, a converter box of some sort, whether to the television or perhaps a gateway device to the internet to access the ATSC 3.0 signals. Does that answer your question?

MEMBER POCIASK: Yes.

CHAIR BARTHOLME: Rick, any --

MEMBER ELLROD: Rick Ellrod, Fairfax County for NATOA. Following up on the same line, is the five-year sunset based on the assumption that consumer equipment will have turned over by that time and everyone will have 3.0 receivers?

MR. BARANOFF: The sunset is not to the local simulcasting requirement, but just to the substantially similar requirement. So in five years the Commission will just consider whether the programming needs to be the same or whether it can be allowed to expire on these
 MEMBER OCHILLO: Hi. My name is Francella Ochillo. I'm with the National Hispanic Media Coalition, and I just had a question -- a question about the Consumer Education Fund legislation that is basically on the floor right now.

I'm not entirely sure if you're the right person to ask, but if you are --

MR. BARANOFF: I'm not.

MEMBER OCHILLO: -- if you could give me any -- oh, okay. Well, then that's --

MR. BARANOFF: I don't have any insights into that.

MEMBER OCHILLO: Oh, okay. Well, then we'll talk later.

MR. BARANOFF: I apologize. I'm sorry, but I --

MEMBER OCHILLO: Okay.

CHAIR BARTHOLME: Anyone on the phone have any questions? All right. Thank you.

MR. BARANOFF: Sure. Thank you.
CHAIR BARTHOLME: So next we have a slight modification to the agenda. Rather than Karen Schroeder joining us for a presentation, we're going to be joined by Kurt Schroeder. I've been told there is no relation.

And Kurt is the Chief of the Policy Division at CGB, and he is here to give us an update on unwanted call blocking and the FNRP -- PRM about measuring effectiveness of call blocking standards, which should lead to the joint report by the FCC and FTC on the issue.

MR. SCHROEDER: That's right. Thank you.

MR. MARSHALL: I think that mic --

MR. SCHROEDER: Oh, okay. Is that better? Okay.

MR. MARSHALL: Yes. I mean, I think your presentation is on that laptop.

MR. SCHROEDER: Oh, okay.

MR. MARSHALL: Yes. And you have a clicker there to flip through the pages.

MR. SCHROEDER: Okay. That's not me.
Let's see. Here we go. There we go. All righty.

Yes, thanks. I hope you're not too disappointed that Karen Schroeder isn't here. I'll try to live up to our joint name and do as well -- at least as well as she would have done, and she would have done very well.

The Commission adopted in November at -- at the November 2017 Commission meeting, a report and order and further notice of proposed rulemaking. And, let's see, is that coming up right? Yes.

As you might guess, that document included new rules, further notice of proposed rulemaking, and then also directed the Consumer and Governmental Affairs Bureau, in conjunction with the FTC, to do a report on the state of call -- or the state of robocalling in the country, as we see it now.

The new rules allow voice service providers to block certain types of calls, and those rules went into effect just a couple of
weeks ago on February 12th. Voice service providers may now block calls that appear based on caller ID to originate from, first, do not originate numbers.

Those are numbers where the subscriber, the actual subscriber, has requested the blocking of outbound calls purportedly from those numbers that are used only for inbound calls.

A well-known example of that kind of blocking involved the IRS scam that probably a lot of you are familiar with. The IRS asked that toll-free numbers that they used only for inbound calls from taxpayers be blocked if they were showing up on outbound calls that were going to people, and that -- as I understand it, that blocking has been fairly successful in tamping down that scam, although I don't think it has gone away completely.

Also, invalid numbers, you know, for example, if all zeroes comes up on caller ID, that's something that can be blocked because
there isn't a valid all-zero number under the
North American Numbering Plan.

As far as I know, the only number --
the only repeat number that is valid under the
North American Numbering Plan is the so-called
all-eights number, which is highly sought after
and has even been the subject of some litigation
because of that.

But in any event, there are also
unallocated numbers. The number hasn't been
allocated to a service provider by the North
American Numbering Plan administrator or the
pooling administrator. If it's known that a
number hasn't been allocated, there is no valid
reason it should be showing up as the originating
number for a call.

