

UNITED STATES OF AMERICA  
FEDERAL COMMUNICATIONS COMMISSION

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CONSUMER ADVISORY COMMITTEE

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MEETING

+ + + + +

FRIDAY  
MAY 19, 2017

+ + + + +

The Advisory Committee met in the Commissioners Meeting Room, 445 12th Street, S.W., Washington, D.C., at 11:00 a.m., Ed Bartholme, Chairman, presiding.

COMMISSIONERS PRESENT:  
MIGNON CLYBURN, Commissioner

COMMITTEE MEMBERS PRESENT:  
EDUARD BARTHOLME, Committee Chairman  
ZAINAB ALKEBSI, Deaf and Hard of Hearing Consumer  
Advocacy Network  
ELIZABETH BARKET, Competitive Carriers  
Association  
DEBRA BERLYN, National Consumers League  
SEAN CARROLL, Massachusetts Department of  
Telecommunications and Cable\*  
AMINA FAZLULLAH, National Digital Inclusion  
Alliance\*  
B. LYNN FOLLANSBEE, USTelecom\*  
PAUL GOODMAN, Center for Media Justice Media  
Action Grassroots Network\*  
SUSAN GRANT, Consumer Federation of America  
JIM GRAVES, Electronic Privacy Information Center

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MITSUKO HERRERA, National Association of  
Telecommunications Officers and Advisors  
SARA KAMAL, Public Knowledge  
ROSS LIEBERMAN, American Cable Association  
KENNETH MALLORY, National Association of State  
Utility Consumer Advocates  
KEN MCELDOWNEY, Consumer Action\*  
STEVEN MORRIS, NCTA- The Internet and Television  
Association  
ERIC NULL, New America Foundation, Open  
Technology Institute\*  
STEVE POCIASK, American Consumer Institute  
MARK RICHERT, American Foundation for the Blind  
KEVIN RUPY, USTelecom  
JONATHAN SCHWANTES, Consumers Union  
CARMEN SCURATO, National Hispanic Media Coalition  
KEVIN TAGLANG, Benton Foundation\*  
LARRY WALKE, National Association of Broadcasters  
OLIVIA WEIN, National Consumer Law Center  
KRISTA WITANOWSKI, CTIA- The Wireless Association

COMMISSION STAFF:

SCOTT MARSHALL, Designated Federal Official  
JAMES BROWN  
JERUSHA BURNETT  
ANITA DEY  
BRIAN HURLEY  
CHARLES MEISCH  
KAREN PELTZ STRAUSS  
MARK STONE  
PATRICK WEBRE

ALSO PRESENT:

LINDA VANDELOOP

\*Present by teleconference

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

2 11:01 a.m.

3 CHAIR BARTHOLME: So welcome and  
4 thanks, everybody for taking time to come down to  
5 the Commission today or joining by phone. I also  
6 want to give a special thank you to Liz Barket and  
7 CCA for providing lunch for us and that should show  
8 up around noon. So, we get a meal out of this so,  
9 thank you, Liz, we're very appreciative.

10 Let's start by going around the table  
11 and doing introductions. I'm going to start with  
12 Scott Marshall to my right.

13 MR. MARSHALL: Hi, it's Scott Marshall  
14 with the CGB and I staff the committee. I think  
15 I've met everybody now. I think so. It's good to  
16 have you here. Thanks very much for coming.

17 MEMBER GRANT: Hi, Susan Grant,  
18 Consumer Federation of America.

19 MEMBER LIEBERMAN: Ross Lieberman,  
20 American Cable Association.

21 MEMBER RICHERT: Mark Richert,  
22 American Foundation for the Blind, also joined by

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1 my colleague, Sarah Malaier.

2 MEMBER ALKEBSI: Zainab Alkebsi,  
3 National Association of the Deaf, representative  
4 of Deaf and Hard of Hearing Consumers Advocacy  
5 Network.

6 MEMBER SCURATO: Carmen Scurato with  
7 the National Hispanic Media Coalition.

8 MEMBER WEIN: Olivia Wein, National  
9 Consumer Law Center and I am here with my colleague,  
10 Margaret Saunders.

11 MEMBER WITANOWSKI: Krista  
12 Witanowski, CTIA.

13 MEMBER BARKET: Liz Barket with CCA.

14 MEMBER SCHWANTES: Hi, it's Jon  
15 Schwantes, Consumers Union.

16 MEMBER GRAVES: Jim Graves, EPIC.

17 MEMBER WALKE: Larry Walke, NAB.

18 MEMBER MALLORY: Kenneth Mallory,  
19 National Association of State Utility Consumer  
20 Advocates and I am joined by our alternate Thaddeus  
21 Johnson.

22 MEMBER HERRERA: Mitsuko Herrera with

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1 the National Association of Telecommunications  
2 Officers and Advisors in Montgomery County. And  
3 I believe that my colleague, Rick Ellrod from  
4 Fairfax County, as an alternate, will also be here.

5 MEMBER MORRIS: Steve Morris from  
6 NCTA.

7 MEMBER KAMAL: Sara Kamal from Public  
8 Knowledge.

9 MEMBER POCIASK: Steve Pociask with  
10 the American Consumer Institute.

11 CHAIR BARTHOLME: And on the phone?

12 MEMBER TAGLANG: Kevin Taglang for the  
13 Benton Foundation.

14 MEMBER CARROLL: Sean Carroll,  
15 Massachusetts Department of Telecom and Cable.

16 MEMBER NULL: Eric Null, OTI.

17 MEMBER GOODMAN: Paul Goodman, Center  
18 for Media Justice.

19 MEMBER FOLLANSBEE: Lynn Follansbee,  
20 USTelecom.

21 CHAIR BARTHOLME: Anyone else on the  
22 line?

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1           Okay, I wanted to say a special welcome  
2 to a couple of new members, who have replaced  
3 members with some of our organizations that had  
4 transitioned.

5           Kevin Taglang with Benton Foundation is  
6 on the phone. Jim Graves with EPIC, welcome.

7           MEMBER TAGLANG: Thank you.

8           CHAIR BARTHOLME: Amina is now  
9 switched from Benton to representing the National  
10 Digital Inclusion Alliance and she is on the phone  
11 as well.

12           Carmen Scurato --

13           MEMBER SCURATO: Scurato.

14           CHAIR BARTHOLME: Scurato, my  
15 apologies, with the National Hispanic Media  
16 Coalition, and Sara Kamal with Public Knowledge.  
17 And Kevin.

18           MEMBER RUPY: Kevin Rupy from  
19 USTelecom.

20           CHAIR BARTHOLME: Okay and Lynn's also  
21 on the phone from USTelecom.

22           So keeping us on track, any logistical

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1 announcements, Scott? Just remember to raise your  
2 hand when you want to speak so that they recognize  
3 and activate your microphone. For those of you on  
4 the phone, I am going to do my best effort to make  
5 sure that I stop and ask if you have questions,  
6 thoughts, or input. If I, for some reason, forget,  
7 please email Scott and myself and we will get that  
8 information and then be more responsive to you.  
9 So, that should keep us moving along.

10 MR. MARSHALL: That should. It's  
11 Scott here. Yes, you can call me; that's probably  
12 better -- Ed has a lot to do here -- and we'll pause  
13 because there is no way the folks on the phone,  
14 while the mics are live, can really interrupt us.  
15 So, we've got to pause on a regular basis to make  
16 sure that you are able to participate fully.

17 CHAIR BARTHOLME: Great. So, first up  
18 today, we're going to have Consumer and  
19 Governmental Affairs Bureau update. And we have  
20 a new Acting Bureau Chief with CGB, Patrick Webre,  
21 and he's going to be joining us first.

22 MR. WEBRE: Good morning, everyone,

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1 and welcome to the Spring CAC Plenary Meeting. I  
2 want to thank Ed for his leadership of the committee  
3 and also Scott for being our tireless designated  
4 federal officer. And I want to thank all of you  
5 for your dedication to the cause of consumer  
6 education, empowerment, and protection.

7 About a month ago, I was privileged to  
8 be named by Chairman Pai as Acting Chief of CGB.  
9 This is sort of a homecoming for me, since I  
10 previously worked in CGB and focused a good deal  
11 of my time on consumer education and outreach,  
12 including the DTV transition, which I'm sure many  
13 of you remember. So, I know firsthand the  
14 importance of continuous consumer engagement and  
15 I am excited to serve in my new role and to be  
16 working with you.

17 Consumers' issues are among the most  
18 important to the Commission. Soon after being  
19 named to lead the agency, Chairman Pai met with you  
20 to talk about his interest in and his support of  
21 consumer-related issues. And when he recently  
22 spoke about his first 100 days as chairman, he again

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1 listed consumer protection as among his highest  
2 priorities.

3 We have seen some of these priorities  
4 already taking shape. In March, the Commission  
5 adopted an NPRM proposing ways for carriers to stop  
6 illegal robocalls before they reach consumers. We  
7 have also promoted broadband deployment in rural  
8 and unserved areas, taken steps towards greater  
9 disability access, and improved how we operate.  
10 You will be hearing more about these topics on your  
11 agenda today and there will be much more to come.

12 While we plan to do a lot, we can't do  
13 it alone. We need your help. You are the experts  
14 on consumer education, on disclosures to help guide  
15 consumer choice, and on so many other things. I  
16 know you have already been thinking about things  
17 like helping consumers avoid illegal robocalls and  
18 how to more easily file complaints when consumers  
19 do receive them. So, my thanks to you for all  
20 you've already done and for all you continue to do  
21 on behalf of American Consumers.

22 With that, I will turn it over to two

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1 of my deputies who will give you updates on their  
2 areas of responsibility. They are Mark Stone and  
3 Karen Peltz Strauss. And I believe Mark is going  
4 to go first.

5 Thank you.

6 MR. STONE: Good morning to all of you.  
7 Nice to see you all here. I wanted to give you a  
8 short overview of what CGB has been doing in my area  
9 since you all last met.

10 So no surprises here. We have been  
11 hard at work addressing illegal robocalls. In  
12 March, as Patrick mentioned, the Commission  
13 adopted proposals that would facilitate voice  
14 service providers' blocking of robocalls that are  
15 highly likely to be illegal robocalls, including  
16 those with caller ID and numbers that cannot exist  
17 or for numbers not yet assigned. And you will hear  
18 more about this later today but I want to mention  
19 it because it's an important step in the  
20 Commission's work protecting consumers from  
21 illegal robocalls. And that work was, in part, a  
22 response to the efforts of the industry's Robocall

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1 Strike Force. That group asked the Commission to  
2 help clear regulatory uncertainty so industry can  
3 better stop illegal robocalls before it can reach  
4 consumers. You will hear more about that later on,  
5 as well, but I want to mention that the Strike Force  
6 gave us an update on its work back in April and we  
7 are excited about their work and what it means for  
8 consumers.

9 And we continue to receive requests for  
10 clarification from parties seeking other  
11 regulatory uncertainty. One recent example is for  
12 a technology sometimes called ringless voicemail.  
13 In essence, it deposits voicemails for consumers  
14 without ringing the phone. The petitioner has  
15 asked the Commission to clarify that this type of  
16 technology is not subject to the TCPA's consent  
17 requirements.

18 As we do with all these requests, we  
19 have sought comment with reply comments being due  
20 on June 2nd.

21 Finally, I do want to note that we do  
22 actually do things other than robocalls on my side

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1 of CGB. In March, the Bureau granted an emergency  
2 temporary waiver to Jewish Community Centers to  
3 help them and law enforcement better respond to  
4 threatening phone calls. The waiver allowed JCCs  
5 and the carriers that serve them to access caller  
6 ID information on those calls, even when the caller  
7 has asked to mask that information. At the same  
8 time the Bureau granted that waiver, it also sought  
9 comment on whether to make the waiver permanent and  
10 we are reviewing that record now.

11 And lastly, I want to thank all of you  
12 for your hard work. I know it is still early in  
13 your term yet but I know you have hit the ground  
14 running and we really appreciate it.

15 I also wanted to specifically thank  
16 Scott Marshall for all his hard work organizing  
17 things from the FCC's perspective. Scott, thank  
18 you so much.

19 MS. PELTZ STRAUSS: Hi, I'm Karen Peltz  
20 Strauss and it's nice to see all of you again. As  
21 you know, I do the -- I receive the disability end  
22 of CGB. So I am going to bring you up to date on

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1 what we've done since we last met and then tell you  
2 about some upcoming items.

3 First, in March, March 23, 2017, the  
4 Commission released a report and order on video  
5 relay services. The order contains a number of  
6 proposed improvements, trials, pilots.

7 I will give you a couple of examples.  
8 We have authorized a trial of something called  
9 skills-based routing. For those of you who are not  
10 familiar with video relay service, it is a service  
11 that enables people who use sign language to  
12 communicate with other people through operators,  
13 who sign what a deaf person says or who actually,  
14 rather, speaks what a deaf persons signs to them  
15 to a hearing person, and then signs back to the deaf  
16 person. So, it is basically an interpreter. It's  
17 called a communications assistant.

18 Right now, the way calls are handled,  
19 they are first come, first serve. So, you make a  
20 call, you connect with a video relay service, and  
21 the video relay service operator, whoever that  
22 communication assistant is, just connects your

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1 call.

2 We have authorized something called the  
3 trial of skills-based interpreters, which will  
4 allow the use of interpreters who have specialized  
5 knowledge of medical, legal, and computer support  
6 terminology to have calls routed specifically to  
7 them, to ease, to facilitate the communication that  
8 takes place over these calls.

9 We also are authorizing a trial of what  
10 is called deaf interpreters. Deaf interpreters  
11 work with hearing interpreters to facilitate  
12 communication for people that have lower or minimal  
13 language skills. So, you would have actually two  
14 interpreters and a person maybe with cognitive  
15 disabilities, or physical disabilities, or lower  
16 language skills, will then communicate with the  
17 deaf interpreter, who will then communicate with  
18 the hearing interpreter.

19 We also approved a pilot of something  
20 called at-home VRS call handling. Right now, all  
21 calls through VRS are handled at call centers.  
22 This actually authorizes at-home work stations

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1 that are very secure and private. We have put into  
2 place a number of safeguards to make sure that  
3 confidentiality and call quality is maintained.  
4 This is something that is new. We are trying it  
5 out, given the emphasis on telework in our society  
6 and we are going to give it a go for one year,  
7 beginning November. The other two trials start in  
8 August.

9 We are going to determine, based on  
10 various reports that we received from providers for  
11 both trials and pilots whether or not to continue  
12 these programs.

13 The VRS also announced that we will  
14 start publishing summaries of how fast each  
15 provider answers calls. That's called their speed  
16 of answer. We are trying to make this information  
17 public to allow consumers to have an easier time  
18 selecting amongst their providers, based on  
19 quality and a speed of service.

20 And we have amended our rules to allow  
21 hearing people to get what is called VRS numbers.  
22 VRS is a closed system. Up until now, only deaf

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1 people were able to get telephone numbers within  
2 the system. The benefit of a telephone number is  
3 that you don't have to use an IP address to call  
4 somebody. So you can just use a regular ten-digit  
5 number and reach a person who is using VRS but only  
6 deaf people were entitled to these numbers. So if  
7 you got, for example, a call from a VRS user and  
8 you wanted to call that person back, you could do  
9 so dialing a ten-digit number and you didn't need  
10 their IPS address. Again, the calls are taking  
11 place over broadband. This actually allows people  
12 who are hearing, who sign, to be able to get such  
13 numbers so that they could sign directly to people  
14 who are VRS users, kind of like Skype, FaceTime,  
15 et cetera, but it is within the VRS system. And  
16 a lot of people use equipment that is specially  
17 designed for the VRS system, so this allows a lot  
18 more direct communication between hearing people.  
19 For example, I sign but I couldn't get a number  
20 before. Now, I'll be able to get a number and I  
21 could sign to deaf friends and colleagues.

22 The VRS order also adopted a notice of

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1 inquiry on performance goals and service quality  
2 metrics. What we're trying to do is determine  
3 metrics that will achieve the congressional goals,  
4 such as functional equivalency through accuracy  
5 and interpretation, voice and video quality,  
6 interoperability, et cetera. And we asked a lot  
7 of questions about what these metrics and  
8 performance goals should be.

9 Finally, it adopted a further notice on  
10 the compensation, methodology, and rates for VRS,  
11 as well as a number of other issues, including  
12 whether to set aside some money each year from the  
13 relay fund for research and development, which we  
14 have done so far.

15 Next, we are engaged in making final  
16 decisions on the National Deaf-Blind Equipment  
17 Distribution Program. This is a program also  
18 called iCanConnect, wherein we provide up to \$10  
19 million annually from the relay fund to support  
20 local programs that distribute communications  
21 equipment to low-income people who are both deaf  
22 and blind. I know, for those of you who have been

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1 here before, I have mentioned this a number of  
2 times. Since 2012, we have operated the NDBEDP,  
3 which you learn to say very easily when you work  
4 in this area, but the iCanConnect program is a pilot  
5 program. It has helped I think about 4,000  
6 deaf-blind people so far.

7 In the past, we certified one state, one  
8 entity per state or territory to operate this  
9 program. The program is transitioning to a  
10 permanent program, no longer a pilot, as of July  
11 first, and we are now looking anew at the entities  
12 that should be certified in each of the states and  
13 territories. There are now 56 entities or  
14 territories and states; one in each state, plus  
15 D.C., Puerto Rico, U.S. Virgin Islands, Guam,  
16 American Samoa, and Northern Mariana Islands.

17 And we have been receiving, we received  
18 from around February 7th to April 7th applications  
19 from entities. And just this last week, May 12th,  
20 we released a public notice announcing  
21 certification of the first 13 entities. We are  
22 doing this on a rolling basis. So we are going to

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1 continue releasing notices announcing the entities  
2 that are getting certification.

3 Next, we have one of the committees that  
4 is parallel to yours, the Disability Advisory  
5 Committee has been renewed for a second term. It  
6 held its first meeting on March 21st and the next  
7 meeting is June 16th. So, we invite you all to  
8 that.

