

UNITED STATES OF AMERICA  
FEDERAL COMMUNICATIONS COMMISSION

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ADVISORY COMMITTEE ON DIVERSITY FOR  
COMMUNICATIONS IN THE DIGITAL AGE

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MEETING

+ + + + +

WEDNESDAY  
OCTOBER 3, 2012

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The Advisory Committee met in the  
Commissioners Meeting Room, 445 12th Street,  
S.W., Washington, D.C., at 2:00 p.m., Henry  
Rivera, Chairman, presiding.

COMMITTEE MEMBERS PRESENT:

HENRY RIVERA, Committee Chairman

KARLA BALLARD, One Economy

MARIA BRENNAN, Women in Cable

Telecommunications\*

RUDY BRIOCHE, Comcast-NBC

ERIC BROYLES, Megree

ELIZABETH CHERNOW, Comcast-NBC

ERIC DOZIER, National Association of  
Broadcasters

DONNA EPPS, Verizon\*

ANITA STEPHENS GRAHAM, Opportunity Capital  
Partners\*

JO ANN HALLER, CBS

CHANELLE HARDY, National Urban League\*

CHARLES HARRELL, The IT Architect\*

DAVID HONIG, Minority Media

Telecommunications Council

JOHN HORRIGAN, Joint Center for Political  
and Economic Studies  
MAXIE JACKSON, National Federation of  
Community Broadcasters  
RON JOHNSON, Solutions4Change\*  
SHERMAN KIZART, Kizart Media Partners  
JASON LAGRIA, Asian America Justice Center  
ANNE LUCEY, CBS  
JOSE MARQUEZ, Latinos in Science and  
Technology Association  
ROBERT MENDEZ, Disney  
KAREN NARASAKI  
CELIA NOGALES, AT&T  
TONY PEREZ, National Association of  
Telecommunications Officers and  
Advisors\*  
STEVE ROBERTS, The Roberts Companies  
CINDY SCHAO, Asian American Chamber of  
Commerce\*  
JORGE SCHEMENT, Rutgers University\*  
ANDY SCHWARTZMAN, Media Access Project  
SYLVIA STROBEL, Alliance for Women in Media  
DIANE SUTTER, Shooting Star Broadcasting  
LORIS ANN TAYLOR, Native Public Media\*  
NICOL TURNER-LEE, NAMIC, Inc.  
WALTER ULLOA, Entravision\*  
JAMES WINSTON, National Association of Black

Owned Broadcasters

COMMISSION STAFF:

AJIT PAI, FCC Commissioner  
JESSICA ROSENWORCEL, FCC Commissioner  
BARBARA KREISMAN, Designated Federal  
Official

NICOLE MCGINNIS  
THOMAS REED  
CAROLYN FLEMING WILLIAMS

\*Participated by teleconference

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

2 2:04 p.m.

3 MS. KREISMAN: Good morning,  
4 Chairman Rivera and Commissioner Pai.

5 Welcome to the fall meeting of the  
6 Advisory Committee for Diversity in the  
7 Digital Age. Thank you for taking time from  
8 your busy schedules to be here this morning.  
9 And also on the telephone, and we'll do a  
10 telephone attendance a little later.

11 You have an agenda at your seat  
12 and also a copy of the PowerPoint that's going  
13 to be presented this morning. Thank you for  
14 your committee work over the last few months.

15 I'm going to turn it over to  
16 Chairman Rivera in just a moment. We're going  
17 to vary a little bit from the schedule as  
18 there are some people with time commitments  
19 throughout.

20 Chairman Rivera?

21 CHAIRMAN RIVERA: Thank you.

22 Well, first of all, let me thank you all for

1 coming and for the time that you've devoted to  
2 the work of the Committee during the interim  
3 between now and our last meeting. Some of the  
4 subcommittees have been busy, and I know  
5 recently some of them have been very busy. So  
6 I appreciate very much the time and effort  
7 that you all have put in.

8 We're going to try to get back to  
9 a quarterly meeting schedule going into next  
10 year, and Tom Reed has an interesting report  
11 that I hope all of you will pay close  
12 attention to.

13 We, as you can see, have been  
14 joined by our two new commissioners.

15 Hello, commissioner. How are you?  
16 Nice to see you.

17 COMMISSIONER ROSENWORCEL: How are  
18 you? Thank you.

19 CHAIRMAN RIVERA: We're going to  
20 proceed like we normally do and ask the  
21 commissioners to address the group if they'd  
22 like to do that, and then we'll move forward

1 with our meeting business.