And then unused numbers. Those are
numbers that have been allocated to a service
provider but not assigned to a subscriber.

The Commission adopted these rules to
give the industry some flexibility in blocking
illegal calls. The blocking is voluntary. We
hope the industry will get on board and do what they can to block these kinds of calls, but we're not requiring carriers to do that.

The rules, we think, outline very specific, well-defined circumstances where voice service providers can block calls that are highly likely to be illegitimate because there is no lawful reason to spoof those particular kinds of phone numbers.

Moving on to the further notice, that's part of the same document. It seeks comment on two discrete issues. First, it seeks comment on potential mechanisms to ensure that erroneously blocked numbers can be unblocked as quickly as possible.

You know, we all hope that there aren't going to be a lot of errors in blocking number -- or calls based on the kinds of phone numbers that I have just described. But if that does occur, we're asking about what the formal challenge mechanism should be, should the mechanism be different based on the size of the
carrier, you know, what challenge mechanisms are
 carriers or service providers already using or
 considering to use.

 Is there a process beyond our current
 informal complaints process that should be used
 to help sort out these erroneously blocked calls,
 if any? And another thing that's probably kind
 of important is, you know, how should callers be
 informed when their calls are already blocked or
 are being blocked? They won't know, of course,
 to challenge those calls if they believe their
 calls are lawful unless they know they're being
 blocked.

 And then, you know, how do -- how can
 we assure that calls will be unblocked if blocked
 in error? What kind of credible claim needs to
 be made by the caller to make that known to the
 providers who are doing the blocking?

 And, you know, kind of the flip side
 of that is, how do we prevent abuse of the
 challenge mechanism? You know, we certainly
 don't want unlawful robocallers to be challenging
the blocking of their calls, and yet you can see very easily that there would be an incentive to do that.

And then, finally, you know, should there be a mandated timeframe for unblocking calls that have been blocked in error?

The second thing the further notice seeks comment on is the ways to measure the effectiveness of the FCC's robocalling efforts as well as the efforts of the industry. Should we adopt a reporting obligation for voice service providers, for example? And, if so, what kind of information should be collected?

Should we ask them to provide information about false positives when they have blocked calls in error, for example? How often should information be reported? Annually? Quarterly? How would the data help us evaluate the effectiveness of the blocking that is going on?

What are the consumer benefits? How can we measure that? And then, what's the cost
of any reporting that we might require? And should small providers have some different obligation as far as reporting goes?

An alternative is using data that we already have from our Consumer Complaints Center that, you know, does provide us with a lot of good information already, and the question is, really, do we need more information than that? And then, what other data sources are there?

The comment period has just closed at the end of -- toward the end of last week on February 22nd, but we expect that interested parties will still come in to do ex parte presentations, you know, during the -- during the time when the Commission is looking at the record.

And then, finally, in the November item, as I said, we were directed -- our bureau was directed to draft a report, in consultation with the FTC, on the state of robocalling in the U.S. It told us some specific things that the Commission would like us to do.
One is shed light on the issue of robocalling generally, and how that -- how that information can inform FCC actions going forward. They'd like the report to encompass both progress made by the industry, also by government, also by consumers, in combating illegal robocalls.

I think, you know, we've all played a part so far, and the Commission wants to know where things stand with that, as well as looking at the remaining challenges to continuing these - - and improving these efforts along the way.

We are also being asked to focus on quantitative data as much as possible. That would include calling trends and consumer complaints, which we think should provide some insight into the current state of the robocalling problem, how to target additional measures to help consumers avoid the kind of fraud and annoyance that they're already experiencing.

The report is due to the Commission next January.

And that pretty much sums up the
November report and order and further notice.

The last slide is Karen Schroeder's email address and phone number, if you have questions. But, you know, really feel free to call me or any of the managers in the Consumer Policy Division if you have questions, as well as Karen who was the author of the item.

So, anyway, with that, should I open it up for questions?

CHAIR BARTHOLME: Sure. You can, yes.

MR. SCHROEDER: Yes. If there are any questions, I'll be glad to --

CHAIR BARTHOLME: Susan?

MR. SCHROEDER: -- answer them.