9 We are continuing our efforts to try to  
10 promote something called direct video calling. I  
11 can't remember whether I mentioned this to you  
12 before but this is an effort which is slightly  
13 different than relay services, which promotes the  
14 use and placement of people who are deaf or hard  
15 of hearing who sign in customer service centers,  
16 so that people who sign who are deaf can communicate  
17 directly with those individuals.

18 So, for example, Verizon or Microsoft,  
19 both of them actually have this, at present, have  
20 deaf individuals in their customer service centers  
21 and a person who signs can call directly over  
22 broadband and communicate with that individual,

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1 without having to go through a relay. It makes a  
2 lot of sense in today's day and times to have those  
3 individuals placed there. The calls are more  
4 private; they are more accurate; they are faster.

5 So now just for some things that are  
6 coming up. On Monday, in honor of Older Americans  
7 Month, May 22nd from 1:00 to 2:00 EDT we will be  
8 hosting a webinar focused on a range of  
9 telecommunications and video programming issues  
10 related to older Americans. The event is free and  
11 registration is not required. It will be streamed  
12 live on our website, [www.fcc.gov/live](http://www.fcc.gov/live) with open  
13 captions and it will provide information and tips  
14 about the value of broadband activity, dealing with  
15 robocalls, our favorite topic, reporting  
16 suspicious calls to the FCC's Consumer Complaint  
17 Center, and a host of disability access matters,  
18 including rules governing hearing and  
19 compatibility, closed captioning, emergency  
20 access, and relay services.

21 Next, in June, we will be recognizing  
22 outstanding private and public sector ventures

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1 that advance accessibility for people with  
2 disabilities in our annual awards ceremony for the  
3 Chairman's Awards for Advancement in  
4 Accessibility. Those will be -- the ceremony will  
5 be held on June 13th at 4:45 at the M-Enabling  
6 Summit at the Renaissance Hotel in Arlington,  
7 Virginia. The Chairman will be also giving the  
8 keynote at that event and I can say we have some  
9 phenomenal winners this year. We received  
10 nominations between February and April for  
11 innovations that were introduced to the public all  
12 last year, 2016.

13 Finally, I just want to mention two  
14 video programming requirements that are about to  
15 go into effect. These are pursuant to rules that  
16 were adopted in the past.

17 The first one has to do with multi-video  
18 programming distributors or MVPDs. In response to  
19 rules adopted in 2015, as of July 10, 2017, these  
20 distributors will have to pass through audio  
21 information about emergencies, when they are  
22 provided on linear programming accessed on second

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1 screen devices, such as tablets, smartphones,  
2 laptops, and similar devices, when the programming  
3 is sent over the MVPD's network as part of their  
4 MVPD services.

5 And the purpose of this -- that is a lot  
6 of legal jargon. The bottom line is that emergency  
7 information shown over these second screens via  
8 linear programming has to be accessible to people  
9 who are blind and visually impaired and it has to  
10 be done through audio.

11 So, we already had requirements. This  
12 is pursuant to the 12th Century Communications and  
13 Video Accessibility Act. We already had  
14 requirements in place requiring such emergency  
15 programming on television to be accessible. This  
16 expanded it to second screens, linear programming  
17 on second screens. Again, it goes into effect on  
18 July 10th.

19 Another deadline and the last thing  
20 that I will talk about is that IP -- that clips of  
21 video programming shown live or near-live -- and  
22 near-live is basically your late night shows that

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1 are pre-taped only a few hours before they are shown  
2 live -- when they are shown on television, if clips  
3 of those live or near-live programs are then shown  
4 via internet protocol, they are going to have to  
5 have captions as of July first of this year.

6 So, that's all I have. Thank you very  
7 much and it's great to see all of you again.

8 CHAIR BARTHOLME: So, Commissioner  
9 Clyburn has come into the room and I would like to  
10 invite her to come up and say hello, if she has a  
11 couple of minutes.

12 And then we will do questions, if you  
13 guys can stick around for a minute after that.  
14 Thank you.

15 COMMISSIONER CLYBURN: Well, hello.  
16 That will be the most compliant I am all day.

17 So, it is so great -- number one, I'm  
18 sorry I'm not going to be able to spend as much time  
19 with all of you as I would like. But I just wanted  
20 to, once again, thank you. Just to listen to the  
21 end of the report from Karen, is a reminder and it  
22 underscores just how important your role is and how

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1 much that we benefit from hearing all of your points  
2 of view. Because if there is any one thing,  
3 regardless of what happens, you know behind us once  
4 a month, or regardless of how much we might posture  
5 or differ, the one thing we can agree on is that  
6 communities, particularly in communities where the  
7 market forces may not address all of their needs,  
8 that you are our eyes and ears on the ground, making  
9 sure that we answer the call.

10 So, I always thank you but I cannot  
11 thank you enough. The American public will not be  
12 able to thank you enough for, again, being our  
13 conscience, because that is what you are. You are  
14 our consciences and it will take everybody at this  
15 table and so on -- and I am remembering this  
16 commercial. I think it was a Pantene commercial,  
17 and so on, and so on, and so on.

18 I don't have good hair but you know I've  
19 got good intentions and if we continue with that  
20 and so on, and so on, and so on, and knowing that  
21 even though you are representative, we need to  
22 ensure that the circle is always widened in terms

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1 of the players, in terms of the responsibilities  
2 we have; in terms of what you need to remind us of  
3 as policymakers. Each time we come, or each time  
4 you assemble, you will have yet another positive  
5 nugget or a positive policy story to be able to  
6 share.

7 So in the two minutes that I have left  
8 before I am supposed to be getting into a car --  
9 it's nothing personal but I am going to eat lunch  
10 today because I didn't do it yesterday.

11 I don't know if you have any questions  
12 or concerns.

13 One of the things you are going to talk  
14 about and I was really hoping to be there -- I know  
15 she is -- Montgomery County always is going to raise  
16 her hand. But before I turn over and look at her,  
17 you know I just like to pick on her.

18 But I am not going to be able to hear  
19 about something that has gotten a lot of news  
20 coverage and of course takes up a lot of our time  
21 and you are going to take that up, I believe, before  
22 lunch when it comes to unwanted calls. It is --

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1 I got a call -- I'm trying to prep for the meeting  
2 and I see my cousin, who doesn't call often, she  
3 calls. So I'm like -- is this being taped?

4 (Laughter.)

5 COMMISSIONER CLYBURN: Anyway, so  
6 she's calling. I'm like ugh. I said but no, this  
7 is my cousin. She doesn't usually call. So I pick  
8 up the phone -- well, I called her back. And I said  
9 is anything wrong. She lives in Charleston, not  
10 far from my house, so I'm scared there is anything  
11 wrong. She said you know, I clearly get about  
12 eight to ten calls a day on my landline. I'm like,  
13 Lord! I write down the numbers, I do all -- what  
14 can I do? I just can't take it. This is too much.  
15 And you know I've gotten savvy; I know what not to  
16 say; how to respond; all these other things. I'm  
17 on the Do Not Call List. I'm on this. I did  
18 everything I know to do. Now, I'm taking down  
19 numbers.

20 I said fabulous that you are taking down  
21 numbers. I would love for you to take that another  
22 step and be among the hundreds of thousands that

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1 have reached out to the FCC and complained but you  
2 have gone a step further by writing down numbers  
3 that are repetitive.

4 Look, we need to do everything that we  
5 can for me not to have to talk to my cousin so  
6 frequently, as much as I love her.

7 And so it's important. It affects all  
8 of us and I'm chuckling today because, literally,  
9 I am trying to prep for that meeting and she said  
10 I can't take this anymore. I'm like, neither can  
11 I.

12 So thank you for what you do. We are  
13 going to be innovative, all hands-on, Strike Force  
14 and everybody else working to see what relieve we  
15 can bring. It will never be enough but the efforts  
16 will always be worth it.

17 Yes, ma'am, the gentlelady from  
18 Montgomery County?

19 MEMBER HERRERA: Thank you, ma'am.

20 I just want to follow-up on the idea of  
21 being the conscience on the Commission through  
22 several chairmen.

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1 COMMISSIONER CLYBURN: Thank you.

2 MEMBER HERRERA: And I would like to  
3 know, we were just having a conversation this  
4 morning and a lot of us were talking about there  
5 was a lot of hard work that went into efforts,  
6 things like Lifeline reform.

7 COMMISSIONER CLYBURN: Yes.

8 MEMBER HERRERA: And there is a sense  
9 of these things being rolled back. There is a  
10 sense that there is a lot of conversation about how  
11 we can help industry and not much conversation  
12 about how we are helping consumers in underserved  
13 areas.

14 Do you have some thoughts of how can we  
15 be, as the CAC, an effective conscience?

16 COMMISSIONER CLYBURN: We need to  
17 continue to make the business case for everything  
18 we do. And what I mean by that, I appreciate you  
19 bringing up Lifeline. Lifeline for those who are  
20 economically stressed could be the conduit for so  
21 many of the technological and other benefits that  
22 our communities need.

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1                   We need to do a better job maybe working  
2                   with healthcare professionals, particularly those  
3                   who work with the underserved and those who have,  
4                   again, economic challenges, to see whether or not  
5                   there are devices, concepts, software, zero-rating  
6                   packages, to get politically charged -- we have  
7                   shown yesterday that we don't have a problem taking  
8                   certain stances, right -- that we can build  
9                   perpetually better models.

10                   So I think we need to expand, be Pantene  
11                   models, expand our reach with the -- how do I want  
12                   to describe them -- with those who provide the  
13                   services that could be better delivered through a  
14                   more connected model, through a phone that doesn't  
15                   have de minimis service, through a device that  
16                   might have some type of software or sponsored data  
17                   compliment that would be -- so I think we need to  
18                   do a better job going to the healthcare providers,  
19                   the other agencies that provide goods and services,  
20                   and the like, and to try to make the business case  
21                   from the outside-in. I think that will help us  
22                   come to better conclusions and kind of shift the

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1 narrative, so to speak.

2 We need to do a better job showing the  
3 benefits. We know it. We can see it. But I don't  
4 think we do a great job connecting the dots with  
5 the goods and services. With the end user goods  
6 and services, I think we can do a better job and  
7 I commit to being a partner on that.

8 Did you have another part to that  
9 question? Because, again, I didn't eat breakfast  
10 either, so I'm kind of rough here.

11 MEMBER HERRERA: No, I just would be  
12 remiss if I did not thank you that when you were  
13 Acting Chairman, the only woman chairman of the  
14 FCC, you went and approved the prison calling  
15 reform, which I think is not only being the  
16 conscience but actually putting actions, not just  
17 talking about it, but taking action.

18 And I think that what you have outlined  
19 about the business case in talking about the  
20 importance of connecting people to their  
21 communities was more important and that is a good  
22 lesson for us to kind of keep in mind in those

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1 things.

2 COMMISSIONER CLYBURN: Thank you so  
3 much. You are going to make it hard for me to pick  
4 on you today after that.

5 But I really want to thank you and it  
6 takes partners, like you talking about this,  
7 talking about some of the challenges with -- I use  
8 your county as an example in so many ways in terms  
9 of how we need to make sure that this agency and  
10 others, when we talk about 5G and other small cells,  
11 that we do not disadvantage you; that we don't make  
12 your jobs harder; that we provide you with the tools  
13 and maybe sometime with a place to talk about some  
14 of these issues; that if we can be sort of a neutral  
15 party when things get a little tough, you know  
16 speaking with some of the representatives at the  
17 table and others, that we work things out as opposed  
18 to, again, getting a little political again, maybe,  
19 the nuclear option in terms of preemption.

20 I think there is a lot of real estate  
21 to travel along before we go to what I would call  
22 the FCC nuclear option, when it comes to that. And

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1 I really hope that we can talk more about how we  
2 can empower cities and how we can gain a better  
3 understanding with providers, to provision those  
4 services that people need to make their lives  
5 better.

6 Any other questions before I -- you're  
7 been very generous. Thank you.

8 Well, I'll always be here, except when  
9 I'm hungry. But sincerely, thank you all for what  
10 you do. You know how to contact me. And anything  
11 I can do to make your lives easier to really do more  
12 to ensure that the American public, particularly  
13 those who might be more vulnerable -- there are more  
14 than 50 million people who we have identified, and  
15 that numbers is growing as we get more mature, that  
16 we have identified that might have advanced or  
17 special needs that will require more by way of  
18 technological assistance, a way they could benefit  
19 more. You know 50 million people, that is  
20 significant and I think, again, with your continued  
21 support, we can answer the call of them, of inmates,  
22 of cities, and of all of you.

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1                   So thank you very much. I appreciate  
2                   it.

3                   CHAIR BARTHOLME: Does anybody have  
4                   questions for -- Mark.

5                   MEMBER RICHERT: Thank you. Mark  
6                   Richert, American Foundation for the Blind. I  
7                   want to congratulate the Commission on doing next  
8                   Monday's webinar. It is very important to be  
9                   reaching out to the aging community.

10                   I wanted to mention for this group that  
11                   the American Foundation for the Blind, over the  
12                   last really about a year or so, has been launching  
13                   something called the 21st Century Agenda on Aging  
14                   and Vision Loss. There may be folks in this room,  
15                   either directly or through your network who may be  
16                   interested in at least knowing about what we're  
17                   doing there and participating perhaps in that. If  
18                   you were to visit [AFB.org/aging](http://AFB.org/aging), you'll find out  
19                   about that. So, I wanted to mention that but I  
20                   wanted to congratulate the Commission on doing this  
21                   webinar next Monday.

22                   Karen, I had a question for you about

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1 it. It seems like the focus of the webinar is on  
2 communications, not -- will it also extend to  
3 anything touching video programming?

4 MS. PELTZ STRAUSS: Hi, Mark. Thanks  
5 for your question. It is going to touch on video  
6 programming as well. For the disability segment,  
7 the individual that is going to be presenting from  
8 the Disability Rights Office will touch on  
9 accessibility tools for video programming.

10 MEMBER RICHERT: Okay, great. You  
11 went through the litany of things that were going  
12 to be on the agenda of closed captioning, emergency  
13 information, et cetera, and I would encourage the  
14 Commission to be sure to emphasize the value of  
15 video description. This will be a tremendous  
16 opportunity to get the word out about something  
17 that our community in blindness and low vision has  
18 -- you know I think we've done what we can and we're  
19 going to do more but it will be a great opportunity  
20 and I hope the Commission will emphasize that next  
21 Monday.

22 MS. PELTZ STRAUSS: We'll make sure

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1 that they do -- that we do that.

2 CHAIR BARTHOLME: Mitsy.

3 MEMBER HERRERA: Hi, I have a question.  
4 In looking at the robocall NPRM that was released,  
5 the Commission is basically suggesting, along the  
6 lines you specified, that there were certain types  
7 of calls because they are spoofed or they are not  
8 registered that are likely to be fake.

9 The question I have is it looks like  
10 this would be a voluntary effort that providers  
11 could do and you are essentially creating some safe  
12 harbors for them so that if they do it, they won't  
13 have legal issues with it.

14 The question I have for you is, if it  
15 is voluntary, is the FCC going to report and make  
16 available to consumers which providers are doing  
17 it.

18 MR. STONE: So I'm not sure that we  
19 asked those questions whether we should do that in  
20 the notice. So that is something certainly we  
21 could consider, certainly if folks made the point  
22 in the record. I don't think though, necessarily,

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1 we teed that up squarely.

2 You know we would certainly hope that  
3 providers with -- if there is legal cover provided  
4 by any ensuing order that would say it's okay.  
5 It's not a problem to not complete these calls.  
6 When the calls are highly probable to be illegal,  
7 go ahead and block those calls. And we would  
8 certainly, as part of that, encourage that  
9 happening.

10 As far as how there would be  
11 accountability or the FCC sort of making public who  
12 does that and who does not is not something that  
13 is squarely teed up.

14 MEMBER HERRERA: And the second one is  
15 that in there you noted that there 10,000 victims  
16 that the IRS reported of tax scams. If people had  
17 a -- it was a robocall or some kind of fake call  
18 that was used to do that, for those victims, do they  
19 report that it came over the phone to the IRS? Do  
20 they provide it to the FTC? Do they provide it to  
21 the FCC?

22 MR. STONE: So we always think when

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1 there is an illegal robocall consumers are more  
2 than welcome and should file complaints with us.  
3 The IRS is also very interested in that as well.

4 The FTC, I think, generally tends to  
5 focus more on sort of deceptive marketing practice  
6 and things like that but the FTC is always a  
7 resource as well.

8 So we are -- and I know that you all are  
9 interested in this. We are certainly working on  
10 enhancing our current robocalls outreach and  
11 guidance, including addressing questions like  
12 that. Where should a consumer come in the specific  
13 case with a specific question? So we are working  
14 on that. It's a great question.

15 CHAIR BARTHOLME: Anybody on the line?

16 Thank you guys for doing this.

17 Next up we have an update on the  
18 incentive auctions and what happens next with  
19 Charlie Meisch, who is the Senior Advisor for  
20 Communications and Policy on the Incentive  
21 Auctions Task Force.

22 MR. MEISCH: Thanks all of you all for

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1 having me back. And I wanted to say thanks to Mark  
2 and Karen, who just left the room, for making sure  
3 there was a buffer between myself and Commissioner  
4 Clyburn, who probably had better one-liners in two  
5 minutes than I will have in the next 15.

6 So, I was here I think for the January  
7 meeting and we had just hit the final stage rule  
8 of the auction. So we used some results but not  
9 all of the results. And later that afternoon, we  
10 released our plan for figuring out the transition,  
11 the post-auction transition schedule.

12 So what I can do today is tell you the  
13 rest of the results of the auction, in case you  
14 missed the several days of press that ensued back  
15 in April, giving you a little bit more of window  
16 into the post-auction transition, which I think the  
17 area where we would all agree, certainly the Task  
18 Force agrees, that this group could be most helpful  
19 in helping us get the word out on what consumers  
20 can expect over the next three years.

21 I will tell you a little bit about or  
22 an update on what we're doing for consumer

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1 education and I will give you a little bit of a  
2 preview of our plans. So back in January we  
3 started to put that in motion.

4 And then because this came up in the  
5 questions back in January, I want to give a quick  
6 update on what we're doing for low-power TV and  
7 transmitter stations.