2 So some of you will have to leave.  
3 Some of you have already told me you've got  
4 time commitments, you've got planes to catch,  
5 you've got other meetings you've got to go to.  
6 And so you may see people coming and going,  
7 and that's just par for the course. And  
8 again, I thank you all for your time.

9 So, Commissioner, Jessica, would  
10 you like to talk to us?

11 COMMISSIONER ROSENWORCEL: This is  
12 what happens when you have a long last name  
13 like this. They make it shorter. You know,  
14 it can be easy for you.

15 CHAIRMAN RIVERA: Yes.

16 COMMISSIONER ROSENWORCEL: Don't  
17 worry about it.

18 Thank you so much. Thank you,  
19 Henry, for chairing this group. It's so  
20 important. Thank you for having me here  
21 today. There are a lot of familiar faces  
22 here, but some that I don't know.

1 I just wanted to say that the work  
2 you do is really important. It's important to  
3 the Commission, but it's also important to me.  
4 It's one of my bedrock principles that when it  
5 comes to decision making and regulatory  
6 agencies in board rooms or on Capitol Hill  
7 that the best decisions get made when there's  
8 a diversity of opinions and perspectives  
9 sitting at the table. And we all know that  
10 women and minorities have long been consumers  
11 of communication services, but they've had  
12 less opportunity to participate in ownership.

13 So I am looking forward to  
14 reviewing the work that this committee  
15 produces, and more importantly I'm looking  
16 forward to your recommendations about how  
17 we're going to fix some of this.

18 I actually wish I could join you  
19 for a longer period today, but the people  
20 calendaring me in the office already have a  
21 meeting waiting upstairs. I will tell you  
22 they're going to wait just a little bit

1 longer, because I have one other point that I  
2 want to make.

3           It may be obvious to say this, but  
4 the new economy is built on technology. In  
5 fact science, technology, engineering and math  
6 are the fastest growing fields on our economy  
7 today. There are three times as many STEM  
8 jobs available as any other kind of jobs for  
9 new graduates. Yet women hold half the jobs  
10 in the country roughly, but they hold less  
11 than a quarter of all the STEM jobs. And when  
12 it comes to minorities the numbers are even  
13 worse. For Hispanic and African-American  
14 workers, they account only for six percent of  
15 our STEM workforce today. So if you sit here  
16 today and you work on technology issues, I  
17 want you to know that you are a role model in  
18 my eyes, and I mean that sincerely.

19           So in addition to all the things  
20 we're tasking you with and all the burdens  
21 that sitting on this committee places on you,  
22 I want you to think about what you can do to

1 march more women and minorities into STEM  
2 jobs. Because ownership and opportunity, as  
3 I think all know too well, is a very long road  
4 and crowding that road with people with the  
5 skills to get us there, to expedite it and to  
6 make us stronger when we arrive is an  
7 important thing to do.

8           So I'm eagerly awaiting your  
9 reports on supplier diversity, on unlicensed  
10 spectrum, on equal opportunity enforcement, on  
11 market entry barriers and what we can do with  
12 channels 5 and 6. But I also want you to give  
13 some thought to what I just said about STEM  
14 opportunities and the role models that  
15 everyone of you actually is and the importance  
16 that plays in the new economy.

17           In any event, my office is always  
18 open. When you're here, please let us know.  
19 We'll set aside some time for meetings. And  
20 when the times comes to recharter this  
21 committee, I just want you to know that I will  
22 be the first signing up to make sure that we

1 do so. And I bet you he's going to be the  
2 second.

3 (Applause.)

4 COMMISSIONER ROSENWORCEL: Thank  
5 you very much.

6 CHAIRMAN RIVERA: Thank you,  
7 Commissioner Rosenworcel. We appreciate that  
8 very much, and your thoughts, and we will  
9 certainly take your challenge into  
10 consideration. Absolutely.

11 So Commissioner Pai, the floor is  
12 yours, sir. Thank you for joining us.

13 COMMISSIONER PAI: Well, thank you  
14 very much, Mr. Chairman, and thank you once  
15 again for inviting me and giving me this  
16 opportunity to speak to you. It is, as my  
17 colleague said very eloquently, a delight to  
18 see a number of people who I've known and  
19 worked with in some cases since my days in law  
20 school, believe it or not. And I look forward  
21 to getting to know the rest of you, too, as  
22 you continue your important work on this

1 committee.

2 I can't really improve upon what  
3 my colleague said, but I did want to say that  
4 one of my overriding priorities at the  
5 Commission has been to try to identify and to  
6 remove regulatory barriers that stand in the  
7 way of competition, innovation and investment.  
8 And I don't think you need me to tell you that  
9 that priority is nowhere more keenly needed  
10 than in the area of minority ownership, and  
11 ownership by a variety of disadvantaged  
12 groups.