MEMBER GRANT: Hi. Susan Grant from Consumer Federation of America. So in preparing this report, will you be asking all of the carriers what measures they have implemented so far? I note that even in the -- in allowing carriers to block these calls that seem pretty obvious on their face to be fraudulent, it's not a requirement. So some carriers will do this;
others may not.

Will you be getting more than just a
general report from industry associations, but
actually hard numbers from the carriers
themselves about what steps they have taken, how
many consumers have signed up, if that's
required, or exactly what each of them is doing,
so that we can compare between carriers?

MR. SCHROEDER: Yes. I -- that's
certainly the kind of information we're hoping to
get. At this point, I can't say that we're
looking to require carriers to provide certain
information, but, you know, as we work out the
process for gathering the information, we're
going to be looking for carriers as well as just
the public at large to provide us with the
information we need there.

We may -- this hasn't been decided
finally yet, but we may, for example, issue a
public notice asking for comment.

CHAIR BARTHOLME: Francella, did you
-- or is that up from last time? Oh.
MEMBER OCHILLO: It's up from the last time.

CHAIR BARTHOLME: Sorry.

MEMBER OCHILLO: I'm sorry.

CHAIR BARTHOLME: That's okay.

Anybody on the phone have any questions or comments?

MEMBER McELDOWNEY: Yes. This is Ken McEldowney. I'm from Consumer Action. I guess I'm very surprised by the response to the answer to Susan's question.

I just can't imagine how the FCC's efforts can be effective without requiring that data from the carriers. I would think that the carriers who have been doing a great job would voluntarily come forward; the ones that were doing less than a great job would not come forward, so the problem would continue.

MR. SCHROEDER: Well, yes. That's certainly something we're going to need to consider as we gather information. You know, as I mentioned, we haven't made a final decision
about exactly how to gather the information. One option is issuing a public notice. The responses to the public notice of course would be voluntary.

If we don't see information coming in that we think would be essential to drafting the report, we may have to take further steps to gather that information.

Other questions?

CHAIR BARTHOLME: Other questions on the phone? I would add, before you leave, that there is a wealth of knowledge and a diversity of backgrounds right here at this table. And if you can -- if you find ways that we can be helpful in getting you information, or other ways that we can be helpful as you work to assemble this report, please feel free to call on us, you know, reach out to Scott or myself. We're always happy to form a small group, a large group, whatever makes the most sense, and be as helpful as we can.

MR. SCHROEDER: Well, thank you.
We'll certainly keep that in mind and take you up on it.

CHAIR BARTHOLME: Thanks.

MR. SCHROEDER: Thank you.

CHAIR BARTHOLME: Okay. Next on the agenda, we have -- we have a recommendation that is for consideration, and this recommendation came through the efforts of the Robocall Working Group.

The focus of the recommendation is on call authentication technology and tools primarily, but it also has some other action items that are focused on combating robocalls more broadly. It was sent around to the full CAC in advance of the meeting, and I believe there is a copy in each folder. Correct, Scott?

MR. MARSHALL: Yes, sir.

CHAIR BARTHOLME: Kevin, did you want to say anything in regards to the recommendation? Sorry to put you on the spot, but Kevin is the co-chair with myself of the working group, so I thought --
MEMBER RUPY: No. I think -- I think you covered it very well, Ed, and, you know, I'll just say I definitely appreciate all the efforts within that working group to focus on this issue. Caller ID authentication is certainly a key aspect in the fight against robocalls.

And, you know, as you look through the recommendation that we did put together, we talk about, you know, the narrative. The lead-in narrative provides an overview as to why spoofing is such a challenge in the robocall space, you know.

In addition to fooling consumers and, you know, giving them false information that may make them more likely to fall for a scam, you know, the ability of these bad actors to spoof the numbers also makes it more challenging for the blocking services and labeling services that are out there to, you know, stay on top of this ever-changing series of numbers.

And then, finally, you know, with spoofing, it does make it that more challenging
for law enforcement to trace these calls back, so that we can find the folks that are behind these calls.

But the group did put together a good series of recommendations to the FCC. And as Ed noted, we kind of put them into two buckets. We have, you know, the first set of three recommendations that are focused more on the caller ID authentication and SHAKEN, STIR. And then the last five set of recommendations that are focused on robocalling more broadly.