8 So starting with the forward auction  
9 results, sort of generally, these are some things  
10 you heard when I was here in January. The auction  
11 repurposed 84 megahertz of spectrum from the UHF  
12 TV band for mobile broadband use; 70 megahertz of  
13 that was licensed, for licensed use that was  
14 auctioned; and then the other 14 for unlicensed use  
15 and wireless microphones.

16 We brought in \$19.8 billion in gross  
17 revenues from the auction that translated to maybe  
18 \$19.3, after credits for small business and rural  
19 bidders.

20 A little over \$10 billion went to  
21 winning broadcasters, which as you have heard now.  
22 You know the broadcasters couldn't talk about this

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1 when I was here in January but since then, a number  
2 have come out and talked about specifically what  
3 they are going to do with that money, including some  
4 are reinvesting it in their facilities, or in  
5 programming, or starting other types of projects  
6 related to localism and news gathering.  
7 Interesting stuff happening there.

8 And of course, \$7.3 billion to the  
9 Treasury for deficit reduction. That number was  
10 around \$6 billion when I was here in January but  
11 there was more bidding to be done. So this where  
12 we have ended up to this point.

13 The remainder of that money, as I think  
14 you know, most of which is the \$1.75 billion that  
15 will go to reimbursing broadcasters who are still  
16 on the air who have been reassigned to new channels.

17 On the reverse side of the auction, in  
18 particular, this is the broadcaster portion of the  
19 auction, there were 175 winning stations. Of  
20 those, 145 which successfully bid to go off-air but  
21 that doesn't mean what you think it means. The  
22 off-air option essentially meant that the bidder

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1 was willing to relinquish their current license  
2 solely in exchange for some level of cash payout,  
3 monetary payout, as opposed to the next category  
4 we are going to talk about in a second.

5 But of those 145, though, 92 percent of  
6 them have expressed an interest in sharing a  
7 channel with another station in their market.  
8 They have stated the intent to channel-share.  
9 They have the option to do so. Some have already  
10 negotiated and filed agreements with the  
11 Commission saying that they are going to share the  
12 particular station in the market. And there are  
13 several months for the stations to continue  
14 negotiations, if they haven't actually filed or  
15 reached an agreement already. So we'll know more  
16 in the coming months how many of those 133 stations  
17 actually effectuated a channel-sharing agreement.

18 The other 30 winners were band changing  
19 winners. In other words, those stations bid to  
20 relinquish their current license in exchange for  
21 a less of a monetary payout and a new license to  
22 operate on a different channel lower in the TV band

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1           somewhere in the VHF band.

2                     And the thing that really jumped out of  
3 the results, at least from our perspective, is you  
4 had winning stations sort of covering any category  
5 you can think of. You had commercials stations and  
6 non-commercial stations, stations owned by large  
7 station-owner groups and independent stations, you  
8 had them in big markets, in small markets, rural  
9 markets.

10                    And very interesting, to me anyway, was  
11 the fact that the amount of the winnings really  
12 varied. You had nine-figure winners, and you had  
13 the largest of which brought in -- individual  
14 station, that is, that brought in over \$300  
15 million. You had several stations that won the  
16 six-figure winnings.

17                    So how these stations really defined  
18 the economic opportunity that was available to them  
19 at this auction was a choice they made on their own  
20 and it varied. There was no cookie cutter way of  
21 looking at that.

22                    On the forward auction, speaking of

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1 diversity, we had 50 different winning bidders for  
2 the licenses. As you probably read, the two  
3 largest winners, both in terms of the number of  
4 licenses won and the amount of money they did were  
5 T-Mobile and DISH.

6 And we have now the licensing process  
7 for these new licenses is underway. Just  
8 yesterday we -- I wouldn't blame you if you missed  
9 this, given all the other news yesterday, but the  
10 first batch of applications that have been accepted  
11 for filing in this process, we even put out a public  
12 notice on that, which means that we completed the  
13 initial review, the applications were complete and  
14 we can now begin the public process of reviewing  
15 those licenses and the public can petition if there  
16 are concerns in that process.

17 Speaking of processes underway, so now,  
18 we are officially, as of the middle of April we  
19 closed the auction, we are in the post-auction  
20 transition process.

21 What does that mean? This is the  
22 process by which we, along with the broadcast

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1 industry are going to work to clear this new 600  
2 megahertz wireless band by reassigning stations to  
3 new channels and then they do the construction and  
4 other engineering required to effectuate those  
5 changes.

6 You can see on the screen here there are  
7 a little over a thousand stations who don't need  
8 to do anything. They can remain on their current  
9 channel, which leaves 987 stations who have been  
10 reassigned; 30 of those are the band-changing  
11 winning bidders from the auction that I mentioned  
12 earlier. They bid to move to a new channel. They  
13 will pay for those moves using part of their  
14 monetary wins from the auction.

15 The image on the screen here is an  
16 example of the sort of engineering physics  
17 challenge that the Commission faced in trying to  
18 determine the order in the schedule of this  
19 transition. Moving 987 stations at the same time  
20 would be an immense coordination effort and leaves  
21 a lot of room for Murphy's Law, I guess.

22 So what we did is we put together a plan

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1 that tries to make sure that we can break up what  
2 you are looking at here, this massive daisy chain  
3 of stations that can't move unless the other moves,  
4 which can't move unless the next guy moves, and so  
5 on and so forth.

6 And as I mentioned before, when I was  
7 here in January, we had just put out the final  
8 adopted plan determining that order and schedule.  
9 What we put out, along with the closing PN in this  
10 auction is the actual schedule. And what it does  
11 is it breaks all of the 987 stations into ten phases  
12 that will -- they have all begun and over the next  
13 39, I guess now 38 months, you know stations will  
14 be, as I mentioned before, doing the construction  
15 and engineering required to effectuate a channel  
16 move.

17 The key date I think in terms of  
18 consumer outreach, or one of the key dates --  
19 actually all ten of these are key dates but the  
20 first one is that phase on ends on November 30,  
21 2018. Okay, so we have got about a year and a half  
22 before we get to that point.

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1           However, there may be some consumer  
2           rescanning required before we get to the end of  
3           phase 1. Why is that? We have winners, stations  
4           who have agreed to off-air and actually intend to  
5           do so. We know that at least that is the 12  
6           stations who didn't indicate they wanted to channel  
7           share but they wanted an off-air bid. And then the  
8           channel-sharers themselves who when they actually  
9           effectuate those agreements or consummate those  
10          agreements, then they will move on to someone  
11          else's facility and share a channel. And so in  
12          that market, they will have to let their viewers  
13          know that they are moving, which is why we have  
14          started putting into motion some of the outreach  
15          efforts and the education efforts that I described  
16          back in January.

17                 We see our role in this process as  
18          complementary to the -- I think Chairman Pai put  
19          it really well at the NEB show. He made the case  
20          that look, if you're trying to get a message out  
21          that is important in a local community, there is  
22          no better way to do that than their local broadcast

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1 stations. And obviously, the stations  
2 themselves have an incentive to make sure their  
3 viewers know where to find them, when they move.

4 So, our view is we have a supporting  
5 role to play. One of the ways we can do that is  
6 to leverage the fact that consumers actually do  
7 rely on us for information on how to access  
8 over-the-air television and things like that and  
9 what stations they have available to them. So I'm  
10 going to get into that a little bit in a second here.

11 We want to make sure that the consumers  
12 and households that are the hardest to reach, I'm  
13 thinking traditionally this is seniors, this is  
14 Americans with disabilities, these are households  
15 where English may not be the first language spoken.  
16 How do we get into those homes to make sure that  
17 they're receiving the message here?

18 And then the groups represented here  
19 and other national partners that we work with who  
20 have an interest in making sure folks get the  
21 message, how can we work with you and support you  
22 in those efforts?

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1           So, a few of the things that I was  
2 talking about January are already in place, as I  
3 said. The two main ways that consumers interact  
4 with us is through our Consumer Call Center and on  
5 our website. And so right now on the consumer web  
6 page, there is a section dedicated to post-auction  
7 Q and A. How will I find out where my stations have  
8 moved? What do I need to do? If I am a cable or  
9 satellite customer, do I need to do anything?  
10 Questions like that. This Q and A is also the basis  
11 for if we do get calls from consumers in the Call  
12 Center. To my knowledge, we have not but, as the  
13 news starts to spread that this is happening and  
14 happening soon, we expect that we will.

15           What is on the web today is in both  
16 English and Spanish and we are working on other  
17 languages as well. And we also have a printable  
18 version of this that, a downloadable version that  
19 our partner organizations can use in packets or if  
20 there is opportunity to distribute electronically,  
21 we will work with them.

22           I also mentioned back in January that

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1 we are working on PSA-style video showing folks how  
2 to rescan their TVs, their tuners to make sure they  
3 are getting -- reflecting any changes in the  
4 over-the-air lineup. That is now live. It's  
5 available. The ULR on the screen,  
6 [www.fcc.gov/rescan](http://www.fcc.gov/rescan), you can view or download the  
7 video. We are trying to figure out, we are working  
8 with the broadcast industry right now to figure out  
9 how to best make this available to stations, should  
10 they want to use it to spread the word.

11 Two of our most popular consumer guides  
12 downloaded from the Consumer CGB website, one is  
13 what kind of over-the-air antenna do I need. And  
14 we've updated that as well as what I'll call the  
15 paper version, the analog version of the PSA that  
16 I just described on rescanning. These are two of  
17 our most popular and we have updated them to reflect  
18 what consumers may need to know now that the  
19 incentive option is over and the repack is upon us,  
20 particularly to the extent that there are markets  
21 that were maybe UHF only before but now they have  
22 got some stations who moved to VHF. You may need

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1 a dual band antenna. So you need to make sure you  
2 have one.

3 Similarly, we have got these consumer  
4 tip cards. We have got one on the rescanning. I  
5 think we've got one in the works on the antenna  
6 purchasing. This is great. I actually brought  
7 these to the NAB show and we brought these out to  
8 have them available for other events, if we can find  
9 a way to distribute them but it is an asset we have  
10 that we can deploy.

11 This is really more related to the  
12 post-auction transition itself but it has to the  
13 potential to pay some dividends on the consumer  
14 education side. The Media Bureau announced that  
15 we were going to assign regional coordinators to  
16 ten geographic regions, so that during the repack  
17 itself we can gather information that may be  
18 useful. You know say we find something in phase  
19 1 for a station in Georgia that they are  
20 experiencing that may also be useful information  
21 in phase 5 in that same market. Or if we find a  
22 particular issue with supply chain in the region,

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1 or something like that, we can share information  
2 and try to address that at the Commission level as  
3 quickly as possible.

4 But the other thing it allows us to do,  
5 it gives us someone who is listening to what is  
6 happening in different regions that may impact  
7 consumers. And having that early warning system  
8 built into our transition process helps us share  
9 information, whether it's internally or perhaps in  
10 working with groups represented here and others,  
11 to make sure that we're working in unison with the  
12 best information.

13 So what else do we have coming out?  
14 Right now, and I think this is going to be an  
15 iterative process, a list that grows, but we are  
16 working on another -- we have a consumer guide that  
17 directly addresses unlicensed wireless  
18 microphones. These are in the new wireless  
19 microphone-ruled regime that has come out of the  
20 changes from the auction, if your organization has  
21 fewer than 50 mics in use, then you really would  
22 qualify for the unlicensed. So we have heard from

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1 everything from churches to community theaters, to  
2 high school sports and the like, local TV that is  
3 using unlicensed, they want to know what do we need  
4 to do; how do we make sure we are interfacing with  
5 the white space databases and understanding what  
6 our obligations are. So we are working, the CGB  
7 and the Office of Engineering and Technology are  
8 working on that now and that should be ready fairly  
9 soon.

10 I mentioned before that there are going  
11 to be markets where stations may be moving or going  
12 off-air before November of 2018 and so we are  
13 gathering the data on that now. It will be  
14 informed a little bit by some processes that will  
15 go on this summer, where the reassigned stations  
16 can come to the Commission and ask for some  
17 modification to the assignment, the facility that  
18 we've assigned them. So, once we know for sure  
19 where everyone's going to end up, then we can start  
20 to do a little bit of advanced work in these  
21 markets.

22 In addition to our consumer tips being

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1 some of the most popular downloads on the CGB site,  
2 it is our most popular social media content as well.  
3 And so we are working on a plan now to build a  
4 campaign around social media for the consumers'  
5 tips I've just described, as well as finding one  
6 other way to give a heads up as a phase deadline  
7 or other key deadlines that are coming up.

8 And last but not least, getting the  
9 National Partner Outreach moving. I am here with  
10 you today. I hope I will be back to give you  
11 further updates but I'm also meeting with and  
12 giving a briefing for the Disability Advisory  
13 Committee next month, as well as the  
14 Intergovernmental Advisory Committee. And I will  
15 speak to anyone who will listen, which brings me  
16 to point 2.

17 We have a list of national meetings  
18 coming up over the next few years and we're working  
19 on a plan for doing whatever will be useful in that  
20 context and the same with point 3 here, which is  
21 what can we do and how can we help at the chapter  
22 level, local level getting the word out.

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1                   Quickly, as promised on LPTV, so I think  
2                   the question I got last time was do we know the  
3                   impact on LPTV, generally speaking and  
4                   specifically on how that might impact diversity,  
5                   viewpoint diversity in the media landscape. The  
6                   answer remains not quite yet because, as I  
7                   mentioned last time, we won't actually know for  
8                   sure which stations would be displaced until we get  
9                   through the process I just described a moment ago,  
10                  where throughout the summer we will have one last  
11                  chance to see where all the other auction and  
12                  reimbursement-eligible stations end up. We have  
13                  given them our assignments. They have two  
14                  opportunities to come in requesting changes. Once  
15                  we get through that process, we will have a solid  
16                  database of what the remaining available channels  
17                  will be on a very, very geographic-specific basis.

18                  And we just outlined for the LPTV and  
19                  translator industry through a recent PN what they  
20                  can -- you know the time line and the procedures  
21                  for them coming in to us; once that database is  
22                  solid, to come to us and make requests. What

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1 happens if two stations or more request the same  
2 thing, that could be in conflict. What other steps  
3 can they take to mitigate the impacts, including  
4 minor modification, engineering modifications  
5 that they can make to avoid interfering with other  
6 stations.

7 So I think more on that to come.

8 All of the information that I have just  
9 described and a plethora of other things are  
10 available on the web at  
11 [fcc.gov/incentive-auctions](http://fcc.gov/incentive-auctions), plural. Here you  
12 will find everything from the schedule for the  
13 repack and the transition, all of the  
14 Commission-level and Bureau-level decisions  
15 related to the auction and the transition, the  
16 consumer page, auction results, transition, data  
17 files for broadcasters, pretty much anything you  
18 can think of I hope is on there.

19 Take a look. If you find something  
20 missing or something you'd like to see, call or  
21 email me. And I realize my phone number is not on  
22 there but email works just fine.

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1                   Speaking of questions, I can take some  
2 if you have any.

3                   CHAIR    BARTHOLME:        Anyone    have  
4 questions?   Zainab.

5                   MEMBER ALKEBSI:   Hi.   Thank you.   So  
6 you mentioned that the consumer information will  
7 be shared in English, and Spanish, and that you are  
8 working on other languages at the moment.   Will  
9 that include American Sign Language?

10                  MR. MEISCH:   Excellent question.   If  
11 it is okay, I would like to get back to you because  
12 I don't have the list but I think that's important.

13                  MEMBER ALKEBSI:   Okay,   thank you.  
14 Yes, I do want to make sure that that information,  
15 which is very valuable, is accessible for the deaf  
16 and hard of hearing community.   Thank you.

17                  MR. MEISCH:   So I should add, I mean  
18 anything that is on the website, the website,  
19 obviously, will be in compliance with 508.   So at  
20 least in that context, it will be available but I  
21 will check for more.

22                  MEMBER MCELDOWNEY:   Hi, this is Ken

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1 McEldowney. I guess a follow-up question to that  
2 is, I mean think it would be important to look at  
3 the stations that may be going off the air and  
4 sharing channels and finding what languages they  
5 broadcast in and making sure that the information  
6 is provided in those languages.

7 MR. MEISCH: That's a great point.  
8 And at least on the station side, so our rules for  
9 the transition require that the stations give  
10 30-days' notice. I'm trying to visualize that  
11 section of the PN because I'm fairly certain we say  
12 that it has got to be in the language that they  
13 broadcast in. But let me look into that and I will  
14 see if we need to address that.

15 That's a great point. Thank you.

16 CHAIR BARTHOLME: Mitsy.

17 MEMBER HERRERA: Mitsy Herrera from  
18 Montgomery County just quickly. As part of the  
19 auction process planning and implementation, was  
20 there any analysis done by the Commission in terms  
21 of if the providers were not paying above cost of  
22 running the auction -- so you have costs to run the

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1 auction and then there is the additional money will  
2 be funding that goes into the Treasury.

3 If the purchaser is only paying the cost  
4 to run the auction, is there any analysis of what  
5 percentage that investment in purchasing the  
6 spectrum represents as part of their whole  
7 operations or how much potentially that could free  
8 up for funding to put into deployment into  
9 underserved areas?

10 MR. MEISCH: Well I think that the way  
11 the auction was structured -- this might help the  
12 answer the question. I may be sucked through a  
13 side door.

14 The way the auction was set up was the  
15 licenses that the forward auction bidders were  
16 bidding on was sort of disaggregated from the  
17 stations that were purchased in the reverse auction  
18 to clear that spectrum. Does that make sense?

19 So, you may have a market that was  
20 cleared without us having to purchase any stations  
21 in that market but then we sold licenses that would  
22 sort of overlay that. So, there was not really a

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1 one-to-one relationship between money spent in a  
2 particular market for the wireless auction and  
3 reverse auction winnings that would help to clear  
4 that market, if that makes sense. It may not make  
5 sense.

6 MEMBER HERRERA: Well what I'm trying  
7 to get at is that the Commission has teed up several  
8 questions in which they are looking at as  
9 preempting and limiting compensation for  
10 right-of-way poles to cost. So what I am asking  
11 is, in the equivalent, in the Commission case of  
12 the spectrum, what is the cost, if you limited the  
13 spectrum similarly to just compensation, is there  
14 any evidence that the Commission had that said that  
15 either that would free up X number of dollars that  
16 telecom companies could use for investment or  
17 similarly showing that what they are paying for the  
18 auction is only a minor percentage of what their  
19 overall investment operating costs are.

