

Senator Edward J. Markey

1) IP-CTS and Automated Speech Recognition

Automated speech recognition (ASR) has great promise for Internet Protocol Captioned Telephone Service (IP-CTS). However, I understand that current ASR engines vary in quality and accuracy, and I am concerned that nascent technologies might be certified for IP-CTS use without adequate testing. I believe that we need to be careful about implementing this service before it is fully ready.

Do you agree that we need to ensure ASR-only providers can handle 911 and related public safety calls before such technology is FCC approved? In your view, has the FCC done enough adequate testing of all types of ASR engines?

RESPONSE:

The Commission has made clear that providers using ASR must meet the Commission's mandatory minimum TRS standards, including the requirement to demonstrate that their services support 911 emergency calling and meet the applicable emergency call handling requirements. Should a draft Order to certify an ASR-only provider be circulated to the Commission, I will fully examine the applicable record prior to voting to grant the certification to ensure all requirements are met, including the provider's ability to meet the applicable 911 requirements.

2) Protecting the C-Band for Public Radio

The Public Radio Satellite System relies on C-Band frequencies to distribute news, programming, and public safety information to nearly 1,300 interconnected local public radio stations and millions of Americans across the country.

Can you assure me that any plans to transition C-Band spectrum for new wireless services will not impair the vital role that public radio plays in our news, educational programming, and emergency services?

RESPONSE:

Yes. From the beginning, I set forth certain principles that must be met in order to support the market-based plan to repurpose some of the C-Band spectrum for next-generation wireless services. These principles included providing a transparent process; reallocating more than 200 megahertz; and ensuring that the incumbents would be accommodated and held harmless. After the many conversations that I have had with interested parties, I believe it is possible to provide upwards of 300 or more megahertz for 5G, while still fully protecting those that currently utilize C-Band satellite services, including local public radio, in the remaining satellite portion of the band.

Senator Udall Questions for the Record
Senate Commerce
Oversight of the Federal Communications Commission
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Question 1: Tribal communities continue to lag behind the rest of the country in the deployment of broadband. The GAO found that inaccuracies in FCC broadband data have led to underestimates of the magnitude of the digital divide on tribal lands. So we may not even have a clear picture as to how wide that gap really is given the current data collection regime. What changes is the FCC considering as part of its efforts to modernize FCC form 477 in order to specifically address the under-reporting in Tribal communities? What are some ways that the FCC can look outside the beltway to engage on this issue?

RESPONSE:

I fully agree that many Tribal communities face major obstacles in obtaining access to broadband, and the Commission must prioritize those unserved areas, as well as non-Tribal areas facing equally poor or even worse broadband availability. Therefore, in the Commission's recent Notice of Proposed Rulemaking seeking comment on creating a framework for the upcoming Rural Digital Opportunity Fund auction, I asked the Chairman to seek comment on directing added financial support, via a reserve price bonus or targeted bidding credits, to areas that are completely unserved. Targeting additional support to these most disadvantaged areas will ensure that scarce Universal Service funding is allocated efficiently and based on true need.

With respect to mapping the availability of broadband, I fully agree that the Commission's 477 data is deeply flawed in presenting an adequately granular picture of where service exists. I am hopeful, however, that the Commission's new Digital Opportunity Data Collection effort, which will require fixed providers to submit broadband service polygons, will significantly improve the Commission's mapping process, and enable the Commission to better focus on those millions of Americans without service, including those living on Tribal lands.

Question 2: President Trump is trying to use existing emergency authorities in an unprecedented way when he cannot get Congress or our allies and trading partners to do what he wants them to do. He has also been very clear that he sees the media as "the enemy of the people" and levies daily attacks on a variety of FCC-regulated media organizations and other media owners, threatening them with retaliation.

Existing law gives the president the ability to declare an emergency and close down parts of the Internet and take over broadcast networks to transmit messages. We expect that this would only occur in the direst circumstances such as war or extreme natural disasters. But there is no guarantee that is the case with this—or any other President.

Would the commission work with Congress and provide technical assistance to better reform our emergency laws regarding communications technology to ensure that emergency authority is not abused by any President for political or personal purposes?

RESPONSE:

I have always tried to maintain an open line of communication with Congress on any and all issues for which technical assistance is requested, and this remains true in the context of emergency communications. I am happy to provide feedback on any legislative proposals regarding this issue and others.

Question 3: Millions of Americans rely on their local public radio station for news, educational and cultural programming, emergency alerts and public safety information – including in rural, remote and tribal areas. Many public radio stations are the only local news organizations in their communities, and provide unique programming and information tailored to their communities’ needs and tastes. The public radio satellite system relies on C-Band spectrum to distribute national and regional programming to and among the local stations. In parts of New Mexico and other rural and tribal areas, there are few alternative sources of news, public safety information, and regional programming -- and no workable alternatives to satellite as a means to distribute public radio programming.