And, you know, happy to discuss or answer any questions that folks may have on this.

CHAIR BARTHOLME: Can we first get a motion to move the recommendation to the floor?

MEMBER WITANOWSKI: I'll move.

CHAIR BARTHOLME: Krista, thank you. Julie seconded. Thank you. All in favor?

(Chorus of ayes.)

CHAIR BARTHOLME: Opposed?

Abstentions?

Okay. Discussion.
MEMBER WITANOWSKI: I just want to thank this group for working so hard on this recommendation. I think it just goes to the fact that this CAC has worked so hard on the front end to put these recommendations together that we have nothing to say. It's perfect. Thank you.

(Laughter.)

CHAIR BARTHOLME: So Krista just took your chance, if you planned on saying anything. She --

(Laughter.)

CHAIR BARTHOLME: So does anyone want to call the question? Debbie calls the question.

So all in favor of the recommendation?

(Chorus of ayes.)

CHAIR BARTHOLME: Opposed?

Abstentions?

Okay. All right. So that passes.

Thank you, everyone.

(Appause.)

CHAIR BARTHOLME: Yes. So now we have a little bit of an expanded opportunity for our
working group time. We'd like to structure this in a way that allows people to participate in multiple working groups, because I know there are a number of CAC members who are also members of multiple working groups.

Unfortunately, we do get to do a little bit of field tripping today because the conference rooms closest to us were unavailable. So everybody gets to get a map and a compass and -- no, I'm --

(Laughter.)

CHAIR BARTHOLME: Scott and Catherine will be leading people to the harder --

MR. MARSHALL: Yes.

CHAIR BARTHOLME: -- work -- or the harder conference rooms to locate within the building.

MR. MARSHALL: 402, 442, which we usually use, is right down the hall to my right, and then it will be on your left after you pass the intersecting corridor. So we do have that room on the 12th Street level. And then the
other rooms, we'll have to go to the other
floors. And USF will stay in here.

   CHAIR BARTHOLME: Okay. So our plan
is going to be that the Broadcast Repack Working
Group and the Slamming and Cramming Working
Groups will be the first two working groups
during the time block that we have, and those
groups will meet from when we leave the room now
until about 1:50.

   MR. MARSHALL: Repack and which?

   CHAIR BARTHOLME: And those are also
the two working groups that are the furthest
away. So we're going to take you far away in the
hopes that when we have the second two you're
close and we can just dive right back in and wrap
up the meeting for the day.

   So Broadcast Repack and Slamming and
Cramming. Broadcast Repack is going to be in
West Room 3C-858, and Catherine will lead you
there.

   MR. MARSHALL: Right.

   CHAIR BARTHOLME: The Slamming and
Cramming Working Group is going to be in West
Room 1C-858, and Scott --

MR. MARSHALL: That's correct.

CHAIR BARTHOLME: -- will be leading
everyone there.

At 1:50, we'll switch, and the second
part of the time block will be devoted to the
Robocalls Working Group and the USF Digital
Inclusion Working Group.

The Robocalls group will be just down
the hall in A405/442. That's the one that we
frequently use for these meetings. And the USF
group will be here in the CRM, as is standard
operating procedure for that group. So --

MR. MARSHALL: And once you get up
into your rooms, we'd like the working group
leaders to establish the conference call bridge,
and you do that with the information that's on
the sheet in your packets, just as you would if
you were doing an ordinary offsite conference
call with your group.

And also, if you need -- the people on
the upper floors, that's behind a locked door.
So if you need to get out and need to return,
give Catherine a call on her phone.

And if you could jot this number down,
we didn't put that in a sheet. We should have.
It's (202) 853-6204. (202) 853-6204. And she
will come up and let you in and out of the suite
area if you need to exit for any reason and
return.

CHAIR BARTHOLME: So, quickly, let's
have a five-minute comfort break. The tour
guides will depart at 1:15 from --

MR. MARSHALL: 1:15.

CHAIR BARTHOLME: -- this room to take
you to your meeting location.