20 MR. MEISCH: I know of no such analysis  
21 but, again, I think that the auction structure goes  
22 at it from a different way.

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1 CHAIR BARTHOLME: Any other questions?  
2 Okay, thank you.

3 MR. MEISCH: My pleasure.

4 CHAIR BARTHOLME: And we look forward  
5 to staying in the loop on this.

6 MR. MEISCH: Save time for me anytime  
7 you'd like and I will come down.

8 CHAIR BARTHOLME: Great.

9 MR. MEISCH: Thanks, everybody.

10 CHAIR BARTHOLME: Next we are going to  
11 be joined by Linda Vandeloop. She is the Assistant  
12 Vice President of External Affairs at AT&T and you  
13 may remember her from the January meeting. She is  
14 going to give us an update on the Strike Force and  
15 its progress since January.

16 MS. VANDELOOP: Is this working? Yup.

17 Well, good afternoon and thank you for  
18 inviting me here to talk about one of my favorite  
19 topics. And I know that probably sounds kind of  
20 strange but it really is because when I got involved  
21 in the Strike Force I worked with people, there were  
22 30 plus companies and organizations and a lot of

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1       them, historically, we were on the opposite side  
2       of every issue and this was such a great example  
3       of people working together and teamwork and making  
4       progress. And everybody was in it 100 percent.  
5       In fact, we had people begging to join the Strike  
6       Force.

7                       So the Industry Robocall Strike Force  
8       brought together key members of the ecosystem who  
9       have the ability to make a contribution in  
10      combatting the robocall problem. And so working  
11      together, and we really were, most of us were really  
12      focusing internally in our companies about how do  
13      we solve the problem, but working together we were  
14      able to develop a much more robust set of mitigation  
15      tools that we would have been separately and  
16      working alone. And so this is a good example of  
17      the whole being greater than the sum of the parts.

18                      So the Strike Force really kick started  
19      the process but there is a whole lot more to do.  
20      And AT&T is very, very active, an active  
21      participant, along with the other members of the  
22      Strike Force but the process is changing a little

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1 bit. AT&T is no longer leading the Strike Force.  
2 Several associations and standards bodies who are  
3 much better organized to continue the work that the  
4 Strike Force identified in the initial report have  
5 taken over the leadership of the process. And  
6 Kevin and Krista are two of the leaders in that  
7 ongoing process.

8 So over the past six months, ACT, the  
9 App Association, ATIS, CTIA, USTelecom have  
10 continued the work that was identified in the  
11 October 26th report and it was still in the focused  
12 areas of the authentication, empowering consumer  
13 choice, the detection, assessment, traceback and  
14 mitigation area, and the regulatory support.

15 Each organization met regularly with  
16 their members over the past six months. And it is  
17 really important to note that for the purposes of  
18 addressing the robocall problem, these groups  
19 expanded the membership beyond the association or  
20 the standards body membership because we know we  
21 really need the whole ecosystem involved to really  
22 come up with a solution. So for example, the

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1 Traceback Group is made up of not only the USTelecom  
2 members, but wireless, CTIA members, and wholesale  
3 members, and people who really need to work  
4 together to identify the problem and come up with  
5 the mitigation tools.

6 And then in addition to meeting with  
7 their individual groups, ACT, ATIS, USTelecom and  
8 CTIA all met together for planning and coordination  
9 purposes to make sure nothing fell through the  
10 cracks and to make sure that we're all coming up  
11 with the comprehensive solution that is needed.

12 So, just a few things and there was a  
13 report published April 28th of this year, with a  
14 lot more detail on what the Strike Force has done  
15 and will be doing. But a few examples: In the  
16 area of the authentication, ATIS formally  
17 published the SHAKEN Framework, which is the  
18 framework for the caller ID authentication. They  
19 also partnered with Neustar to offer a testbed to  
20 members and non-members as well, so that this  
21 framework could be tested. And this will be  
22 available until the end of 2017. And so as of the

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1 April report, ten companies have already executed  
2 the agreements that are needed or are in the process  
3 of executing those agreement. And others have  
4 also executed a nondisclosure agreement.

5 And so the testing is going to do on and  
6 towards the end of the year, there will be more  
7 information on that.

8 For empowering consumer choice, ACT  
9 launched a public-facing website with relevant  
10 information for app developers, to encourage them  
11 to develop robocall-related apps. And they also  
12 developed and held a workshop for the app  
13 developers.

14 CTIA and USTelecom had both brought  
15 subject matter experts to educate the members on  
16 what is available today. And then several of the  
17 members have already introduced their own robocall  
18 mitigation tools. So AT&T introduced Call  
19 Protect, T-Mobile launched Scam ID, and both of  
20 them are free and network-based to identify and  
21 stop potentially illegal calls.

22 On the detection and -- wait a minute

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1 -- assessment, detection, traceback and  
2 mitigation, additional Do Not Originate trials  
3 have taken place. And as you might remember from  
4 the original report, there was a Do Not Originate  
5 trial on the IRS numbers and we worked with IRS and  
6 stopped a significant of the IRS scam calls.

7 So other trials have been executed and  
8 have been proven effective.

9 Also, the Traceback Group has either  
10 doubled or almost doubled the number of members.  
11 How many are we at?

12 CHAIR BARTHOLME: Twenty-one.

13 MS. VANDELOOP: Okay, so we have got  
14 one to go to meet the commitment that was made in  
15 the original Robocall Strike Force report.

16 On regulatory support, the FCC has been  
17 extremely supportive and, as Mark had talked about  
18 earlier, the issue with the NPRM and NOI to support  
19 the industry so that carriers can block the calls.

20 Now some calls, you know we made an  
21 announcement -- to answer one of the questions  
22 earlier, we made an announcement a few months ago

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1 that using existing tools, using our big data  
2 analysis to try and identify robocall campaigns and  
3 some contracts that we have with wholesale  
4 providers, we were able to block a billion  
5 robocalls in about six months. And so we're  
6 continuing that process but we're limited. We can  
7 only block certain calls from certain carriers  
8 because of the agreement. So this NPRM and NOI is  
9 going to help tremendously, I mean the whole  
10 industry. And I don't think there's going to be  
11 any hesitation for most companies, particularly  
12 those involved in the Traceback Group, as well as  
13 the Strike Force. I don't think they're going to  
14 hesitate when they have the ability and the safe  
15 harbor to block the calls. It's going to happen.

16 And so the work has not stopped. We're  
17 all committed to continuing the work until the  
18 robocalls stop. And so I also want to thank you  
19 for the work you're doing because consumer  
20 education, getting the word out, making the tools  
21 available to customers is important. I think you  
22 know we're all in this together and we need

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1 everybody's help in getting these types of calls  
2 stopped.

3 So, I wanted to leave lots of time for  
4 questions, even though I am way over anyway.

5 CHAIR BARTHOLME: Susan.

6 MEMBER GRANT: Hi, I'm Susan Grant,  
7 Consumer Federation.

8 I know you don't know the answer to this  
9 yet because I just asked you about it yesterday but  
10 I do want to flag that one of the concerns about  
11 this ringless voicemail technology that delivers  
12 prerecorded messages directly to cell phone  
13 voicemail boxes is whether the tools that you're  
14 providing to thwart robocalls will be effective  
15 with this new technology.

16 So, I would be very interested to hear  
17 what you find out about that.

18 MS. VANDELOOP: Yes, we'll have to  
19 understand more how those calls are routed and what  
20 the technology is.

21 CHAIR BARTHOLME: Jonathan.

22 MEMBER SCHWANTES: Thanks, Ed.

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1 Linda, thank you. Jon Schwantes,  
2 Consumers Union. And I know you have worked very  
3 closely with my colleague, Maureen Mahoney, and I  
4 appreciate your work.

5 You said the work will continue. Do  
6 you know if you will report back in say six months  
7 again?

8 MS. VANDELOOP: We don't have any plans  
9 for a formal report in six months but you know I  
10 think everybody plans to make sure that the work  
11 that we're doing is communicated. I think you have  
12 seen a lot more company statements and public  
13 announcements of some of the things that we're  
14 doing and we are all definitely open to talk to  
15 people when they are interested. Those that I know  
16 are interested I try and give them like regular  
17 updates to the extent possible. But as far as a  
18 formal report, there is no plans at this time.

19 CHAIR BARTHOLME: Do we have any  
20 questions from the phone?

21 MEMBER MCELDOWNEY: No just -- this is  
22 Ken McEldowney again from Consumer Action. I just

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1 want to applaud the work that the carriers are  
2 doing, in terms of taking the lead on this. I think  
3 it has been very effective so far.

4 MS. VANDELOOP: Thank you.

5 CHAIR BARTHOLME: Mitsy.

6 MEMBER HERRERA: I guess I will pose  
7 the same question that I posed to Mark. Is it going  
8 to be voluntary? And is there a way to create a  
9 sort of simple mechanism for consumers to know  
10 which of these carriers have voluntarily agreed to  
11 do what?

12 MS. VANDELOOP: It's a good question  
13 that we can look at. You know as far as -- I'm  
14 pretty sure it's not going to be necessary because  
15 people are going to be bragging about it, to the  
16 extent possible.

17 We have also got to be careful about  
18 giving too much information to the bad guys. So  
19 we don't want them to know, necessarily, oh, okay,  
20 so AT&T is blocking and there is a couple other  
21 companies that are blocking, so we are going to try  
22 and route our traffic over Company X that isn't

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1 blocking. So we have got to be careful on how we  
2 give that -- or what information we give out.

3 MEMBER HERRERA: I mean I just would  
4 say from an educated consumer and choice  
5 perspective, I mean Commissioner Clyburn, I mean  
6 I didn't want to say to her I think that's a big  
7 reason why people have dropped their landline calls  
8 is you just get so many more robocalls on your  
9 landline than you do on your mobile device.

10 But it seems like if you want to give  
11 consumers a tool that says what can you do about  
12 this, then you want to have a carrier who has  
13 voluntarily adopted the tools that we think will  
14 be helpful. If everybody does it, that's great.  
15 It seems to me nobody wants to have a requirement  
16 to do it, it's all going to be voluntary. It just  
17 seems like that is a really good consumer  
18 empowerment tool in addition to sign up for the Do  
19 Not Call, et cetera, et cetera, make sure your  
20 carrier --

21 MS. VANDELOOP: And I agree but, on the  
22 other hand, we just have to balance it with giving

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1 the bad guys, because they're really smart. And  
2 we're already seeing signs of them saying oh, I know  
3 that person is blocking these kinds of calls; we're  
4 going to go around it.

5 You know some of the things, too, is in  
6 addition to that, carriers can also be very vocal  
7 about the tools that they're giving their  
8 customers, too. So that would be other good  
9 information as far as like I can talk about us, but  
10 other companies have other tools that they're  
11 providing their customers.

12 Like we have got the Call Protect. I  
13 know you will continue to see more and more  
14 announcements from other companies who either have  
15 expanded the types of customer call control type  
16 tools. Before the end of the year, I know you will  
17 see some more announcements.

18 CHAIR BARTHOLME: Rick.

19 MR. ELLROD: Rick Ellrod from Fairfax  
20 County, Virginia.

21 It seems to me those two rationales are  
22 contradictory. If we are saying it's not

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1 necessary in the public's eyes what companies are  
2 making records available because everyone brag  
3 about them and know about them and, at the same  
4 time, we can't make it public because the bad guys  
5 will know who is doing it, well, you can't have both  
6 those things at once.

7 It seems to me it would make sense to  
8 have basic information available that this company  
9 gives you a method, something like that, without  
10 going into the technical details of the method that  
11 could be used against it.

12 MS. VANDELOOP: Yes, and that is what  
13 I was trying to say. I didn't do a very good job  
14 of it but thank you.

15 CHAIR BARTHOLME: Any other questions?  
16 Mark.

17 MEMBER RICHERT: Mark Richert,  
18 American Foundation for the Blind.

19 I have never been shy about revealing  
20 how much I don't know in questions. So, this will  
21 probably be one of those moments.

22 Are there tools right now that

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1 essentially allow a consumer to receive calls only  
2 from those origins that they identify in advance,  
3 well in advance, so effectively being able to say  
4 look, I'm only going to receive calls from the stuff  
5 that's in my contacts, for example, something along  
6 those lines. If there is already something, I'd  
7 love to hear about it. If not, clearly you would  
8 want to make some exceptions to that. You wouldn't  
9 want someone to either intentionally or  
10 inadvertently block emergency calls, for example.

11 But I wonder if you could address that.  
12 Thanks.

13 MS. VANDELOOP: I mean there are tools  
14 available for -- I don't think you can limit it to  
15 just five or six numbers and I don't think we have  
16 the capability if there is any tools yet to just  
17 be able to pick up the calls in the -- and correct  
18 me if I'm wrong, Kevin, or Krista, just to be able  
19 to pick up the calls from the contact list.

20 But there are tools, things like I  
21 mentioned like the Call Protect, which there is  
22 blacklists that show calls that have been

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1 identified as extremely likely fraud or just  
2 blocked; others are marked as potential spam; and  
3 then I think Kevin had some other tools.

4 MEMBER RUPY: I was just going to add  
5 that there are tools, the generic term for it is  
6 a white list and many providers offer that white  
7 list service. And the way that service basically  
8 works is the consumer can select whatever the limit  
9 is, 10, 15, 20 numbers that they want to receive.  
10 And through that white list service, those are the  
11 only calls that consumer will receive that are  
12 listed on the white list service. And that can be  
13 a useful tool but the key here I think is to  
14 emphasize that there are a lot of different tools  
15 that do different things and we want to empower  
16 consumers to select the tools that make the most  
17 sense for that.

18 And the FCC has all that, a lot of those  
19 tools listed on its website.

20 CHAIR BARTHOLME: Okay. I think we're  
21 going to take our lunch break now. We are a little  
22 behind schedule so I am going to ask that we do about

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1 a ten-minute lunch break.

2 There was a blip on the broadcasting of  
3 the video feed but once it is into the archive and  
4 the FCC and available on the website, it will be  
5 fixed in there in full.

6 So please to return to the table by  
7 12:35. Feel free to have your lunch with you.  
8 Just a reminder, the lunches provided are for  
9 committee members and staff working the room.  
10 Alternates and others in the room are welcome to  
11 grab a lunch after those people have gotten theirs.  
12 And thank you, again, to CCA, for providing us with  
13 lunch today.

14 (Whereupon, the above-entitled matter  
15 went off the record at 12:25 p.m. and resumed at  
16 12:35 p.m.)

17 CHAIR BARTHOLME: Thank you,  
18 everybody, for taking a timely break.

19 Our next speaker coming up is James  
20 Brown. He is with the Consumer Data Office -- I'm  
21 sorry, he is the Consumer Data Officer for the CGB  
22 and he is going to be updating us on the complaint

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1 data and the CHC. James is joining us by phone and  
2 I believe he has a PowerPoint presentation as well.

3 MR. BROWN: I do. Thanks, Ed. Can  
4 you just let me know when the PowerPoint is up and  
5 then I'll start from there?

6 CHAIR BARTHOLME: Are they doing it  
7 remotely?

8 MR. BROWN: They should be doing it  
9 from the Commission meeting room.

10 CHAIR BARTHOLME: Okay, so we have --  
11 Great, so you can get going and Brittany  
12 is going to help advance the slides for you.

13 MR. BROWN: Perfect, thank you.

14 So the FCC launched the Consumer Help  
15 Center in the fall of 2014. The Consumer Help  
16 Center is made up of three areas: 1) education  
17 materials; 2) filing consumer complaints; and 3)  
18 consumer complaint data.

19 So today, I'm going to focus on filing  
20 consumer complaints and consumer complaint data.  
21 Some of the parts about filing consumer complaints  
22 might be a repeat for some but we think it's

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1 important to go over them.

2 So consumers can file complaints any  
3 time on any device. The website to file complaints  
4 is [consumercomplaints.fcc.gov](http://consumercomplaints.fcc.gov).

5 So what you are seeing right now is the  
6 way that we have organized the consumer complaint  
7 website. Complaints are organized in a way that  
8 allow consumers to flex them in six product areas.  
9 The product areas are TV, phone, internet, radio,  
10 emergencies, and access for people with  
11 disabilities.

12 We have also added a place where  
13 consumers can tell us their stories. So the Tell  
14 Us Your Story area was rolled out in the fall of  
15 2016 and it was developed to allow consumers that  
16 don't have an actual complaint but would like to  
17 share their stories involving issues about  
18 telecommunication services to do so.

19 So what we have done before is some  
20 consumers were submitting what they would deem as  
21 a complaint but it was really just, kind of they  
22 were just voicing their opinion about something and

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1 so the share your story is supposed to kind of help  
2 along those lines.

3 So in the case of Tell Us Your Story,  
4 consumers can select on the right side of the  
5 website and describe their story. In this case,  
6 consumers won't hear back from the FCC but the FCC  
7 could use the information to help inform decisions  
8 and policies going forward. However, in most  
9 cases, consumers are still filing an actual  
10 complaint.

11 I'm going to go back to the left side  
12 of the screen. A consumer complaint can be filed  
13 for a variety of issues including things like  
14 billing, service quality, unwanted calls, and  
15 more.

16 CHAIR BARTHOLME: James?

17 MR. BROWN: Yes.

18 CHAIR BARTHOLME: If we could  
19 interrupt, could you let us know when you need the  
20 slides advanced?

21 MR. BROWN: I'll do that, yes. So,  
22 you're still on the first slide.

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1 CHAIR BARTHOLME: Okay, great.

2 MR. BROWN: Yes. So, to file a  
3 consumer complaint, a consumer would select from  
4 one of the six product areas like phone or TV and  
5 then select an issue that best represents their  
6 complaint. Next slide, please.

7 So now you should be at the second  
8 slide. So in this example, you are looking at a  
9 phone form where the issue selected is billing.  
10 Every form is set up in exactly the same way. When  
11 an issue is selected, and based on the issue,  
12 certain questions are populated.