13 I have seen it in my work here at  
14 the Commission when I'm looking at the printed  
15 page, but more importantly I've had a chance  
16 to see it in the field when I went back home  
17 to Kansas and I heard from a small  
18 businesswoman in Oswego, a town of 2,000  
19 people, so said that she wasn't able to get a  
20 broader market for her goods because she  
21 didn't have a broadband connection. I saw it  
22 when I was in California recently and we heard

1 about impediments to broadband adoption that  
2 are unique to some of the minority communities  
3 in the Central Valley.

4 We see it all over the place.

5 Last week I had an opportunity to speak with  
6 Jim Winston and the National Association of  
7 Black-Owned Broadcasters and one of the  
8 unfortunate statistics is that despite gains  
9 in the 70s and the 80s in terms of minority  
10 ownership on radio, the number of broadcasters  
11 that are black owned has decreased in recent  
12 years, not increased.

13 So I am very hopeful that you will  
14 think creatively, as my colleague said, to  
15 come up with ways that we can change some of  
16 these trends, that we can ensure greater  
17 broadband adoption, we can ensure more  
18 minority ownership of telecommunications  
19 facilities, that we can identify different  
20 things that the Commission can and should do  
21 sooner rather than later to make this vision  
22 a reality. And I'm hopeful that we'll do that

1 working together with you.

2 One of the things I've come to  
3 learn in my short time, in our short time at  
4 the Commission, four-and-a-half months, is  
5 that it really is an agency that benefits from  
6 robust public participation. That comes most  
7 obviously in the form of comments in our  
8 proceedings, but I think advisory committees  
9 such as this one are so critical because you  
10 are experts in this area. You know what's  
11 going right and what's not going right. And  
12 for you to be able to give us input that will  
13 allow us to make better decisions is so  
14 valuable to us. And so thank you for taking  
15 the times out of all your busy schedules. We  
16 really appreciate it.

17 And as my colleague Jessica  
18 Rosenworcel said, if there's ever anything  
19 that we can do to make your job easier, let us  
20 know. We have an open door policy and we do  
21 always encourage you to take advantage of it.  
22 So thanks very much and look forward to

1 hearing from you in the near future.

2 CHAIRMAN RIVERA: Thank you.

3 (Applause.)

4 CHAIRMAN RIVERA: Well, thank you,  
5 Commissioners, for joining us and for your  
6 interest in the work of the Committee. It's  
7 very important for us to understand that you  
8 guys are interested. So it helps a lot for  
9 you to be here. Thank you.

10 Mr. Usdan here? Oh, great. Would  
11 you like to tell us about the Connect2Compete?

12 MR. USDAN: That would be great.

13 CHAIRMAN RIVERA: All right.

14 MR. USDAN: Does everyone have the  
15 presentation?

16 CHAIRMAN RIVERA: Yes.

17 MR. USDAN: Okay. Great. I  
18 don't.

19 CHAIRMAN RIVERA: You don't?  
20 Would you like a copy?

21 MR. USDAN: I like to show up cold  
22 and get handed a presentation, then --

1 MS. KREISMAN: Is the phone bridge  
2 open? I want to make sure.

3 Jeff, is the phone bridge open?

4 (No audible response.)

5 MS. KREISMAN: Hopefully the phone  
6 bridge is open.

7 MR. USDAN: Great.

8 MS. KREISMAN: And if it is, all  
9 those on the phone, you've received a copy of  
10 the presentation by email.

11 MR. USDAN: Great. Well good  
12 afternoon to everyone here and those listening  
13 on the phone. My name is Jordan Usdan. I'm  
14 director of what we call the Office of Public  
15 Private Initiatives here at the FCC. It was  
16 an office started by the chairman earlier this  
17 year actually. And what I work on everyday is  
18 trying to work with the private sector and  
19 philanthropy to solve public policy problems  
20 through the use of technology, you know, and  
21 broadband. So some of the areas I'm focusing  
22 on are digital learning and education,

1 healthcare and health, server security for  
2 small business, but also the issue of  
3 broadband adoption.

4           So today I was asked by Tom to  
5 come in and speak to you a little bit to give  
6 you a quick update on Connect2Compete. So  
7 Connect2Compete is actually a national non-  
8 profit that was started earlier this year, but  
9 launched, you know, by the chairman who  
10 convened a bunch of people in the space, the  
11 broadband providers, the device providers, the  
12 content, the non-profits active in the space  
13 and said, hey, you know, this is a major  
14 problem.