MR. MARSHALL: And tips are always
welcome. No, I'm teasing.

(Whereupon, the above-entitled matter
went off the record at 1:09 p.m. and resumed at
2:33 p.m.)

CHAIR BARTHOLME: Okay. Welcome back,
everyone. Thank you for taking time to
participate in the working group meetings. I hope that everyone found them to be productive and had a chance to have a good discussion.

So as we come back to the room, the next thing on our agenda is to have some report-outs from those working group meetings. We'll start with Steve and the Repack Working Group.

MEMBER POCIASK: All right. So there was an idea that came up, so we're going to be looking into it. And it's -- well, with the Commerce Committee passage that -- of the RAY BAUM Act, it's H.R. 4986, there would potentially be dollars set aside for a consumer education fund, and that education and outreach to consumers would be in connection with the FCC's coordinating the education on the general repacking.

So we're going to be thinking about and potentially working on a recommendation that would have some principles on how that money might be best spent, maybe efficiently or coordinating with other groups on the ground, to
reach consumers that are affected by the transition, or most affected, including those with disabilities and others, potentially grass roots coordination and broadcasters, and so on.

So that's sort of the broad idea that we're going to be looking into. It's -- and if the bill does move, then we also hope to get some sort of presentation from the FCC on the lessons they have learned from the TV transition to see if there is anything that we might be thinking about as we look closer into this issue. But that -- that's sort of the task right now.

And that's all we have.

CHAIR BARTHOLME: Okay. Thank you.

USF?

MEMBER FAZLULLAH: Hi. This is Amina Fazlullah. We had a great short call and in-person meeting. We've decided to put together a lifeline recommendation, refresh our original recommendations for the docket, the current lifeline docket. And right now we're unclear on timing, so we're going to check in with FCC staff
to figure out timing.

But it's possible that we'll be able to utilize the June -- upcoming June meeting to pass through the recommendation, but there may be some need, depending on timing, for the order on lifeline to request a phone meeting to pass through the full CAC.

So that's it right now.

CHAIR BARTHOLOME: Okay. And are you guys envisioning new language or just --

MEMBER FAZLULLAH: Some new language and some refresh, yes.

CHAIR BARTHOLOME: Okay. Great. All right. So we'll look forward to that.

MEMBER BERLYN: Is this to -- is this to submit in the current NPRM?

MEMBER FAZLULLAH: Correct. Yes. So there is -- initial comments just closed.

Replies --

MEMBER BERLYN: Last week.

MEMBER FAZLULLAH: -- are open for
another month, and then, depending on when the order comes out and sunshine kicks in -- or is set to come out and sunshine will kick in, we may be able to still place our recommendations. So that's what we're aiming for is that sort of period after replies.

MEMBER BERLYN: So is there a possibility we might have to consider this before our next meeting, then?

MEMBER FAZLULLAH: That's right. That's right.

MEMBER BERLYN: Okay.

MEMBER FAZLULLAH: So we may be able to make it for June, but there's a possibility we'll need to do a phone call before.

CHAIR BARTHOLME: Any other questions? Okay. Susan, did you want to do Slamming and Cramming?

MEMBER GRANT: Sure. So there was an open proceeding on Slamming and Cramming in which consumer organizations and carriers and others have shared their perspectives on the extent of
the problem and what should be done about it or the problems.

And there are very divergent views in those comments, and those have been reflected in our breaking group conversations as well. But I think there are some areas in which we can converge on a recommendation, which we'll be working on.

One is consumer education. More could be done about that. I think robocalls is the sexy topic of the moment, and it was interesting to hear this morning about all the different materials that are going to be rolled out about that.

I'm not clear on whether some of those new materials will also be about slamming and cramming, but I personally would love to see some more innovative consumer education materials in that regard, and I think that's a view that is shared in the breaking group. So we will talk about consumer education and a possible recommendation.
Also, making the difference between slamming and cramming more understandable on the FCC consumer complaint form, this is kind of a challenge because we have a sort of hybrid type of complaint now where consumers in some cases are being charged for a third party's phone service on their bill, whether or not they have actually been switched to that phone company. So it's kind of a hybrid of slamming and cramming.