13 So once the form is completed and  
14 submitted, we can then email in real time that  
15 acknowledges the FCC's receipt of the complaint.  
16 Next slide, please.

17 So now actually looking at an actual  
18 email after a complaint is submitted to the FCC.  
19 What's important here is every time we receive a  
20 complaint from a consumer, we acknowledge it in  
21 real time. We send out an email. If additional  
22 information needs to be provided by the consumer,

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1 they can respond directly to the email they  
2 received from us and when they respond to the email,  
3 the information that they sent in gets updated in  
4 real time. So, we're always having kind of a  
5 real-time interaction with consumers, as long as  
6 their responding to the emails that we send back  
7 to them. Next slide, please.

8 All right, so depending on the type of  
9 complaint submitted, a few different things can  
10 happen. So one, the FCC could email consumers with  
11 information like a consumer guide that helps  
12 explain consumer issues. In one of the prior  
13 demonstrations, someone had mentioned that one of  
14 the more popular consumer guides is still along the  
15 lines of tuning TV antennas or digital antennas.  
16 So sometimes we get complaints about a consumer not  
17 being able to get a certain over-the-air channel  
18 or something like that. So this would be an  
19 example where we would probably send back a  
20 consumer guide letting them know how they could  
21 retune their tuner, how they get an over-the-air  
22 antenna, or something like that.

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1           There is also instances where another  
2 state or federal agency is better suited to handle  
3 a complaint, such as the state POC, the Federal  
4 Trade Commission. And so in these cases, we would  
5 email the consumer back letting them know what  
6 agency we think would be better suited for their  
7 specific issue.

8           We also might use the information just  
9 to share among the FCC to help with FCC actions,  
10 like unwanted calls. So in that case, we're not  
11 resolving individual complaints but we use the  
12 information internally to help with FCC actions.

13           In all of these instances, we are still  
14 interfacing directly with the consumer through  
15 emails, letting them know what the status of their  
16 complaints are.

17           And then finally, if a complaint  
18 involves a service provider, in the issue described  
19 in the FCC field the provider should address, then  
20 we do what we call serve the complaint on a  
21 provider. So this is more of an official process  
22 where a complaint gets served on the provider and

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1 in that case, we generate another email to the  
2 consumer letting them know what is going on and then  
3 the providers have 30 days to respond directly to  
4 the consumer, as well as the FCC, letting the  
5 parties know how the complaint was addressed.  
6 Next slide, please.

7 So this graphic is actually just  
8 showing what I went over. It is basically how the  
9 FCC handles complaints. And the key here is we  
10 have this graphic, as well as some FAQs and other  
11 information on the top of  
12 consumercomplaints.fcc.gov. So at any time the  
13 consumer hits the FCC complaint site, how we handle  
14 the complaints, frequently asked questions, and  
15 some other information that is readily available  
16 for all consumers to look at. Next slide, please.

17 So just to make sure we're all on the  
18 same slide, we should be looking at the Consumer  
19 Data Center now.

20 So when we launched the Consumer Help  
21 Center in the fall of 2014, we started to release  
22 some data about companies -- or sorry, not

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1 companies -- about complaints weekly in the form  
2 of spreadsheets, as well in charts and graphs. So  
3 we did that for the first 18 months or so and then  
4 about a year ago, we launched what we're calling  
5 the Consumer Complaint Data Center.

6 So with this launch, we started to use  
7 a product called Socrata, so it's S-O-C-R-A-T-A.  
8 It's a commercial product and we use it to release  
9 consumer complaint data daily.

10 So the data we are releasing daily  
11 includes a complete list of complaints, along with  
12 certain fields for each complaint. We also  
13 provide a specific data set that is specific for  
14 unwanted calls.

15 So the unwanted calls dataset we know  
16 is currently being used by companies that provide  
17 blocking technology to consumers and then we can  
18 tell that these companies are actually using our  
19 publicly available API to access this data,  
20 sometimes every few minutes, sometimes every  
21 hours, sometimes once a day but the API, itself,  
22 they use a lot by these companies to stop the

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1 unwanted calls with data that we're providing.  
2 Next slide, please.

3 So what you're looking at now is how the  
4 data is actually made available to the public. So  
5 it's available in a table view that allows anyone  
6 to filter and sort the columns. So that's small  
7 there but anyone can access the data by going to  
8 [fcc.gov/consumer-help-center-data](http://fcc.gov/consumer-help-center-data).

9 And so if you are there, above each  
10 column, we have these two little lines. And so by  
11 clicking on the lines, you can filter and sort each  
12 column. And so by filtering it, some of them are  
13 actually, you can filter by words. So like if you  
14 want to filter on the State of the complaint, you  
15 could just select Maryland, or Virginia, or D.C.  
16 and it just will go to the complaints in real-time.  
17 You can also just kind of sort ascending or  
18 descending.

19 We also provide more advanced analysis  
20 of the data by using additional filters. So, on  
21 the top right, there is this blue button called  
22 filters. And once you are inside the data set,

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1 that allows you to just do more refined searches.

2 Each of the analysis that you do you can  
3 actually save yourself. So, if you went in here  
4 and you wanted to kind of search for complaints  
5 across an area defined by specific form and a date  
6 range, those searches can be saved and there is a  
7 unique URL that you could use to re-access the  
8 searches each time.

9 The data also can be downloaded in about  
10 ten different formats, including common formats  
11 that allow you to get the data inside spreadsheets.  
12 Next slide please.

13 So we also provide some canned visuals,  
14 so some charts and maps at a high level like the  
15 number of phone complaints over time. These  
16 visuals also get updated daily and you also are able  
17 to create your own visuals, once you access the data  
18 sets. And next slide, please.

19 So, to conclude, consumers and can file  
20 complaints 24/7. We also have a consumer support  
21 line that is available Monday through Friday, where  
22 we can help answer consumer questions. And then,

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1 more recently, we launched the Consumer Complaint  
2 Data Center about a year ago with data that is  
3 updated daily.

4 So, I will stop there and see if there  
5 are any questions.

6 CHAIR BARTHOLME: Great. Do we have  
7 any questions from anyone in the room? Susan.

8 MEMBER GRANT: I actually have a bunch  
9 of questions but I will try not to dominate this.

10 I was recently looking in the database  
11 for information about whether older people had --  
12 how many older people had reported a particular  
13 problem and I couldn't see anything about age. So,  
14 I looked at the complaint form itself and noticed  
15 that there is no request for age or date of birth  
16 or year of birth, rather.

17 MR. BROWN: Sorry, you broke up at the  
18 end. I heard the part about searching for age and  
19 then some static.

20 MEMBER GRANT: I looked at the  
21 complaint form and there was no question for either  
22 your age or your year of birth. Is that something

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1 that the FCC has considered? And if it decided not  
2 to do that, is there a particular reason why?

3 MR. BROWN: So I don't know if that  
4 there was any particular reason why. I mean it is  
5 currently not collected. I mean it is something  
6 that we could take into consideration. But you're  
7 correct, currently on the forms, it is not a  
8 question that we ask.

9 MEMBER GRANT: I wouldn't want to make  
10 it a requirement, obviously, but as an option, that  
11 information could be really useful. I was asked  
12 a question actually by a Senate committee and I was  
13 looking for documentation and you have really good  
14 information but you didn't have that.

15 MR. BROWN: Okay, thank you. It's  
16 good feedback.

17 MEMBER GRANT: Okay, great. On the  
18 information that consumers are given about  
19 complaint submission and notification, it says if  
20 you have submitted a complaint about a  
21 telecommunications billing or service issue, your  
22 complaint is being processed and so on, you know

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1 by a particular division. But it doesn't say if  
2 you're complaint is about something else who is it  
3 handled by. And I don't know how many complaints  
4 there are about other issues but is there some  
5 general information that is provided that I missed  
6 somewhere about where other kinds of complaints are  
7 handled?

8 MR. BROWN: No, there is currently not  
9 something that particularly describes where other  
10 complaints are being handled.

11 MEMBER GRANT: Okay. Are there  
12 consumers who complain about other issues?

13 MR. BROWN: The complaint of other  
14 issues -- all the complaints are handled. We just  
15 haven't specifically said like where they are  
16 handled. So, consumers would get information back  
17 for every complaint that they file, kind of letting  
18 them know what's happening with that complaint.

19 So, like I said before, I mean it could  
20 be that same day, or the next day, or within a couple  
21 of days, we send back a consumer guide that says  
22 we think this might handle your complaint. In some

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1 cases, we do let them know that based on the type  
2 of complaint that they file, that it something that  
3 we wouldn't individually handle or we are not going  
4 to serve on a provider but we would use the  
5 information for trends and patterns and other  
6 actions the FCC takes.

7 MEMBER GRANT: Okay.

8 MR. BROWN: And then besides unwanted  
9 calls, our biggest complaint category would be  
10 billing issues and most of those are served on  
11 providers. So, the consumers would get that  
12 acknowledgment that their complaints were served  
13 on providers.

14 MEMBER GRANT: I just didn't know what  
15 the point was of telling them this if it doesn't  
16 apply to their complaint and it doesn't tell them  
17 where those complaints go.

18 I guess since people are hearing back  
19 directly, that's probably the most important thing  
20 but I just don't know how useful this bullet is.

21 MR. BROWN: And that's good feedback as  
22 well. We can look at the content. I mean I think

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1 that's been up there since the beginning of our  
2 launch. So it might be time to just relook at what  
3 we're saying as well.

4 MEMBER GRANT: And do  
5 telecommunications complaints include complaints  
6 about internet service providers?

7 MR. BROWN: Yes, they do.

8 MEMBER GRANT: I realize this is a  
9 contentious subject but, while they still do, I'm  
10 not sure that a consumer would understand that.

11 MR. BROWN: Would understand -- yes,  
12 okay.

13 MEMBER GRANT: And then I think the FCC  
14 has generally done a really good job in using plain  
15 language but -- and this is nit-picking now but  
16 looking reviewing your complaint, not all  
17 complaints are actionable or constitute a rule  
18 violation. That could be made a little bit more  
19 plain language.

20 And I think those were all of my --

21 MR. BROWN: As a non-attorney, I would  
22 agree with you.

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1                   MEMBER GRANT: I think those were all  
2 of my questions. Thanks so much.

3                   MR. BROWN: Okay, thank you.

4                   CHAIR BARTHOLME: Any other questions?

5                   MEMBER MCELDOWNEY: Hi, this is Ken  
6 McEldowney. I'm from Consumer Action.

7                   You may have the answer to this. What  
8 are the options for consumers for whom English is  
9 not their primary language?

10                  MR. BROWN: So right now the option  
11 would be to call our hotline, the Consumer Hotline  
12 and then we would take the complaint over the phone  
13 for them.

14                  We are currently looking at offering  
15 the complaint forms in other languages. But right  
16 now it would be call and then we would help you over  
17 the phone.

18                  MEMBER MCELDOWNEY: Is the Consumer  
19 Guide available in languages other than English?

20                  MR. BROWN: Yes, so I don't work for  
21 Consumer Guides but I believe all Consumer Guides  
22 are available in Spanish and then there are

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1 languages being considered as well.

2 MEMBER MCELDOWNEY: Okay, thank you.

3 MR. BROWN: Yes.

4 CHAIR BARTHOLME: Olivia.

5 MEMBER WEIN: Hi, it's Olivia Wein,  
6 National Consumer Law Center.

7 I noticed on slide 2 it's mandatory for  
8 consumers to enter their name -- the company name  
9 on the form. And I was wondering if it is possible  
10 in these searches to also provide the company name.

11 MR. BROWN: So currently, we don't  
12 release the company name in the public data that  
13 we're releasing.

14 MEMBER WEIN: Is there a reason for  
15 that? Other agencies do. Like CFPB, you can  
16 search by company.

17 MR. BROWN: Yes, I think it's something  
18 that's been considered and I think it's still being  
19 considered but I don't have an answer as to the  
20 specifics of why or when it could be released.

21 MEMBER WEIN: Thank you.

22 MR. BROWN: Mitsy.

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1                   MEMBER HERRERA: I have a question but  
2 just to follow on Olivia's, in the past when we had  
3 conversations, there was specific things that came  
4 up where if you have AT&T as your carrier but you're  
5 calling to complain about an unwanted call, the  
6 company you're complaining about is not AT&T, your  
7 carrier, it is the unknown company and I don't think  
8 they resolved that. And in some ways, I think that  
9 having the company name there may be a little bit  
10 misleading. I'm not quite sure how to -- but I'm  
11 not complaining about that company.

12                   MR. BROWN: Sure.

13                   MEMBER HERRERA: So there could be some  
14 option for like third-party, unknown third-party  
15 might be --

16                   MR. BROWN: So I think in this case so  
17 company name is required but only for certain  
18 issues. So in that slide 2 I was showing where  
19 billing was collected. So if you're complaining  
20 about your phone and a billing issue, then we ask  
21 for the company name. But if you are actually  
22 complaining about an unwanted call, which is a

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1 separate issue, then we don't ask for the company  
2 name. So it's not -- let's say I had AT&T and I'm  
3 complaining about an unwanted call from X Company.

4 MEMBER HERRERA: Okay so my question  
5 was, and you probably weren't here to listen in.  
6 Commissioner Clyburn came in this morning. So in  
7 addition to Pai's mom, we have Clyburn's cousin as  
8 our real world. So, what she said was her cousin  
9 had a lot of unwanted calls and she kept logs of  
10 these phone numbers. And Commissioner Clyburn  
11 specifically asked her to please file these  
12 complaints with the FCC.

13 So the first question I have is on slide  
14 6 -- or sorry -- on slide 8, is -- and I'm not sure  
15 if this is an entry form or if this is how you report  
16 them. Are unwanted calls part of phone issues or  
17 telemarketing issues?

18 MR. BROWN: Sure. So what you're  
19 looking at in slide 8 is the complaint data summary  
20 releases. So what you are looking at here is just  
21 charts and graphs that are canned.

22 And so phone issues would encapsulate

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1 every issue that we collect on a phone form. That  
2 would include unwanted calls. And then  
3 telemarketing issues just carves out those that are  
4 specific to telemarketing.

5 MEMBER HERRERA: Okay, so what I'm  
6 trying to -- so you go pick the phone. Okay.

7 So the real question I'm trying to ask  
8 is if Commissioner Clyburn's cousin wants to know  
9 how many people in my area or my state complained  
10 or have similar calls, what percentage of the calls  
11 coming in about telephone issues are unwanted  
12 calls? Is there a way to pull that data out of the  
13 publically available data? And if it is not part  
14 of the public, is there a way for consumer groups  
15 or these attorneys who are really trying to help  
16 get at some of this stuff, to get to that data?

17 MR. BROWN: Sure. So I'm going to jump  
18 to -- if you guys could go back to slide 2 just for  
19 a second.

20 So, every complaint that is filed is  
21 submitted on what we call a form. So if you are  
22 going to report an unwanted call, it is reported

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1 on a form called Phone and then there's an issue  
2 called Unwanted Calls. All right, so unwanted  
3 call, the consumer would select unwanted calls as  
4 their issue and then fill out the complaint form.

5 So then jumping ahead to slide 8, what  
6 you would be looking at here, obviously if you could  
7 click on it, is the photo shows what would be a pie  
8 chart and what would show you for all the complaints  
9 filed on a phone form what percentage of each issue  
10 makes up that pie. So unwanted calls would  
11 probably be about 50 percent. They are actually  
12 the higher number of the phone complaints that we  
13 get involve unwanted calls.

14 MEMBER HERRERA: Okay, so is that data,  
15 can you sort that by date so that you could show  
16 like a trend in that?

17 MR. BROWN: Yes, you can.

18 MEMBER HERRERA: Or can you do any  
19 geographic sorts?

20 MR. BROWN: Jumping back to -- if you  
21 go to slide 7, so that's just showing a table view.  
22 And so we have two data sets. One is a complete

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1 data set of all complaints and that will include  
2 unwanted calls wove into that data set. And then  
3 we have a separate data set that just shows unwanted  
4 call data, both axes where we show the date the  
5 ticket was created, which was the date the  
6 complaint; the date of the issue itself -- so with  
7 unwanted calls, we ask the consumers to tell us the  
8 date they got the call, so that's there; the State  
9 and the zip code that the consumer is complaining  
10 from; as well as the number that they received --  
11 that the unwanted call came in from. And so all  
12 of that data is available on the table view and that  
13 can be sorted and filtered and rolled out by State,  
14 with time and so forth.

15 MEMBER HERRERA: Thank you very much.  
16 Very helpful.

17 MR. BROWN: Yes.

18 CHAIR BARTHOLME: James --

19 MR. BROWN: Yes.

20 CHAIR BARTHOLME: -- just to clarify on  
21 that last point that you made, currently, though,  
22 there is no way to graphically pull the data based

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1 on a set date range.

2 So for example, you couldn't show that  
3 in the last quarter maybe there was a dip in  
4 robocalls because of the Strike Force efforts  
5 around blocking IRS numbers or something like that  
6 in the publicly available sort of pie charts and  
7 outputs that are available on the website right  
8 now.

9 MR. BROWN: No, I mean we would either  
10 create more graphs ourselves or individual users  
11 could do that. That is just kind of somewhat  
12 advanced in that like the advanced filtering tools.  
13 But currently, when you, going back to slide 8, if  
14 you were to click on like one of those graphs, it  
15 is just showing you basically the entire pie over  
16 time. You could carve out --

17 CHAIR BARTHOLME: Since this started  
18 in October of --

19 MR. BROWN: 2014.

20 CHAIR BARTHOLME: Right.

21 MR. BROWN: But it is something that we  
22 could definitely consider and we have talked about

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1 this before, which said we could do stock charts  
2 of quarters, or years, or months and then, in  
3 addition, individuals could come and do that  
4 themselves as well. So, if you didn't want it in  
5 quarters, if they wanted to do a six-month trend  
6 or something like that, they are able to do that  
7 as well.