15           But there's a win/win here, you  
16 know, which is a good thing, you know, for  
17 some technology companies. So, you know, what  
18 are some things we could do together, you  
19 know, to make a down payment on the 100  
20 million Americans who don't have broadband?  
21 So I'm here to give you a quick update on this  
22 and happy to, you know, take any questions.

1                   So I know all of you are  
2                   intimately familiar with the challenge, but it  
3                   bears repeating again. You know, about 100  
4                   million Americans don't have broadband at home  
5                   in this country, and about 66 million of them  
6                   actually are digitally illiterate. And by  
7                   that we mean they've never used, you know, the  
8                   Internet. It's not something that they only  
9                   use it once a week at the library, but 66  
10                  million of these, or two-thirds of all the  
11                  non-adopters don't use the Internet, you know,  
12                  whatsoever.

13                  However, in the past few years  
14                  there has been some, you know, positive  
15                  momentum. Broadband adoption by minorities is  
16                  up about 10 percentage points over the past  
17                  few years. Smartphone penetration. There are  
18                  some positive trends there. So it's not all  
19                  monolithic.

20                  So again the barriers to adoption,  
21                  which I'm sure you're familiar with are, you  
22                  know, digital literacy, you know, the basic

1 skills needed to us the computer, the cost,  
2 both cost of the service, but also cost of the  
3 device. We've seen in some recent research  
4 that came out that actually a substantial  
5 amount of low-income Americans do not have a  
6 computer at home, and that's a huge barrier to  
7 access. So far more than you'd think. You  
8 know, tens of millions of Americans have no  
9 computers at home. And third is relevancy,  
10 which is really the value proposition. And  
11 so, you know, the price sensitivity of these  
12 populations comes far down when you make it  
13 more relevant to them.

14 So Connect2Compete again is a non-  
15 profit, non-governmental entity that was set  
16 up late last year. It's a coalition of  
17 industry, non-profit government and community  
18 organizations. It's chaired by a great guy by  
19 the name of Ben Hecht who is the CEO of a non-  
20 profit called Living Cities, which works to  
21 enhance economic development in the inner  
22 cities in this country. So he's a great

1 partner to have.

2           And Connect2Compete recently hired  
3 its first permanent CEO. His name is Zach  
4 Leverenz and I'm sure he'd love to meet you  
5 all if you'd be so kind -- with some advance  
6 notice I could have him come here and meet all  
7 of you. I'm sure he'd love the interaction.  
8 But he's fantastic. He's run a couple non-  
9 profit start ups in the past that have been  
10 very successful.

11           So, you know, the update is is  
12 that Connect2Compete is going to be rolling  
13 out with some great offerings in the fall,  
14 which is now. So we're in the midst of  
15 rolling out, you know, this week and next  
16 week. I'll get to the extent of the roll out  
17 in a second, but the basis of the offering for  
18 broadband is \$9.95 Internet with no fees, no  
19 modem fees, equipment fees, no installation  
20 fees, you know, kind of no gimmicks up front.  
21 It is the basic minimum tier that ISPs provide  
22 with a minimum of one, but most are higher

1 than one, so Charter's I think is 12 megabits  
2 per second. A lot of the other ones are in  
3 the three download range. And it's open to  
4 anyone who go to those schools that's eligible  
5 for free school lunch and doesn't have  
6 broadband currently at home.

7 This is paired with an offer from  
8 the Connect2Compete PC refurbishment in  
9 partnership with MMTC. They are selling  
10 laptops that are corporate class that are  
11 refurbished and loaded with the brand new  
12 Windows operating system, which is now Windows  
13 7. It will be Windows 8, you know, later this  
14 year or early next year. And that also comes  
15 with a Microsoft Office Suite, which is in  
16 itself worth a couple hundred dollars. So  
17 it's a really good deal. Comes shipped to the  
18 home. And with -- they shipped about 400 of  
19 these computers during a pilot earlier this  
20 year and I think only one or two got returned.  
21 So they're really good quality.

22 And then there's of course digital

1 literacy. So early next year they'll be  
2 rolling out a national Ad Council campaign on  
3 digital literacy. They're developing a  
4 digital literacy finder app so that you could  
5 know -- if you put your ZIP code in or call  
6 the 800 number you could know all the  
7 providers in your area that will give free  
8 training. This is libraries, this is job  
9 centers.

10 I could give you a quick demo of  
11 the beta version of this, if it'll let me  
12 click on this link. Otherwise, I could send  
13 that out to you. Let's see. Just type it in.  
14 This is the home page. Sorry, it's a little  
15 slow. Here we go.