As the FCC considers plans to transition C-Band spectrum for 5G and commercial wireless services, please detail how the agency will ensure the C-Band spectrum and satellite service necessary for local public radio stations to continue to provide vital news, programming, and public safety services to America’s rural and tribal communities.

RESPONSE:

Yes. From the beginning, I set forth certain principles that must be met in order to support the market-based plan to repurpose some of the C-Band spectrum for next-generation wireless services. These principles included providing a transparent process; reallocating more than 200 megahertz; and ensuring that the incumbents would be accommodated and held harmless. After the many conversations that I have had with interested parties, I believe it is possible to provide upwards of 300 or more megahertz for 5G, while still fully protecting those that currently utilize C-Band satellite services, including local public radio, in the remaining satellite portion of the band.

Senator Jon Tester

I. Written Questions Submitted by Hon. Jon Tester to the Federal Communications Commission

Question A. The FCC's Captioned Telephone Services gives folks independence to connect with the world. I support the FCC's intention to ensure this program can handle the influx in participates, however I am concerned about using an automatic speech recognition to replace humans. What is the Commission doing to ensure this technology is adequate and the quality of this service does not decrease?

RESPONSE:

I am fully committed to fulfilling our statutory mandate to provide functionally equivalent service to Americans with disabilities while minimizing burdens on TRS ratepayers. Thus, I have supported experimentation with alternative technologies, including ASR. While not perfect for all IP CTS consumers in all instances, ASR can undoubtedly be a helpful tool for certain users, and this technology has improved in recent years. The Commission has made clear that providers opting to use fully automated ASR must meet the Commission's minimum TRS standards. Further, the Commission continues to support IP CTS providers that do not use fully-automated ASR, thus ensuring that non-ASR options continue to be available to consumers.

Question B. I am also concerned that reforms to this program would require candidates to travel to their State equipment distributor to receive certification instead of from their physician. As you move forward, will you take into consideration what impact this will have on folks in rural America?

RESPONSE:

While I am committed to preventing the waste of TRS fund resources and ensuring that IP CTS is only delivered to those who objectively need it, any changes to certification requirements must be supported by a fulsome record and ought to be balanced against potentially disparate burdens on individuals in rural areas. Should a draft Order requiring a new method of user certification be circulated to the Commission, I will fully examine the applicable record prior to voting to approve such a change.

II. Written Questions Submitted by Hon. Jon Tester to the Federal Communications Commission

Question A. According to your Report on Broadband Deployment in Indian Country, less than half of homes on rural reservations have access to that same level of broadband service. What are your recommendations for Congress on how to help?

RESPONSE:

Despite a positive overall trend in deploying broadband across our country, many Tribal and non-Tribal communities continue to lack access to any form of broadband whatsoever, and I have urged the Commission to prioritize those unserved areas in awarding Universal Service support. Similarly, in allocating any new funding for broadband infrastructure, I would urge Congress to direct that support to unserved areas—including unserved Tribal communities—rather than areas where broadband already exists. To appropriately target those areas, and to prevent wasteful and duplicative funding, I have encouraged Congress to provide clear directives regarding coordination to the various agencies and departments that distribute broadband funding and to maintain oversight over their coordination. Further, I have recommended that Congress consider the FCC’s Universal Service Fund as a primary means to distribute new funding, given the cost-effectiveness of the Commission’s reverse auction mechanism for distributing support.

Question B. Consultations plays such an important role, is the FCC’s office of Native Affairs and Policy adequately staffed?

RESPONSE:

Issues related to human resources in the Commission’s bureaus and offices are handled by the Office of Managing Director; therefore, I must defer to the Commission’s Managing Director on this question. However, I am not aware of specific concerns being raised regarding the staffing levels for the Office of Native Affairs and Policy.

Question C. Do you have any updates on the progress of the Native Nations Communications Task Force?

RESPONSE:

The work of the Native Nations Communications Task Force is overseen by the Office of Native Affairs and Policy; therefore, I must defer to the Commission’s Office of Native Affairs and Policy on this question.

III. Written Questions Submitted by Hon. Jon Tester to the Federal Communications Commission

Question A. Do you believe we need to remove existing Huawei equipment from our telecommunications infrastructure?

RESPONSE:

I have spoken at length about attempts by the Chinese government to monopolize the development of 5G technologies. From using government-sponsored loans and capital to gain market share in the wireless manufacturing market and to promote their providers in China and abroad, to manipulating the international standard-setting process to favor their companies and technologies, the Chinese government is trying to establish its global dominance in wireless technologies for generations to come. As Chinese equipment manufacturers and wireless providers become more pervasive in global communications systems due to these unfair advantages, the Chinese government will have access to any information that touches their equipment or networks. Until we know how to contain this threat, we must consider ways to limit, and, if necessary, remove, such equipment from our telecommunications infrastructure.