8 CHAIR BARTHOLME: Olivia.

9 MEMBER WEIN: Hi, Olivia Wein,  
10 National Consumer Law Center.

11 So this is going back to the scenario  
12 of a consumer motivated enough to keep a little  
13 diary of time of call, the number that shows up on  
14 the caller ID. So, looking at the complaint form  
15 on page 2, if I were to click on unwanted calls,  
16 is there a way for me, without like having to fill  
17 out a form for each particular call, to just sort  
18 of batch load so I could put in phone number and  
19 time for each incident? So, I sit down once. I'm  
20 angry. I'm going to do it just once but if I have  
21 to fill out like ten forms because I got ten of these  
22 calls, that adds to the pain of the robocall.

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1                   MR. BROWN:     Sure, so it's a good  
2 question.  So I should also say so in October 2016  
3 the unwanted call form itself, the number of  
4 questions were reduced by like 75 percent.  So it  
5 used to be somewhere in the neighborhood of like  
6 50 or 60 questions that could potentially be filled  
7 out and now it's about 20.  So I realize it is 20  
8 but we did reduce the amount.  But currently, you  
9 will still have to fill out a complaint for each  
10 individual call.  So if you receive ten calls  
11 throughout the day, it would be ten separate  
12 complaints.  But we have heard this issue and it  
13 is something that we are considering basically  
14 along those lines.  So, if you are getting ten  
15 calls, come up with a better consumer-friendly way  
16 for consumers to say I received ten calls without  
17 submitting ten forms.

18                   CHAIR BARTHOLME:  Well, James, I would  
19 encourage you to stay tuned.  And if our afternoon  
20 recommendation passes, we should follow-up and  
21 discuss some complaint idea, entry ideas that we  
22 have about streamlining that process.

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1 MR. BROWN: Okay, sounds good. Thank  
2 you.

3 CHAIR BARTHOLME: Thank you for  
4 joining us. It was a great presentation.

5 MR. BROWN: Sure. Okay, thank you.

6 CHAIR BARTHOLME: Next up, keeping  
7 with our robocall theme of the day, we have Jerusha  
8 Burnett joining us. She's an Attorney Advisor for  
9 the Consumer Policy Division in CGB and she's going  
10 to be providing us with an overview of the March  
11 2017 robocall blocking NPRM and NOI.

12 MS. BURNETT: Just getting the right  
13 slideshow up here. I'm good.

14 All right. So yes, as was just said,  
15 my name is Jerusha Burnett. I am an attorney in  
16 the Consumer Policy Division and I have been asked  
17 to talk to you about the recent, well March NPRM  
18 and NOI on robocall blocking.

19 So as many of you, or perhaps all of you  
20 are aware, one of the major impetuses for the NRPM  
21 and NOI was a request from the Robocall Strike  
22 Force. And the Strike Force, in their initial

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1 report, specifically asked the Commission to amend  
2 the call completion rules to make clear that voice  
3 service buyers could block certain robocalls  
4 without violating their call completion  
5 obligations. So, we thought that was a great  
6 suggestion and took it up. And this is part of one  
7 of the results.

8 So first up, there are two parts to  
9 this. There is a notice of proposed rulemaking and  
10 a notice of inquiry and they look into slightly  
11 different issues.

12 The notice of proposed rulemaking, to  
13 start with, proposed rules that would allow  
14 provider-initiated blocking of certain calls  
15 without including those blocked calls in call  
16 completion rates. Now, it proposes a few main  
17 things. First, the codification of PN, the  
18 Consumer and Government Affairs Bureau released in  
19 September of 2016. Second, to allow voice service  
20 providers to block calls originating from certain  
21 categories of unassigned numbers. And then it  
22 also asks a few questions about special treatment

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1 for internationally-originating calls, in case  
2 there are situations where those need to be treated  
3 differently by providers.

4 It, finally, also seeks comment on the  
5 current definition of "illegal robocall" just to  
6 make sure that we have a definition that is both  
7 fully inclusive but not wrapping in things that  
8 shouldn't be there.

9 So first up is the codification of this  
10 Consumer and Government Affairs public notice.  
11 Now, this public notice made it clear that  
12 providers can block calls, where the owner of the  
13 number purportedly originating the call asks for  
14 those calls to be blocked. So this is the IRS Do  
15 Not Originate request situation. So the IRS has  
16 a hotline. Some fraudulent actors will spoof that  
17 hotline number to get people to answer the phone  
18 and to trick them into believing it is actually the  
19 IRS calling them. But the IRS never makes calls  
20 from that number. So, the CGB PN clarified the IRS  
21 can go to voice service providers and say look, I  
22 never originate calls from this number; please

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1 block any calls claiming to be from this number.  
2 And it does this on the grounds that no reasonable  
3 consumer would want to receive a call that is almost  
4 certainly illegal.

5 This section also asks about sharing  
6 information on these requests to make sure that a  
7 consumer doesn't have to go, or the IRS, or  
8 whomever, doesn't have to go to every individual  
9 provider to get that number blocked but, instead,  
10 can submit one or a couple of requests and the  
11 information can be shared across the industry.

12 Now, there are certainly efforts  
13 already to do this and we were very clear that we  
14 don't want to stall or interrupt those efforts in  
15 any way. We want to find out what we can do to help  
16 them.

17 So second is unassigned number. Now,  
18 this would allow blocking of calls or expressly  
19 allow blocking of calls where the number is one of  
20 a number -- a list of categories of unassigned  
21 numbers. So first and probably simplest is  
22 invalid numbers. These are numbers such as ones

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1 where they use an N11 code, like 911 in place of  
2 an area code or a number that uses an area code that  
3 simply does not exist at all. So we ask about  
4 allowing to block those calls.

5 We also ask about allowing to block  
6 calls that originate from numbers that are valid  
7 but not yet allocated to a voice service provider.  
8 We paid special attention to how much information  
9 the voice service providers have and how up-to-date  
10 that information is as to whether a number has been  
11 allocated because we do not want to sweep in calls  
12 that are being legitimately -- that have already  
13 been allocated and assigned to a subscriber, we  
14 don't want that subscriber's calls to get blocked.

15 Similarly, we ask about calls  
16 purporting to originate from numbers that have been  
17 allocated to a voice service provider but are not  
18 currently assigned to a subscriber. This is  
19 similar to the unallocated but a little bit  
20 different in that we want to make sure that we know  
21 how much information both the provider to whom the  
22 number is allocated and the provider to whom the

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1 number is not allocated has because it may be that  
2 the provider to whom the number is allocated will  
3 have a significantly more up-to-date and valid  
4 information. And so there might be further  
5 limitations that need to be placed if the number  
6 is allocated to a different provider.

7 So, that's the basics of the NPRM.

8 Now, there is also a notice of inquiry,  
9 which seeks information that goes a bit further  
10 than what the NPRM proposes to allow somewhat  
11 broader blocking, based on objective criteria. So  
12 these unassigned numbers, sort of the  
13 quintessential objective criteria. You know this  
14 number is not assigned to a subscriber. You know  
15 no one is actually originating a call from this  
16 number, so it's probably spoofed. Now, spoofing  
17 isn't, by definition, illegal but you will at least  
18 have some level of information there.

19 This is more about other objective  
20 criteria that might be useful. It also inquires  
21 about creating a safe harbor for blocking calls  
22 based on these objective criteria and asking

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1 specific questions on how to protect legitimate  
2 callers from being blocked.

3 So first off, what kind of objective  
4 criteria is this talking about? Well, it's  
5 talking about things such as soliciting and  
6 reviewing information from other carriers,  
7 performing historical and real-time call  
8 analytics, contacting the subscriber of the  
9 spoofed number, or the caller ID authentication  
10 standards that have been in progress. But it also  
11 asks for other methods because it is entirely  
12 possible that people out there have some really  
13 great objective methods that the Commission simply  
14 isn't aware of. And so we definitely want as much  
15 information on those methods as we can.

16 It asks, and it is very careful about  
17 how accurate these methods are because, again, we  
18 don't want to block legitimate calls, and it looks  
19 at whether some method might be more appropriate  
20 when the balking is initiated by the consumer  
21 because consumer-initiated blocking has been  
22 permitted previously, expressly permitted

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1       previously.  Voice provider-initiated blocking is  
2       a little trickier because your consumer might have  
3       different levels that they are willing to accept  
4       on false positives, on the possibility of a call  
5       that they want to receive getting blocked.  So, if  
6       the consumer is choosing that blocking, that's fine  
7       but we want to be very careful when the provider  
8       is choosing that blocking.

9               So some methods might be great for  
10       consumer-initiated blocking but a little risky for  
11       provider-initiated blocking.

12               So what about these legitimate callers  
13       who might get blocked by these calls?  Well, the  
14       NOI recognizes that this might occur.  For example  
15       -- so, let's take an example.  Say you have a call  
16       center that is conducting a robocall campaign but  
17       has legitimately received express consent, the  
18       right level of expressed consent from all the  
19       people it's calling.  So they are perfectly -- you  
20       know they're operating within the law.  They are  
21       allowed to make those calls.  And in fact, some of  
22       the people they are calling may well very much want

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1 those calls. That's why robocalls are legal. But  
2 their call patterns might look very, very similar  
3 to a call center that is conducting a completely  
4 illegal campaign.

5 So, we want to be sure that those legal  
6 callers are not being blocked because some element  
7 of their call patterns comes across the same way.

8 So a couple of things the NOI considers  
9 are the possibility of creating a white list of  
10 legitimate callers so their calls are never  
11 blocked, based on the objective criteria. So you  
12 can have these legitimate call centers say look,  
13 I want to be added to this list and they don't get  
14 blocked.

15 We also look at how a legitimate caller  
16 might contact the voice service provider if they  
17 believe their calls are being wrongfully blocked.

18 So the time line for this, the NPRM and  
19 NOI was adopted in March, on March 23rd, and the  
20 summary was just published in the Federal Register  
21 this week on May 17th. So with that, comments will  
22 be due on July 3rd with reply comments due on July

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1 31st.

2 And so that's the quick overview of this  
3 NPRM and NOI. Does anyone have any questions? Go  
4 ahead.

5 MS. SAUNDERS: I'm Margot Saunders,  
6 Olivia Wein's colleague from National Consumer Law  
7 Center. You said that you were looking into  
8 allowing certain robocallers that had consent, so  
9 that those calls which are legal calls would not  
10 be blocked. How would you determine whether or not  
11 they actually had consent?

12 MS. BURNETT: So the NOI, it is a notice  
13 of inquiry so it is very early stages and that is  
14 actually something we would love to have some  
15 comments on, how to do that. In fact we ask about  
16 how to create some sort of a white list or similar.  
17 So we haven't thought put a detailed structure yet.  
18 If it were an NPRM, we'd have a much more detailed  
19 structure but for a notice of inquiry it's because  
20 we feel like we need more information before going  
21 to the NPRM stage. So we would love you to provide  
22 any comments on that you might have.

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1 MS. SAUNDERS: Thank you.

2 MS. BURNETT: Anyone else?

3 CHAIR BARTHOLME: Anyone on the phone?

4 No. Mitsy.

5 MEMBER HERRERA: Mitsy Herrera from  
6 Montgomery County. Can I just ask the same  
7 question I asked of Mark? Would you consider, I  
8 guess either on your own or if somebody is going  
9 to put this in the record, is if you look to see  
10 that these are good things, should companies either  
11 be required to do them or should they be required  
12 to disclose whether or not they are doing them so  
13 that consumers can understand if I want these  
14 protections, which providers are going to offer  
15 them?

16 MS. BURNETT: So that is not squarely  
17 before the Commission in this proceeding. But as  
18 with the legitimate caller question, I would  
19 certainly welcome that in the record. But it is  
20 not squarely before in our clearly proposed rules.

21 That said, if it was put in the record,  
22 again, part of this is an NOI, so it contemplates

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1 the possibility of moving forward to an NPRM on that  
2 section later. So even if it doesn't make it into  
3 the rules with the NPRM portion, it might be  
4 something that we could move forward with but right  
5 now, it is not squarely before the Commission.

6 CHAIR BARTHOLME: Steve.

7 MEMBER MORRIS: I have a totally  
8 selfish question here. Have you given any thought  
9 to maybe moving the deadline for comments back a  
10 few days so it doesn't fall in the middle of a  
11 four-day weekend?

12 MS. BURNETT: Unfortunately, the  
13 comment deadline is set based on -- was set when  
14 the NPRM was adopted and was also then established  
15 by the date of publication. So we were at the mercy  
16 of when the Federal Register actually published.

17 MEMBER MORRIS: But you have authority  
18 to move it.

19 MS. BURNETT: We have not discussed  
20 that, I'm afraid.

21 CHAIR BARTHOLME: Any other questions?  
22 Stephanie.

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1 MS. PODEY: Hi, Stephanie Podey from  
2 NCTA. Just one question. How do the items  
3 proposals differ from what the Strike Force  
4 recommended or proposed?

5 MS. BURNETT: So, the Strike Force's  
6 recommendation, I don't have the exact wording in  
7 front of me, but was basically about allowing  
8 blocking based on objective standards and amending  
9 the call completion rules to do so.

10 So the major difference, I would say is,  
11 well, one, that we are starting out with just one  
12 subset of that in the NPRM but also that there is  
13 a little more detail on things like protections for  
14 legitimate callers and things like that, as opposed  
15 to sort of a general allowance of blocking.

16 Anything else? Great. Well, thank  
17 you very much.

18 CHAIR BARTHOLME: Thank you.

19 So next we're joined by Anita Dey. She  
20 is the Assistant Bureau Chief with CGB and she is  
21 going to talk to us about robocall outreach and the  
22 unwanted calls page.

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1 MS. DEY: Hi, everyone. It sounds  
2 like you've had quite a robocalls day already.  
3 I'll just keep it rolling then.

4 It's good to be back with you. I had  
5 the pleasure of speaking with you in January about  
6 this same topic and, obviously, I can see that you  
7 have a lot of interest in robocalls, including the  
8 consumer outreach and education that we do. And  
9 of course, you have already been talking about the  
10 Strike Force report, so I will touch on that as well  
11 in my overview of what we're doing.

12 So, as I had told you in January, we have  
13 been issuing robocall alerts, consumer alerts, and  
14 we issued alerts on gift cards, a utilities scam,  
15 financial scams, and of course the IRS scams.

16 Since then, we issued another alert.  
17 On March 27th, we released an alert about the Can  
18 You Hear Me scam. This is a scam, if you haven't  
19 heard of it, where callers are trying to get the  
20 victim to say the word yes during the call by saying  
21 something like can you hear me. And you say yes.  
22 It gets recorded. And then maybe the scammer is

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1 trying to use that recording to authorize bank  
2 account authorizations or things like that.

3 So when we issued that alert, it really  
4 struck a nerve with the public because, of course,  
5 we have our social media account. So I have a  
6 couple of numbers. We had 10,533 Facebook clicks  
7 on the announcement. We had 1,955 Twitter  
8 engagements. And I also have the number of page  
9 views because, of course, that alert when on our  
10 fcc.gov. We had 4,815 page views of that alert.  
11 And to put it in perspective, that is about 20 times  
12 than the January financial scams alert that we put  
13 out. So that was a very big deal.

14 Our alerts have some standard  
15 information in them. They, of course, explain the  
16 scam. They tell consumers where to report it,  
17 which is usually us, the Federal Trade Commission,  
18 the gift card company if such a card was involved,  
19 and the police.

20 We also offer tips to help consumers  
21 protect themselves. Some of the tips will be  
22 specific to the scam. Some of the tips are more

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1 general. So, I'm sure you all know this already  
2 but I figured it would be helpful to go through the  
3 general tips again.

4 Of course, don't answer calls from  
5 unknown numbers. Let them go to voice mail. If  
6 you are unclear if a caller is legitimate, hang up,  
7 look up the company's phone number independently  
8 on a recent bill or on their website and call them  
9 directly. And of course, if you are initiating the  
10 communication yourself, you can verify that the  
11 request is actually legitimate.

12 If you answer and the caller, which can  
13 be a recording of course, asks you to hit a button  
14 to stop getting the calls, just hang up because  
15 scammers will use these tricks to identify and then  
16 target live respondents.

17 You can ask your service provider if a  
18 robocall blocking service is available. I have  
19 one and it's been incredibly helpful.

20 We also updated our unwanted calls  
21 consumer guide to reflect these and other tips and  
22 directed people to our website on web resources for

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1 blocking calls. And if you're curious, you  
2 probably know this already, but it's  
3 [www.fcc.gov/unwanted-calls](http://www.fcc.gov/unwanted-calls). And there is more  
4 information and resources on robocall blocking  
5 tools.

6 So when we are thinking about the next  
7 alert, we draw from a variety of sources, internal  
8 and external, to determine what scams are affecting  
9 consumers most. We also coordinate with other  
10 agencies, depending on the topic and the  
11 circumstance. For example, when we kicked off  
12 this project, I guess in November, we coordinated  
13 with the Federal Trade Commission.

14 When we did the IRS scam in December,  
15 we collaborated with the Treasury Inspector  
16 General for Tax Administration.

17 And as I mentioned, you know thinking  
18 about future alerts, we are currently considering  
19 our next one, what it should be, and we would love  
20 your ideas. If you want to tell us what topics you  
21 think would be of most interest, for example, what  
22 topics and scams should we think about the next one

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1 and future ones. Are there other tips that we  
2 should be giving consumers to make sure they don't  
3 fall victim? And how can we best spread our  
4 alerts. Of course, we are interested in low-cost  
5 high-impact distribution. Currently, our  
6 distribution, like I said, is social media. The  
7 consumer alert, I think our Office of Media  
8 Relations may send it out to its sources but I would  
9 have to confirm that. And then we send it out to  
10 the consumer groups that we know and I think some  
11 of you may be on our mailing list. But if you have  
12 other ideas, of course, please do let us know.

13 So a little bit more about the unwanted  
14 calls webpage. It's on fcc.gov, like I said. And  
15 on it, we highlight the work of the Industry  
16 Robocall Strike Force but we also supplement that  
17 work with other relevant information.

18 So the information includes resources  
19 from the Federal Trade Commission, the IRS, as well  
20 as the Do Not Call Registry, which of course we  
21 created with the FTC. We also give consumers  
22 general tips on understanding what a robocall is,

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1 when their consent is required, and some of the  
2 different requirements for robocalls to wireless  
3 and those to wired line phones.