16 So this is the beta version, but  
17 the idea is that if you go in and see the Ad  
18 Council campaign that it gets you excited  
19 about learning about computers. You will then  
20 be able to go to this Web site, or also you  
21 could call an 800 number or use this on your  
22 mobile and, you know, put a ZIP code in, like

1 my ZIP code in Washington, D.C. And then you  
2 can see the training providers.

3 Kevin, do you want to see if you  
4 could try to get this to work while I go  
5 through the rest of the -- I don't know if  
6 it's a slow Internet or what. My phone wasn't  
7 working earlier today upstairs.

8 So going to the next slide here;  
9 I'm a couple behind, I just want to give you  
10 a quick update on the roll out and on the  
11 pilot this summer. Then we can take  
12 questions.

13 There's a partner slide here just  
14 to show that Connect2Compete is working with  
15 a lot of partners, both tech companies, the  
16 civil rights community, the United Ways of the  
17 world who are partnering as both outreach  
18 partners and digital literacy partners.

19 So some really good results from  
20 the pilot this summer in San Diego.  
21 Connect2Compete ran a pilot with about 16,000  
22 students across 50 schools in San Diego with

1 the two offerings. Eight hundred and nineteen  
2 families signed up for broadband, which is far  
3 higher than expectations. So just in a two-  
4 month period you were able to reach nine  
5 percent of the eligible population.

6 So think about if you rolled this  
7 out to all the schools in this country, that  
8 if you did this over two years, not just two  
9 months, what percent of all the students who  
10 don't have Internet at home could you reach?  
11 Could you reach 20 percent, 30 percent? I  
12 mean that's huge. You're talking millions  
13 here. So really promising results.

14 And also the computers were  
15 purchased at a fairly high rate. Six hundred  
16 and twelve families bought computers, which is  
17 about three to four percent of all the  
18 eligible families.

19 And there's heavy phone traffic  
20 for the 800 phone inquiries, but also heavy  
21 Web traffic. So the question was if you're  
22 having a broadband adoption, you know,

1 offering and people don't have it at home, can  
2 you make the Web available as a way to  
3 purchase it? This kind of seems like a catch-  
4 22, but actually these people are going on at  
5 libraries, at their schools, at their  
6 community centers and they know how to go  
7 online and order something. So it was a good  
8 learning experience to see that that actually  
9 does work and lowers the cost of customer  
10 acquisition, which is great.

11 So now to some hard numbers for  
12 the fall. So they're going to be rolling  
13 these offerings out to about 20 states,  
14 partnering with 10 cable companies that will  
15 reach about 500,000 students in 1,000 schools.  
16 So that is ongoing right now and into October  
17 it will be completely rolled out. And the  
18 offerings will be up and live.

19 The way that they are reaching  
20 these target customers is through flyers  
21 directly to schools. So when they go in and  
22 get their free school lunch application, they

1 hopefully will be handed a flyer from  
2 Connect2Compete and their cable company with  
3 the Web site and the 800 number on it.

4           Also very exciting next year is  
5 the national Ad Council campaign on digital  
6 literacy. Think of, you know, Reading is  
7 Fundamental, which is a very successful  
8 campaign on basic adult literacy. You know,  
9 we hope this will be the same thing for  
10 digital literacy, encouraging people to go to  
11 their local training centers, the thousands of  
12 libraries and job centers that are offering  
13 free training in their community and also try  
14 to attack what we call the relevance gap of  
15 people who aren't online. You know, why is  
16 this so important to your livelihood, to your  
17 job? You know, how could you use the  
18 Internet, you know, to improve your life.

19           And also Connect2Compete is  
20 partnering with Comcast's Internet Essentials  
21 Program. Comcast is the biggest IP in the  
22 country. And they've actually signed up -- I

1 think the latest numbers were 300,000 or  
2 400,000 people to their program in the first  
3 year, which is pretty good. And so they will  
4 be partnering with Connect2Compete initially  
5 on some device distribution, but, you know, we  
6 think it will great if they could continue to  
7 partner on digital literacy and other things.

8 All right. So we have the locator  
9 tool up and running. So just -- you know,  
10 you've seen these before. It's based on like  
11 the Starbucks or the McDonald's. You know,  
12 the locator tool finders. You could go and  
13 see in your community, you know, who's  
14 providing literacy locations. So, you know,  
15 you have the public libraries, you have the  
16 job centers. And this is the beta version, so  
17 we'll be adding more locations kind of as we  
18 go.

19 So happy to take questions.

20 CHAIRMAN RIVERA: Great. Any  
21 questions for Jordan? Susan? I mean Karen.

22 MS. NARASAKI: Thank you, Mr.

1 Chair.

2 A question and a comment. The  
3 comment is I believe that the Asian American  
4 Justice Center is one of the partners and it  
5 would be helpful to show the Asian American  
6 participation.