And it's important for the FCC to have as good as information as is possible in order to quantify these problems. We want to probably encourage the FCC to continue focusing its enforcement efforts to combat the problem, so that would be the -- the third thing that we may touch on.

And then, finally, one of the proposals in the FCC's notice is about banning misrepresentations in sales of telephone service. Surprisingly, there isn't any rule that says that is illegal. But it seems like a good idea.

I think related to that is the question
of how long the carrier should keep records of the sales call. Most carriers make recordings of sales calls, but they can be costly to retain in the volume that -- of those calls that are made over a long period of time.

So we talked about what would be a reasonable period of time to keep those recordings. Hopefully, we'll be able to reach consensus about that.

And in regard to banning misrepresentations, one of the concerns that carriers expressed was about strict liability. They wouldn't want to be liable for individual incidents that may happen, and rather than something that points to a systemic problem.

So it sounds like we may be able to make a suggestion in that regard to resolve that concern and support the idea of banning these misrepresentations.

CHAIR BARTHOLME: Any questions? Thank you.

Robocalls. So I'll throw it to you,
Kevin, since I've talked a lot today.

MEMBER RUPY: Fair enough. Thank you, Ed.

So we have a good -- good meeting of the working group, the Robocalls Working Group. And among the topics we discussed, we did talk about, you know, whether there is any areas that we can work on with respect to the upcoming January 2019 report, you know, with that coming down the line.

Two other areas, though, that there seemed to be a lot of interest in was talk about two separate issues. First, robocall enforcement and looking at if there is ways that we can talk about and, you know, encourage stronger law enforcement efforts against some of these bad actors.

You know, the main point being there that while we have certainly applauded a lot of the good enforcement work that the FCC has done, as well as the FTC, that's civil enforcement.

And, you know, so we want to explore
whether there are ways we can encourage either or both agencies to, you know, perhaps partner with criminal law enforcement efforts, so that, you know, instead of slapping a fine on a bad actor that may or may not be paid, you know, we put people behind bars where, quite frankly, they belong, given the substantial financial harm that can result from these activities.

The other area that we wanted to look at was in the area of -- that's teed up in the further notice in the FCC's robocalling further notice in the area of false positives, particularly with respect to, you know, some of the third-party services that are out there.

So, in other words, you know, when you have -- whether it's a small business or a consumer that, because of the nature of spoofing, their number has been spoofed and now they're being blocked or labeled on a service that's out there, a consumer opt-in service, you know, what are some of the ways that they can resolve that dispute.
So I think those are the two areas that we were looking at. And if I missed anything, Ed --

CHAIR BARTHOLME: No, I think that's --

MEMBER RUPY: -- chime in.

CHAIR BARTHOLME: -- spot on. Spot on.

MEMBER RUPY: All right.

CHAIR BARTHOLME: And I think the sad news is that it's not over, and we'll continue to look for --

(Laughter.)

CHAIR BARTHOLME: -- other ways we can be helpful to the Commission in the space of robocalls.

MEMBER RUPY: Absolutely.

CHAIR BARTHOLME: So next on our agenda we have a block of time for comments from the public. I'm not sure if we got any advance -- in advance this time, Scott?

MR. MARSHALL: No.

CHAIR BARTHOLME: Okay.

MR. MARSHALL: I assume we didn't get
anything on the social media channels or we would
have heard about that.

    CHAIR BARTHOLME: Not really.

    Okay. And then there were a couple of
people who flagged me today to mention upcoming
events that are relevant for many of us at the
table. So I want to give all those folks a
chance to sort of share what they have coming up.
We'll start with Barry.

    MEMBER UMANSKY: Sure. Thanks, Ed.

    A couple of years ago the wonderful
people who brought you the Digital Policy
Institute created the Telecommunications Research
and Policy Institute.

    And we are getting ready to unveil on
March 7th the triennial update and something
called the Net Vitality Report. It's something
that Stuart Brotman, who many of you know, he has
been at Brookings, Harvard, actually was
instrumental in creating the old Office of
Telecommunications Policy, the predecessor to
NTIA, he has done this report a couple times in
the past. It is the only one of its kind. It compares the county-by-country leaders in the internet in terms of applications, speed, services, and it's a two-volume set.