4 We really want to have fresh and  
5 meaningful content on our websites. So we really  
6 welcome your suggestions for new content. And you  
7 can contact Scott, of course, with comments, we can  
8 talk about it in the Q and A, or you can make formal  
9 recommendations. Whatever works for all of you.

10 So just a couple more things about how  
11 we talk about robocalls in our day-to-day work. We  
12 had a robocall webinar on February 16th, where the  
13 entire hour was dedicated to the topic. We talked  
14 about the TCPA, how it is enforced, and  
15 technological solutions. And it is archived on  
16 our website and I wrote down the URL but it is really  
17 long to read out. So, if anybody is interested,  
18 I can send it to you. Just let me know.

19 And finally, this is Older Americans  
20 Month and, of course, we know that many older  
21 Americans are frequently targeted by scammers. So  
22 we are including robocalls as a topic for our

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1 monthly campaign -- the campaign this month.

2 So of course, we have a social media  
3 component, Facebook being a popular tool for older  
4 Americans and Twitter being a good tool for  
5 younger folks who have older Americans in their  
6 lives.

7 We are going to have a webinar, again,  
8 May 22nd, and one of the topics will be robocalls.  
9 We have a few other things on the agenda as well.

10 And we have got teams going out to  
11 senior centers this month, handing out information  
12 and they will also be going to the D.C. Annual  
13 Senior Symposium, which happens to be June but we  
14 will count it as a part of Older Americans Month.

15 So, that's what I have for you. I look  
16 forward to your questions. Thanks.

17 CHAIR BARTHOLME: Kevin.

18 MEMBER RUPY: Hi, Kevin Rupy with  
19 USTelecom.

20 Do you have any analytics, Anita,  
21 regarding how many visits you are getting to the  
22 FCC's unwanted calls page and, specifically, the

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1 tool section of the page, just out of curiosity?

2 MS. DEY: I think we do. I know we have  
3 analytics for fcc.gov. I don't know how specific  
4 it gets. I'll have to go back to the people who  
5 actually do that and check with them. So I will  
6 get back to you.

7 CHAIR BARTHOLME: Margot.

8 MS. SAUNDERS: Just a quick question.  
9 Does the FCC envision enforcement actions against  
10 robocallers, if they can identify them?

11 MS. DEY: So since I am part of the  
12 outreach team, I can't speak to the current  
13 thinking on the enforcement situation with  
14 robocalls. I'm sorry just to sidestep the  
15 question like that. So why don't I talk to the  
16 folks on our team and get back to you?

17 MS. SAUNDERS: Thank you.

18 CHAIR BARTHOLME: Anyone on the line  
19 have a question?

20 Other questions? All right, thank you  
21 for joining us.

22 MS. DEY: Thank you so much.

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1                   CHAIR BARTHOLME: And we'll get that  
2 link for the archived webinar in February and make  
3 sure everybody gets it. And then we also can send  
4 the link for the webinar coming up on the 22nd. So  
5 that you'll have both the archived one and the next  
6 one to take a look at.

7                   Next on the agenda, we have an  
8 introduction to the Broadband Deployment Advisory  
9 Committee, also known as the BDAC. And Brian  
10 Hurley, who is their designated federal officer,  
11 from the Wireline Competition Bureau is going to  
12 join us.

13                   MR. HURLEY: Thank you everyone. It  
14 is a pleasure to be here. As Ed already mentioned,  
15 my name is Brian Hurley. I am in the Wireline  
16 Competition Bureau here at the FCC and I am the  
17 designated federal office for the Broadband  
18 Deployment Advisory Committee.

19                   So I am just here to give a little bit  
20 of an overview of the BDAC, as we call it, and kind  
21 of what we've done so far and where we're headed.

22                   So the BDAC is a Federal Advisory

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1 Committee chartered under the Federal Advisory  
2 Committee Act, just like the CAC. We were  
3 officially established on March first of this year.  
4 So that means our charter runs through March first  
5 of 2019. And we can, of course, seek to renew it  
6 for an additional two years, as other committees  
7 have done.

8 The BDAC's mission, in a nutshell, it  
9 is to make recommendations to the Commission on how  
10 to accelerate the deployment of a high-speed  
11 internet access or broadband by reducing or  
12 removing regulatory barriers to infrastructure  
13 investment. So the BDAC is really intended to be  
14 a means for stakeholders to share ideas and develop  
15 recommendations to the Commission on broadband  
16 deployment which will, in turn, enhance the  
17 Commission's ability to discharge its statutory  
18 responsibilities to encourage broadband  
19 deployment to all Americans.

20 So, I'll just go and give you kind of  
21 a quick time line of BDAC activity, what we've done  
22 so far and kind of where we're headed during this

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1 calendar year of 2017.

2 So on January 31st, we released a public  
3 notice soliciting nominations for BDAC. We sought  
4 representatives from various sectors of the  
5 communications industry, State and local  
6 regulators, and consumer and community  
7 organizations. As you may have heard, we received  
8 quite a volume of interest. We received over 380  
9 nominations. I think that was probably a bit more  
10 than most of us were anticipating. But it was a  
11 very encouraging sign and there was certainly a  
12 wealth of great applicants to choose from.

13 So on April 6th of this year, we  
14 announced the 29 members of the BDAC. The chair  
15 of the BDAC is Elizabeth Pierce. She is the CEO  
16 of a company called Quintillion. It's an  
17 Alaska-based company that deploys fiber optic  
18 cable to serve very remote, extremely remote  
19 communities in northern and western Alaska.

20 And then our vice chair, her name is  
21 Kelleigh Cole and she is the Broadband Outreach  
22 Director for the State of Utah.

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1           Excuse me. In that April 6th public  
2 notice, we also noticed five working groups that  
3 will be assisting the BDAC in carrying out its work  
4 and I will kind of go over those one-by-one briefly  
5 here in a moment.

6           So the BDAC held its first in-person  
7 meeting here in this room on April 21st. The meeting  
8 largely consisted of everyone kind of getting to  
9 know each other and staff making presentations to  
10 the BDAC just to kind of give them a sense of what  
11 was coming and kind of some of the context in which  
12 they would doing their work.

13           So the next step has been trying to set  
14 up the working groups for the BDAC and get those  
15 up and running. As I said, there are five working  
16 groups that we announced in the public notice.  
17 Since subsequent public notices over the last week  
18 or two, we have actually announced the membership  
19 of four of the working groups. So, we're still  
20 putting together the fifth one.

21           And then the next meeting of the BDAC,  
22 we are looking at July 20th, which I think is a

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1 Thursday. And really the purpose of that meeting  
2 will be for the working groups to sort of present  
3 the work that they have done to date. It's an  
4 opportunity for the full committee to discuss and  
5 provide input on all of the product and, hopefully,  
6 give the working group some ideas and some feedback  
7 that will help them as they go forward in continuing  
8 to develop their recommendations.

9 And then we are looking at an end of the  
10 year meeting sometime in the October or November  
11 time frame. And the purpose of that meeting would  
12 be to vote on final recommendations for at least  
13 for 2017.

14 And as I will explain the working  
15 groups, two of those -- some of the deliverable  
16 we're hoping to get at that end of the year meeting  
17 are two Model Codes, one for State governments, one  
18 for municipal governments, both of which are  
19 intended to provide model provisions, guidelines  
20 on how to accelerate broadband deployments.

21 And I should mention the working  
22 groups, if you take a look, if you have seen any

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1 of the public notices we have released so far on  
2 those, the working groups will include both members  
3 of the BDAC, the 29 members, as well as some  
4 additional applicants who were not selected for the  
5 full BDAC. So it is an opportunity to bring in some  
6 additional voices to sort of further enrich the  
7 work.

8 So I will just briefly run through the  
9 working groups. The first four of these we  
10 announced the members of and they are in the process  
11 of getting to work and scheduling their first calls  
12 and doing all of that.

13 So the first of the working groups, as  
14 I mentioned is TAC. It's the Model Code for  
15 Municipalities Working Group. And actually the  
16 CAC's own Debra Berlyn is a member of that group.  
17 So, thank you Debra for agreeing to do double duty  
18 on two groups.

19 So the purpose of this group is fairly  
20 straightforward. It is to draft a model code for  
21 municipalities to accelerate broadband  
22 deployment. And we have suggested some areas they

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1 could look at, things like franchising, zoning,  
2 permitting, dig once. But we are really leaving  
3 it open to the group to decide kind of what  
4 components, what elements should be included in  
5 this code as well as the State code. And for both  
6 codes, we have emphasized that it should be  
7 designed to meet the needs of broad diverse-ranging  
8 municipalities that differ in terms of their  
9 geography and population density size, different  
10 background, regulatory environments and other  
11 factors.

12 So, that's one group. AS I said --

13 MEMBER MCELLOWNEY: I'm sorry. Let me  
14 ask a question. This is Ken McEldowney, Consumer  
15 Action.

16 Would that also look at the ability of  
17 municipalities to establish their own broadband?

18 MR. HURLEY: It's really up to the group  
19 to determine sort of what the components of the code  
20 will include. So we haven't gotten far enough to  
21 say exactly what the components will be.

22 MEMBER HERRERA: Did you include

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1 anybody in there who is from a community that has  
2 launched their own broadband?

3 MR. HURLEY: I'm not sure, to be  
4 honest.

5 CHAIR BARTHOLME: Your working group  
6 memberships are posted on the BDAC site?

7 MR. HURLEY: They are, yes for the first  
8 four of the working groups, yes. They should be  
9 there. If they're not, if you can't find them, I  
10 can certainly track them down for you.

11 So the second working group I  
12 mentioned, they are working on drafting a model  
13 code for State governments. Part of the role there  
14 will be to be look at the roles of State regulatory  
15 agencies and other bodies in sort of addressing  
16 things that states can do to promote more robust  
17 deployment at the municipal level. And, again, if  
18 we want it to be able to cover a diverse range of  
19 States.

20 So the third group is called the  
21 Competitive Access to Broadband Infrastructure  
22 Group. A large focus of this group is on pole

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1 attachments, access to utility poles. And I  
2 should actually mention another member of the CAC,  
3 Ross Lieberman has agreed to be a member of that  
4 group. So, thank you as well.

5 So this group will be developing  
6 recommendations on how to promote speedier more  
7 efficient access to utility poles, while ensuring  
8 the safety and the integrity of existing  
9 attachments. They also look at recommendations on  
10 promoting access to other infrastructure, like  
11 ducts and conduits, rights of way.

12 So, the fourth group is the Removing  
13 State and Local Regulatory Barriers Group and they  
14 are looking at identifying patterns of instances  
15 of actions that have been taken at the state and  
16 local level that could serve as barriers to  
17 broadband deployment, providing recommendations  
18 to the Commission on how to address those.

19 And then there's a fifth group that  
20 we're still putting together the membership for and  
21 that is the Streamlining Federal Siting Group.  
22 They are focused on recommendations to improve the

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1 process of siting infrastructure on federal lands,  
2 also on federally-managed properties, looking at  
3 such things as recommending standard procedures  
4 for facility siting, recommendations on how to  
5 standardize the duration of leases and easements,  
6 and just other aspects of that.

7 So, that's a quick overview of kind of  
8 the BDAC and the working groups that we in the  
9 process of putting together.

10 One final thing I will point out is we  
11 do have an open docket that we've set up, basically  
12 as a repository for if anyone wants to submit  
13 comments for the BDAC, it is Docket 17/83. So,  
14 anyone is free to file anything there that they  
15 think would be interesting or worthwhile for the  
16 BDAC.

17 So, thanks.

18 CHAIR BARTHOLME: Great. Any  
19 questions? Steve.

20 MEMBER MORRIS: Can you talk a little  
21 bit about how, if at all, the relationship between  
22 the BDAC process and the rulemaking proceedings,

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1 where the Commission will be collecting comments  
2 from the -- about the same issues but --

3 MR. HURLEY: No, it's a good question  
4 and that is actually something we have thought  
5 about a little bit. I think to see precisely how  
6 they interplay is something that I think we'll have  
7 to see as both kind of processes develop.

8 One thing we have done, though, is we  
9 put out a public notice right at the beginning of  
10 the BDAC process, clarifying comments, and any  
11 presentations, and things that are made in the  
12 context of the BDAC like at a BDAC meeting or in  
13 one of our working group calls. Those are exempt  
14 from the ex parte rules that apply in those  
15 different rulemaking proceedings. So the idea  
16 there is that people can kind of -- within the  
17 context of BDAC, people can communicate openly and  
18 freely on these issues.

19 If it is determined at a later point  
20 that there is something that is discussed in BDAC  
21 that we think might be useful to inform what we're  
22 doing in rulemakings, then we'll make sure that

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1 that information is put into the record and the  
2 docket for those rulemakings, if it is going to be,  
3 in any way, the basis for a decision. So that's  
4 kind of how we've been dealing with it.

5 CHAIR BARTHOLME: Mitsy.

6 MEMBER HERRERA: Mitsy Herrera from  
7 Montgomery County, Maryland.

8 The Commission has a long history of  
9 different rulemakings in which they have preempted  
10 municipalities and local governments in various  
11 areas so that they could promote deployment. And  
12 there are many States out there that have engaged  
13 in various schemes in which they have either  
14 created one-size-fits-all or preempted across the  
15 board.

16 Is the FCC staff planning to provide any  
17 analysis to look at? Where you have those  
18 experiments, have these types of restricting  
19 preempting local governments as a way of reducing  
20 barriers, has it actually led to more deployment  
21 compared to areas that have stronger regulatory  
22 regimes?

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1 MR. HURLEY: I mean so I would say in  
2 the context of the BDAC, I mean it's really the BDAC  
3 that is doing the work of developing.

4 MEMBER HERRERA: But you've selected  
5 all the people on the BDAC.

6 MR. HURLEY: We have. That's true.

7 MEMBER HERRERA: Right. So, I mean  
8 you have other cases and we have had lots of  
9 conversations in various iterations of this group  
10 about data-driven analysis and whether these rules  
11 have actually had impact. So you have a good  
12 decade plus from cable franchising, to various  
13 States, to preempting local governments, to  
14 preempting municipal broadband. You have lots of  
15 examples of where you've done that.

16 So, is it useful to provide to the BDAC  
17 some empirical analysis? You collect all kinds of  
18 data about fiber deployment, copper line  
19 deployment. You've got lots of those reports and  
20 you've got statistical analysis departments.

21 MR. HURLEY: I mean it's a fair  
22 question and we're working with the BDAC in the

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1 different working groups to see kind of what  
2 information is useful to them but they are really  
3 kind of operating independently, in terms of  
4 deciding what information to gather and how to  
5 analyze everything.

6 CHAIR BARTHOLME: Anybody on the phone  
7 line? Rick.

8 MR. ELLROD: I'm Rick Ellrod, Fairfax  
9 County.

10 To follow-up on Mitsy's question, will  
11 the BDAC conduct a cost-benefit analysis before  
12 issuing recommendations?

13 MR. HURLEY: I mean not to sound like  
14 a broken record but it's really up to the BDAC to  
15 kind of determine what recommendations to make and  
16 sort of what analysis will underpin or underlie the  
17 recommendations.

18 MR. ELLROD: Well, let me ask another  
19 question about the structure of the BDAC. As you  
20 know, the majority of the BDAC members are from  
21 industry seeking preemption. The chairman of each  
22 working group is from the industries. What

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1 specific procedures and methods are you putting in  
2 place to ensure that the local governments who  
3 actually make these rules and are familiar with how  
4 they are made, their input is fully heard and taken  
5 into account?

6 MR. HURLEY: I mean --

7 MR. ELLROD: What specific procedures  
8 are you putting in its place?

9 MR. HURLEY: We've included members from  
10 governments on the various working groups. And so  
11 the members of the groups have the full opportunity  
12 to advocate for their views. And we have been  
13 working with the chairs of the different groups to  
14 make sure that the meetings are being done and  
15 conducted in a way that everyone's having the full  
16 opportunity to have their say.

17 CHAIR BARTHOLME: And to the extent  
18 that we have issues overlap, I would hope that Scott  
19 and you can help us find the pathways to the right  
20 people so that our members would have discussions,  
21 if that makes sense, with the corresponding members  
22 of BDAC working groups or other ways to

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1 communicate.

2 MR. HURLEY: Absolutely.

3 CHAIR BARTHOLME: And have you and  
4 Scott talked about forming sort of like a happy hour  
5 support group?

6 MR. MARSHALL: I'm all for that.

7 MR. HURLEY: Scott, let's talk.

8 CHAIR BARTHOLME: Thanks for joining us.

9 MR. HURLEY: Thank you.

10 CHAIR BARTHOLME: So next up, we have  
11 a consideration of a recommendation.

12 MR. MARSHALL: Wow!

13 CHAIR BARTHOLME: So the Robocall  
14 Working Group, which Kevin and I co-chair, have put  
15 forth a recommendation that was distributed in  
16 advance as part of the meeting packets to everyone.

17 There were two changes that I emailed  
18 around to the group this morning. Those are being  
19 considered friendly amendments by the working  
20 group. And I just wanted to make sure that  
21 everybody got those, had a chance to read those.  
22 On top of the folder at each seat was a clean updated

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1 version of the recommendation that incorporates  
2 those changes that were sent out and highlighted  
3 earlier.

4 Does anyone have any questions about  
5 the --

6 MEMBER BERLYN: Do we have to move it  
7 first?

8 CHAIR BARTHOLME: We can move the  
9 recommendation, sure. Yes, do I get a motion?

10 MEMBER BERLYN: Motion to move.

11 CHAIR BARTHOLME: Can I get a second?

12 MEMBER MORRIS: Second.

13 CHAIR BARTHOLME: Now, on the  
14 amendments are there any questions or comments?  
15 Does anybody want them read out? Okay.

16 Any further discussion?

17 MEMBER BERLYN: The amendments are  
18 about the whole thing.

19 CHAIR BARTHOLME: About the whole thing.  
20 Kristen.

21 MEMBER WITANOWSKI: I just want thank  
22 you, Ed and Kevin, for this recommendation. I

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1 think all the back and forth you had and the  
2 openness with all the groups really made this a good  
3 first recommendation for the CAC. So, thanks  
4 again for your leadership.