7 But the question I have is the  
8 roll out and the Ad campaign. Is it just  
9 going to be in English, or will it also be in  
10 languages that might be accessible to parents  
11 of some of these students? And if so, what  
12 languages?

13 MR. USDAN: Sure. I believe their  
14 goal is to do it bilingual, Spanish-English,  
15 initially, but it would be great if, you know,  
16 they're able to expand it to other languages.  
17 The flyer and the Web site will also be  
18 Spanish-English bilingual. But happy to talk  
19 with you, Karen; and I know I've worked with  
20 Jason also in the past, about what -- you  
21 know, would Chinese be the next probably most  
22 likely language that would be helpful to

1 people in your communities, you know, to see  
2 what we could do to help on that front.

3 CHAIRMAN RIVERA: Other questions?  
4 Jim?

5 MR. WINSTON: You mentioned that  
6 you're rolling it out in 20 states. Do you  
7 have a list of the cities?

8 MR. USDAN: I can get that to you.

9 MR. WINSTON: I'd like to see  
10 that.

11 MR. USDAN: Yes.

12 MR. WINSTON: Thank you.

13 CHAIRMAN RIVERA: Andy?

14 MR. SCHWARTZMAN: What happens at  
15 the end of two years when the 9.95 deal ends?  
16 Is the expectation that people will be so  
17 attracted to the value of broadband at that  
18 point that they'll be willing to pay a full  
19 subscription price? And will it be possible  
20 for them to buy a naked broadband connection,  
21 or in order to get a decent price will they  
22 have to bundle it with phone and video?

1 MR. USDAN: So as I understand it,  
2 Connect2Compete is working with the cable  
3 companies on the right approach to rolling  
4 people off these offers, or after the first  
5 years of 9.95 Internet, you know, what happens  
6 next? I think in the pilot with Cox; and I'll  
7 have to get you the exact details, I think  
8 they decided that we will go and raise it a  
9 few dollars the first six months, then another  
10 few dollars the next six months eventually to  
11 get to the market rate. So I think it was  
12 kind of an on ramp, you know, to the market  
13 rate.

14 And, yes, I think the idea is  
15 that, you know, a lot of these families are  
16 spending a lot of money on other  
17 telecommunication services and they just don't  
18 see the relevance of broadband. And getting  
19 it to them and then seeing the cost savings,  
20 even from using the broadband as they go  
21 shopping online, you know, will enable them to  
22 afford, you know, the market rates eventually.

1                   Secondly, you know, this offering  
2 does not have to be bundled with video  
3 services. So, you know, ideally you'd want an  
4 affordable naked product.

5                   MR. SCHWARTZMAN: In two years  
6 would they have to get a bundle?

7                   MR. USDAN: No. Not to my  
8 knowledge, no.

9                   CHAIRMAN RIVERA: Sherman?

10                  MR. KIZART: Congratulations,  
11 Jordan. I think this is a terrific initiative  
12 in Connect2Compete. My question's very  
13 similar to Jim Winston's question in terms of  
14 what are the plans beyond San Diego. I  
15 thought San Diego was an interesting market  
16 for a launch, certainly like to kind of get  
17 some perspective on are there plans to look at  
18 high-density minority areas or -- and  
19 including rural areas as well? And how do you  
20 seek the Committee participating on  
21 Connect2Compete, whether individually or as a  
22 group?

1 MR. USDAN: Yes. No, sure. Good  
2 question. I will definitely get Tom the state  
3 and city list. They haven't announced it  
4 publicly yet because it's -- as I understand  
5 it's very complicated to work with 10 cable  
6 companies and get the roll out flawless, so  
7 they don't want to be flooded, you know, with  
8 phone calls. But they're going to do a public  
9 announcement about the cities and states I  
10 think three or four weeks after their soft  
11 launch. So I could get that to you as long as  
12 it's not blasted around the world immediately.

13 And I think it would be great if  
14 Zach comes in to speak to this group, who's  
15 the C2C CEO, and to get feedback on what  
16 you're hearing from your communities and the  
17 success of the program. You know, what are  
18 the lessons learned based on Comcast's  
19 experience? What can Connect2Compete do  
20 better? I think that would be probably a good  
21 way to engage, but I'm open to suggestions.

22 MR. KIZART: Well, I thought it

1 was interesting because I live in Chicago.

2 MR. USDAN: Yes.

3 MR. KIZART: And in Chicago  
4 Comcast is promoting the whole Internet  
5 Essentials Initiative very, very heavily on  
6 the African-American targeted radio stations,  
7 particular how they're targeting the families  
8 who are enrolled in the school lunch program.  
9 So it was kind of interesting to hear how  
10 Comcast is strategically aligning to partner  
11 with this initiative.