The first volume will be unleashed at a press conference at the National Press Club the morning of March 7th. It's a Wednesday. We'll have copies there, and it will be available online shortly thereafter.

And then, in June, we'll have a second volume, which is the statistical basis for the conclusions in the first report. That should be out around June, and I'd like to perhaps have a further discussion, a little more substantive, at the June meeting of the CAC.

Ed, thanks.

CHAIR BARTHOLME: Thank you. Susan?

MEMBER GRANT: Consumer Federation's annual conference, Consumer Assembly, will be May 10th and 11th at the Embassy Suites Convention Center Hotel in downtown D.C. And in the afternoon of the 10th, there will be a session
about the progress and the challenges that remain concerning robocalls, and also other issues that have come up in the application of the Telephone Consumer Protection Act to various kinds of calls.

So I invite you all to come.

CHAIR BARTHOLME: Amina?

MEMBER FAZLULLAH: Hi. NDIA will be holding Net Inclusion April 17th through 19th in Cleveland, Ohio. And there will be a number of tracks, some of them focusing on USF issues and other digital inclusion issues as well.

CHAIR BARTHOLME: Thank you. Scott and I have sort of looked at the year ahead, and our charter expires in late October. So with the idea of getting times locked in for next meetings, we flagged two possible dates in both June and October for meetings.

So, Scott, can you share those dates with the --

MR. MARSHALL: Sure. June 8th and 11th, in June, and October 15th and 19th for the
October -- last meeting of this term. One of those dates is a Monday, and the other one is a Friday. I mean, I can tell you exactly, if you give me a minute here, which is which.

MEMBER BERLYN: The 8th is a Friday.

MR. MARSHALL: 8th is a Friday? Okay.

And then the 11th is a Monday. And I think the 15th is a Monday and --

CHAIR BARTHOLME: The 19th is a Friday.

MR. MARSHALL: -- the 19th is the Friday. Yes.

MEMBER BERLYN: So the 15th is not the holiday?

CHAIR BARTHOLME: No, it is the 8th.

MEMBER BERLYN: The 8th is the holiday?

CHAIR BARTHOLME: According to the calendar program I use, so --

MEMBER BERLYN: Okay. Yep, you're right.

MR. MARSHALL: And I was able to pre-reserve this room, so that would not have been possible if it was a federal holiday.
MEMBER KEARNEY: Scott?

MR. MARSHALL: Yes.

MEMBER KEARNEY: This is Julie. I think the 11th is the M-Enabling Summit, the 11th of June, the Monday, just as an FYI.

MR. MARSHALL: Well, I don't want to compete with that, that's for sure.

CHAIR BARTHOLME: Thank you, Julie.

MR. MARSHALL: All right. Well, that makes the decision a little different.

CHAIR BARTHOLME: Looks like the 8th in June, and then the 15th and 19th are out there.

If you have a conflict or your organization has an event, please let Scott and I know sooner rather than later, and we will try to finalize these two dates. But for the time being, if you could hold -- sort of tentatively hold those spaces in your calendar, that would be much appreciated.

If you have any feedback about today's programming or the topics that we covered, if you have a request and a burning desire to learn more
about public safety, we can connect you with a number of the speakers who presented today. I thought it was a very good agenda, very interesting. But please let us know what your thoughts were, and thank you all for spending the better part of the day with us.

MR. MARSHALL: Indeed.

CHAIR BARTHOLME: We appreciate it.

MR. MARSHALL: Thank you very much.

CHAIR BARTHOLME: So I will --

MR. MARSHALL: Safe travels.

CHAIR BARTHOLME: -- entertain a motion to adjourn.

MEMBER POCIASK: Moved.

CHAIR BARTHOLME: Second. In favor?

(Chorus of ayes.)

CHAIR BARTHOLME: Opposed? Abstentions?

MR. MARSHALL: Nobody is going to abstain? I mean, come on now. Really.

(Whereupon, the above-entitled matter went off the record at 2:50 p.m.)
C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Consumer Advisory Committee Meeting

Before: FCC

Date: 02-26-18

Place: Washington, DC

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

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Court Reporter