5 CHAIR BARTHOLME: Thank you.

6 Debbie.

7 MEMBER BERLYN: I want to second that,  
8 just to say that this is a really good,  
9 comprehensive recommendation for us. So, thank  
10 you Ed and Kevin.

11 CHAIR BARTHOLME: Mark.

12 MEMBER RICHERT: Thanks. Mark  
13 Richert, American Foundation for the Blind.

14 I'll third it but I do have a general  
15 question. In item number four, it talks --  
16 specifically references accessible formats. I  
17 have no problem with this language and I'm not  
18 proposing any language changes. I assume that  
19 we're all going to nod our head in agreement that  
20 we are also talking here about the accessibility  
21 of any online delivery of the complaint forms, et  
22 cetera. It's not just talking about hard

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1 materials.

2 CHAIR BARTHOLME: That was the  
3 understanding, yes.

4 MEMBER RICHERT: And with that, thanks  
5 so much. I really appreciate the emphasis on  
6 allowing folks with disabilities to have an active  
7 part in this process. I much appreciate it.

8 CHAIR BARTHOLME: Can we call for the  
9 question?

10 MEMBER HERRERA: I'm sorry, can I --

11 CHAIR BARTHOLME: Mitsy.

12 MEMBER HERRERA: I was trying to read  
13 faster. I was just thinking of the thing that  
14 somebody mentioned today was, and I'm looking for  
15 the right spot in here, if you have ten -- if you  
16 are Clyburn's cousin and you have ten numbers that  
17 you collected, is that number seven is --

18 MEMBER WITANOWSKI: It would allow  
19 multiple unwanted calls to be reported, requiring  
20 a minimum amount of info.

21 MEMBER HERRERA: Great. Yes, she just  
22 mentioned that. So I'm looking at that, yes.

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1                   Okay, so that's great. I think that was  
2 really helpful because when you said you had to do  
3 20 more questions for each one, that was good.

4                   And then the other one is on number  
5 nine, where it says about the app for mobile  
6 devices, so what I have noticed within my  
7 colleagues is for -- and I don't think -- is CEA  
8 is not on this group anymore, right? Okay, so the  
9 issue is is that for different mobile phones, the  
10 ability, when you get a call in to say I want to  
11 block that number, some do, other ones you have to  
12 save it as a contact and then you block it.

13                   So, I'm just wondering if there is any  
14 ability -- I think it is in this app section but  
15 it's either that or working with -- they should work  
16 with the device manufacturers, themselves, to make  
17 it easier for the consumer in some kind of one-touch  
18 to block that number.

19                   And then I don't know if that makes it  
20 easier if you have the app to sort of say great,  
21 these are the numbers I've just blocked, please  
22 report them.

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1           But is there a way to make a friendly  
2 amendment to that?

3           CHAIR BARTHOLME: I would say that I  
4 think that the scope of the recommendation was more  
5 focused on complaints than the ability to block.  
6 And to the extent that this sort of app, perhaps  
7 created by the Commission itself in collaboration  
8 with providers and device manufacturers would  
9 facilitate complaining, as opposed to just  
10 blocking.

11           We do plan to tee up other things along  
12 those lines in future recommendations but this was  
13 focused specifically on facilitating complaint and  
14 driving complaint data.

15           MEMBER HERRERA: Okay.

16           MEMBER WITANOWSKI: And Mitsy, I would  
17 just -- you're right. Different platforms do  
18 things different ways. But on CTIA's webpage  
19 dealing with robocalls, we have videos for each of  
20 the platforms showing consumers how to block calls  
21 on the individual platforms for IOS and BlackBerry,  
22 and Android, and Windows. So I would direct folks

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1 to that or point consumers to that webpage if  
2 they're getting confused. There are step-by-step  
3 instructions.

4 MEMBER HERRERA: Okay. So I would  
5 just withdraw the friendly amendment and just say  
6 that in a future recommendation I think that these  
7 other strategies that really help consumers block  
8 the calls and having the FCC -- I don't know how  
9 they feel about linking to CTIA --

10 MEMBER WITANOWSKI: They do now on  
11 their Unwanted Calls pages.

12 MEMBER HERRERA: Okay, that's great.  
13 So yes, I just think maybe an additional follow-up  
14 recommendation is something that is focused on the  
15 strategies to help consumers block calls would be  
16 useful.

17 CHAIR BARTHOLME: Sure. Zainab.

18 MEMBER ALKEBSI: Hi, this is Zainab  
19 speaking. So I have a comment and a question.

20 First of all, the comment is, thank you  
21 so much for all of your hard work on this and for  
22 making sure that you have checked in with us

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1 members, specifically members with disabilities  
2 and how this would apply to us. That's something  
3 that we definitely needed.

4 And then that brings me to my question.  
5 And the question is about how we can relate number  
6 four and number nine to each other. Number four  
7 talks about the accessibility of educational  
8 resources and the complaint form; and then number  
9 nine talks about the app.

10 And I understand that that app is a way  
11 to file a complaint but that doesn't make any  
12 mention of accessibility. So, number nine doesn't  
13 talk about accessibility of the app.

14 So my question is about that, how those  
15 relate to each other.

16 CHAIR BARTHOLME: My understanding is,  
17 and if anybody in the group interpreted this  
18 differently during the creation process, please  
19 chime in, but number four was speaking to the  
20 existing complaint formats and forms that are  
21 already out there, so the web portal and other paths  
22 of entry, whether it's the telephone system that

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1 CHC uses and things like that.

2 The development of the app would be a  
3 new additional way to input complaints. Having  
4 said that, though, there is no reason why that app  
5 should not be accessible. And I would hope and  
6 think that anything that the FCC creates and puts  
7 out there for public use and consumption would meet  
8 accessibility requirements and formats.

9 MEMBER ALKEBSI: So, okay, thank you.  
10 And I agree you know the concern is that it has been  
11 an afterthought. And so then there is a lot of time  
12 lost in that process. And so there is no harm as  
13 making this as clear as possible from the get-go.

14 CHAIR BARTHOLME: Is there a proposed  
15 change or language?

16 MEMBER ALKEBSI: Yes, to add that the  
17 development of the app include all accessibility  
18 considerations, et cetera, et cetera.

19 MEMBER HERRERA: Can you just -- is it  
20 possible after mobile devices you could say  
21 something like so it can be used by consumers with  
22 mobile devices, either including consumers with

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1 disability or including devices that feature --  
2 that have accessibility features, one of those to  
3 insert right in there?

4 MEMBER ALKEBSI: This is Zainab  
5 speaking. That doesn't really work for me because  
6 that is actually quite limited. It is limited to  
7 the accessibility of the device but we want to think  
8 about the accessibility of the app itself.

9 MEMBER HERRERA: But the app is only  
10 used on the device.

11 CHAIR BARTHOLME: Mark, did you have --

12 MEMBER ALKEBSI: Yes, that would work,  
13 putting the word accessible before the word app.

14 MEMBER RICHERT: Following up on,  
15 Mitsy, your comment, so right after that  
16 essentially saying it can or should, whatever the  
17 appropriate lingo is we're doing here, be  
18 accessible to and usable by people with  
19 disabilities.

20 MEMBER HERRERA: Yes, you could just  
21 add at the end the app should be accessible and  
22 usable by people with disabilities.

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1                   MEMBER RICHERT:    Accessible to and  
2    usable by.

3                   MEMBER ALKEBSI:     This is Zainab  
4    speaking.  Yes, I agree with that.

5                   CHAIR BARTHOLME:   Accessible to and  
6    useable by people with disabilities.

7                   (Simultaneous speaking.)

8                   CHAIR BARTHOLME:   So develop an app  
9    that can be used by consumers with mobile devices  
10   to quickly file complaints for unwanted calls  
11   received on their device, period.

12                  MEMBER RICHERT:     And that is  
13    accessible to and usable by.

14                  CHAIR BARTHOLME:   And that is --

15                  MEMBER HERRERA:    But if you just make  
16    a separate sentence, it might be more -- you've kind  
17    of crammed a lot into a single sentence.

18                  CHAIR BARTHOLME:   The app --

19                  MEMBER HERRERA:    The app should be  
20    accessible to and usable by people with  
21    disabilities.

22                  CHAIR BARTHOLME:   -- accessible to and

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1 useable by people with disabilities.

2 Anybody else need that re-read out?

3 So do we have a motion to accept the  
4 amendment?

5 MEMBER GRANT: I so move.

6 MEMBER ALKEBSI: Second.

7 CHAIR BARTHOLME: All in favor of  
8 accepting the amendment?

9 (Chorus of aye.)

10 CHAIR BARTHOLME: Opposed?

11 (No audible response.)

12 CHAIR BARTHOLME: Abstentions?

13 (No audible response.)

14 CHAIR BARTHOLME: Seeing none, are we  
15 ready to call the question?

16 MEMBER MCELLOWNEY: Yes.

17 CHAIR BARTHOLME: Does somebody want  
18 to move to call the question?

19 MEMBER MCELLOWNEY: So moved.

20 CHAIR BARTHOLME: Thank you, Ken.  
21 Second?

22 MEMBER POCIASK: Yes.

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1 CHAIR BARTHOLME: All in favor?

2 (Chorus of aye.)

3 CHAIR BARTHOLME: Opposed?

4 (No audible response.)

5 CHAIR BARTHOLME: Abstentions?

6 (No audible response.)

7 CHAIR BARTHOLME: Seeing none, it  
8 passes. Thank you, everyone.

9 Next up we have some reports from the  
10 working -- Mitsy.

11 MEMBER HERRERA: Sorry. Can I just  
12 ask as a follow-up on this particular one, since  
13 we've had almost an entire devoted to robocalls?  
14 Can we ask that the Commission at the next two --  
15 or at the remaining CAC meetings give us an update  
16 on any progress or no progress on these items?

17 CHAIR BARTHOLME: We can ask.

18 MEMBER HERRERA: Thank you.

19 CHAIR BARTHOLME: Sure.

20 Next up on the agenda, we have reports  
21 from the working groups. So, let's start with  
22 Debbie, who is chair of the Privacy Working Group.

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1                   MEMBER BERLYN: Thank you, Ed. So, I  
2 think it's fitting that I go first, seeing it's the  
3 working group that is actually not listed in your  
4 packet. And there is a reason for that that many  
5 around the table know. The Privacy Group is  
6 probably the shortest-lived working group in the  
7 CAC. We had a lot of activity and I want to -- I  
8 will thank everybody in just a moment. But we had  
9 a very important task that was part of the Open  
10 Internet Order -- I'm sorry - the Privacy Order.  
11 I'm sorry, there is a reasons for OIO being on my  
12 mind but the Privacy Order.

13                   And the CRA that was passed by Congress  
14 sort of put a halt to our work. So the standard  
15 privacy notice that we were tasked to complete was  
16 no longer relevant to the FCC's privacy rules. So,  
17 therefore, our work was curtailed and so the  
18 privacy working group has basically no task before  
19 it. And I guess, Ed, the privacy group is going  
20 to join other efforts at the CAC and no longer be  
21 working on privacy for now.

22                   MEMBER MCELLOWNEY: But let's keep

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1 this private.

2 MEMBER BERLYN: For now, shall we say,  
3 Ken?

4 MEMBER MCELDFOWNEY: Yes.

5 MEMBER BERLYN: Our group will be  
6 looking for other important consumer issues, as the  
7 Commission seeks our efforts to do.

8 So I want to thank the hard work of the  
9 members of the Privacy Working Group. We really  
10 put in a lot of time toward the standard privacy  
11 notice. We were working towards a June first  
12 deadline. We were meeting at least every other  
13 week, if not more often to try and come up with a  
14 great product. We were, I don't know, at least  
15 two-thirds of the way along in doing that. And  
16 everybody who worked on that effort, many who are  
17 sitting around the table now, put in a great deal  
18 of time to do that. Susan and Ken on the phone,  
19 and Zainab, Krista, Elizabeth. Who am I missing?  
20 Oh, Lynn from USTelecom, Ed Dallas, who has moved  
21 on to another position, and John, thank you John  
22 from NCL.

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1           So you know many folks. I'm sure I  
2 missed some but thank you everyone for the work that  
3 you did on the working group and we look forward  
4 to other issues that we will tackle.

5           So, thank you.

6           CHAIR BARTHOLME: Thank you.

7           Steve, Technology Transitions.

8           MEMBER POCIASK: Yes, so not much to  
9 report. Okay, we held a call. One of the requests  
10 that were made to have someone from AT&T on a call  
11 to talk about the status or the withdrawal from the  
12 trials. We had that call.

13           And second, we were tasked with getting  
14 a presentation with the FCC's point of contact but  
15 that position still remains vacant. So that kind  
16 of put a damper on some of that.

17           But where we are right now, so really  
18 there is little that has been done but we have eight  
19 topics that were teed up and we're starting to get  
20 a little bit of input from members who were assigned  
21 some of those tasks.

22           So, at this point in time, I think we're

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1 just going to -- I'll be circling back with Mark  
2 DeFalco, who I don't think is on the call, and he  
3 and I will have to just set up a meeting. We'll  
4 go back through the issues that were raised, see  
5 what the status in, and try to move ahead with the  
6 ones that we think are probably bear the most fruit.

7 So, really not much to report.

8 CHAIR BARTHOLME: Thanks, Steve.

9 Amina or Olivia.

10 MEMBER FAZLULLAH: Hi, Olivia, should  
11 I start or do you want to start?

12 MEMBER WEIN: Oh, go for it, Amina.

13 MEMBER FAZLULLAH: So, we had a short  
14 working group meeting today. We chatted about  
15 potential recommendations. We are looking into a  
16 smaller subgroup within our working group to pull  
17 together consideration of a recommendation around  
18 a small section of the new net neutrality NPRM that  
19 may affect Lifeline. So we are looking into that.

20 We are also keeping an eye on the  
21 Lifeline broadband provider process. The  
22 Chairman's Office has indicated an interest in

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1 opening up a docket to look into that particular  
2 section of the Lifeline Modernization Order. So,  
3 we are considering keeping tabs on that. If it  
4 does come out, we will consider putting  
5 recommendations together to participate in that  
6 docket as well.

7 Right now on E-rate, we are just keeping  
8 track of sort of issues around E-rate and potential  
9 changes to E-rate.

10 As far as we can see right now, we don't  
11 see any open dockets, though that doesn't preclude  
12 us from putting a recommendation together.  
13 However, at this point we are just sort of in a wait  
14 and see mode. So, we will be sharing information  
15 and looking into it.

16 It may be a good topic for us down the  
17 road to get a report from the FTC just to get a sense  
18 of where things are headed.

19 The last area was digital inclusion.  
20 And this is a little bit more far-reaching but we  
21 have started a discussion around the idea of a more  
22 comprehensive approach to infrastructure,

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1 support, and digital inclusion.

2 So, we are looking into whether or not  
3 it would be a single recommendation that would come  
4 from the working group, something that we would  
5 collaborate with the other working groups like the  
6 IP Transition Group. If we're talking about  
7 things like infrastructure deployment, or easing  
8 deployment in rural areas, or considerations  
9 around municipal broadbands.

10 And then also, we are also considering  
11 working with other committees. So, we will be  
12 looking into kind of what the best way to kind of  
13 work on these issues will be.

14 So those are sort of the topics I think  
15 we discussed during our working group.

16 Olivia?

17 MEMBER WEIN: You got it, Amina.

18 CHAIR BARTHOLME: Thank you.

19 So the Robocalls Working Group, we just  
20 passed a successful recommendation, so that was  
21 great. We're going to try and carry forward on  
22 that momentum. We, obviously, had a presentation

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1 today about the NPRM and NOI that's been teed up.  
2 We'll be looking at that for possible areas of  
3 recommendation. I think there are a number of  
4 other issues in the robocall space that might be  
5 good for our group to focus on. Specifically, I  
6 would like to see if there are opportunities to  
7 follow-up on today's recommendation, whether it's  
8 providing specific input about complaint forms and  
9 some of the things that we've suggested to the  
10 Commission to help make it a little more actionable  
11 for the Commission so that some of these  
12 consumer-friendly suggestions can become a  
13 reality.

14 So, that concludes the robocall update.

15 Does anybody have any questions on the  
16 working group updates?

17 Mitsy.

18 MEMBER HERRERA: Just for the next  
19 meeting and working groups, can you give us a rough  
20 idea of when recommendations would need to be  
21 completed by, so that we can kind of be working the  
22 time line backwards?

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1 CHAIR BARTHOLME: Okay. So, the next  
2 meeting of the full CAC is scheduled for September  
3 18th. That's a Monday, as opposed to our  
4 traditional Friday. So, based on the 18th, about  
5 six weeks back, so essentially the beginning of  
6 August, loosely, we need to have a sentence or two  
7 about the concept of a recommendation. Ideally,  
8 we always try to have the language of a  
9 recommendation two weeks prior. Is that correct,  
10 Scott? Two weeks prior. So right after Labor Day  
11 would be the goal to have a text completed for  
12 distribution and preparation for the full CAC  
13 meeting.

14 And as was mentioned earlier today, we  
15 can file comments ex parte. So even if we're  
16 slightly off from some of the posted comment cycles  
17 for things that we're discussing and passing  
18 recommendations on, that would still be  
19 appropriate for us to provide that input.

20 Do we have any comments from the public?

21 Okay. Motion to adjourn?

22 MEMBER GRANT: So moved.

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1 MR. MARSHALL: Before everybody leaves,  
2 though, I need your tent card back, if you would,  
3 please, so we don't have to reprint them all the  
4 time.

5 CHAIR BARTHOLME: All right.

6 MR. MARSHALL: And by the way, my thanks  
7 to Brittany Gomes, too, who has been absolutely  
8 great helping me support all of you fine folks in  
9 your working groups and in the full committee.  
10 Thank her very, very much for all her good work.

11 CHAIR BARTHOLME: So, quickly, a motion.

12 MEMBER MCELLOWNEY: So moved.

13 CHAIR BARTHOLME: Second.

14 All in favor?

15 (Chorus of aye.)

16 MR. MARSHALL: Thanks, everybody.

17 CHAIR BARTHOLME: Have a good weekend.

18 MR. MARSHALL: Yes, enjoy the weekend.

19 (Whereupon, the above-entitled matter  
20 went off the record at 2:06 p.m.)

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