12 MR. USDAN: Yes. No, I think  
13 that's very exciting. I mean they're the  
14 biggest player in the space right now. And so  
15 there's also good communication lines between  
16 the two organizations so that -- because  
17 they're learning quickly. You know, nothing  
18 like this has been done before. So there's  
19 been a lot of lessons from the first year of  
20 Comcast that's feeding into Connect2Compete,  
21 and also some things that Connect2Compete did  
22 Comcast is adopting such as automated

1 enrollment; if you go to a really high school  
2 lunch school, to cut down on some of the red  
3 tape enrolling in the program and other things  
4 like that.

5 CHAIRMAN RIVERA: Nicol?

6 DR. TURNER-LEE: Hey, Jordan.

7 MR. USDAN: Hey, how are you?

8 DR. TURNER-LEE: It's good to hear  
9 about the progress. I'm really excited.

10 I just had a question around how  
11 the program is working with traditional  
12 philanthropy. Can you talk a little bit more  
13 about how foundations are actually supporting  
14 the initiative?

15 MR. USDAN: Yes, sure. So I think  
16 it's a timely question. So the Knight  
17 Foundation came out in support of it today.  
18 So they're giving a 3 million grant over 3  
19 years. I think half of that is for the core  
20 organization itself and half of that is for  
21 them to -- for Connect2Compete to focus on  
22 target cities to roll out in person on the

1 ground, you know, grassroots bodies, warm  
2 bodies to go and do the digital literacy  
3 training and the evangelizing of broadband.  
4 So that's very exciting.

5 Carlos Slim is supporting the Ad  
6 Council campaign. And they are -- you know,  
7 they're boots on the ground, you know, going  
8 out there trying to raise money. It's a  
9 start-up. It's a start-up with a lot of  
10 resources, but it's -- so it's a challenge for  
11 them to get the core operating budget to make  
12 sure they could leverage all the commitments,  
13 you know, they got for the PCs with the  
14 broadband. So I'm sure they'd love any -- I'm  
15 sure if you guys know anyone interested,  
16 they'd love to hear from you on how they can  
17 participate with Connect2Compete.

18 CHAIRMAN RIVERA: Other questions?

19 (No audible response.)

20 CHAIRMAN RIVERA: Jordan, I had a  
21 question. This is a private sector initiative  
22 as opposed to --

1 MR. USDAN: Right.

2 CHAIRMAN RIVERA: -- an FCC  
3 initiative. What is the FCC's role in this  
4 whole project?

5 MR. USDAN: Yes, I mean, so we  
6 initially -- you know, first of all there's a  
7 bunch of things we're doing on the regulatory  
8 front, which I'm sure you all know of. So I  
9 just -- I want to make sure this isn't just --  
10 we don't think you're going to solve this  
11 problem just the private sector. But in terms  
12 of the private sector, we try to serve as a  
13 convening body, bring people together, idea  
14 generation engine, and talking about the  
15 importance and evangelizing about how  
16 important this is to solving all of our -- a  
17 lot of our nation's problems from education to  
18 healthcare.

19 The ongoing role with  
20 Connect2Compete, you know, we're invested in  
21 their success so we check in with them every  
22 once in awhile, but it's an arm's-length

1 relationship. You know, so the FCC can't  
2 raise money. You know, the FCC can't sell  
3 broadband. But it's just something that we  
4 keep in touch with them about, just like we  
5 would do any other similar non-profits in the  
6 space, like the Joint Center.

7           Secondly, you know, Comcast  
8 Internet Essentials is a similar program.  
9 They have to report in to us every quarter or  
10 semi-annually. So we're always eager to meet  
11 with them and not only just hear what's in  
12 their report, but actually hear from them,  
13 like how's it really going on the ground? You  
14 know, what are the lessons learned? What  
15 could other companies learn from what you're  
16 doing? So, you know, that's the type of role,  
17 you know, we think is appropriate to play.

18           CHAIRMAN RIVERA: Jordan, I think  
19 it's a terrific initiative. Congratulations  
20 and I wish you continued success. I know  
21 everybody on the Committee does, too.

22           MR. USDAN: Great.

1                   CHAIRMAN RIVERA:  And we  
2 appreciate your coming and spending some time  
3 with us today.

4                   MR. USDAN:  Great.  Great.  Well,  
5 thank you so much.  Thanks for giving me this  
6 time slot.  Really appreciate it.

7                   CHAIRMAN RIVERA:  Sure.

8                   (Applause.)

9                   CHAIRMAN RIVERA:  Tom, we've got a  
10 couple of subcommittee chairs that have got to  
11 scoot.  Do you mind if we put them up now?

12                   (No audible response.)

13                   CHAIRMAN RIVERA:  Okay.  So,  
14 David, you want to go ahead?

15                   MR. HONIG:  Sure.  Good afternoon,  
16 everyone.  I'm David Honig.  I'm the chair of  
17 the Equal Employment Subcommittee.

18                   Our charge was to design a survey  
19 relating to compliance that the Commission  
20 could consider administering to a sample of  
21 its regulatees, which presumably means Title  
22 II, Title III and Title VI regulatees rather

1 than Title I where they don't have apparently  
2 jurisdiction.

3 In response, the Committee  
4 designed an instrument and a plan, submitted  
5 it in January. The title is "Design and  
6 Methods of the FCC's Equal Employment  
7 Diversity Recruitment Survey Telecom and  
8 Information Service Firms." Information  
9 service firms would be included in the survey,  
10 but not being direct regulatees presumably  
11 their participation would be at their option.  
12 Some have, as you know, declined to provide  
13 EEO 1 data for example and that matter is  
14 still before the Labor Department.

15 The Commission has this instrument  
16 and a draft sample that the Committee put  
17 together before it for consideration. In the  
18 meantime, just to give you a sense of the  
19 scope of research that is being done, every  
20 year the National Association of Black  
21 Journalists produces a study of African-  
22 Americans in television in significant

1 positions such as general managers and news  
2 directors and photojournalists. That study  
3 comes out every year. It's longitudinal and  
4 been going on for I think 11 years now. It  
5 was released last month.

6 The Radio Television Digital News  
7 Association, RTDNA, formerly known as RTNDA,  
8 the News Directors Association, has for about  
9 14 years been putting out a survey which is  
10 understandably, because it's voluntary; they  
11 don't get full participation from the industry  
12 -- but it's television and radio news staffing  
13 and profitability that looks at and the best  
14 it can kind of tracks participation of  
15 minorities in radio and television management  
16 and journalism and tends to show that the  
17 numbers are kind of static or declining in  
18 some instances, especially in radio.

19 In addition, a study had the data  
20 collected and is in the process of internal  
21 review by MMTTC and the National Urban League  
22 looking at publicly-available data for the 20

1 largest telecom companies, 20 largest media  
2 companies and 20 largest high-tech edge  
3 companies for their C-level executives and  
4 boards of directors.

5 The next step in that process; the  
6 draft is virtually done, will be to share it  
7 with those companies, make sure that they  
8 regard the data as accurate and if they have  
9 any comments on it. And then I expect in the  
10 next couple months it will be published.

11 But that's not a complete answer  
12 of course to what our charge is and I know  
13 there is still a need for the undertaking that  
14 the Commission set out to do, which is to look  
15 at the extent to which its own rules and  
16 policies have been effective. And one way to  
17 do that is to start with a compliance survey.

18 CHAIRMAN RIVERA: Okay. So it's  
19 basically a money issue in terms of doing the  
20 survey?

21 MR. HONIG: Quite possibly, yes.

22 CHAIRMAN RIVERA: Okay. Any

1 questions for David on that report?

2 (No audible response.)

3 CHAIRMAN RIVERA: Thank you. Ron  
4 Johnson, are you on the phone?

5 MR. JOHNSON: Yes, Mr. Chairman.  
6 Can you hear me?

7 CHAIRMAN RIVERA: Yes, we can.  
8 Can you go ahead and give us a report, Ron?

9 MR. JOHNSON: Yes, I'm ready to  
10 go. First of all, good afternoon, Mr.  
11 Chairman and to all of my colleagues. I  
12 certainly want to thank you for allowing me to  
13 make a brief report early on the agenda today  
14 and for me calling in. Obviously I was  
15 prepared to be there with all of you all, but  
16 suddenly I just could not.

17 I'm attending a very -- very  
18 shortly from now I'm attending another event  
19 on telecom procurement which will be very  
20 important to assessing to what extent diverse  
21 companies are engaged in major new telecom  
22 spectrum opportunities. And we think that's

1 a very important event that we should  
2 participate in.

3 Let me say first of all, as all of  
4 you all know, the opportunity to look at the  
5 telecom best procurement practices is a great  
6 challenge given the many legal process and  
7 procedural questions that it raises. However,  
8 it is a very important aspect of the industry  
9 to review and plus to look at, exchange ideas  
10 and concerns with as many and as varied  
11 stakeholders as possible. And we've been  
12 trying to do that and to do that in as many  
13 different forums as possible. And we  
14 certainly thank you, Mr. Chairman, for  
15 allowing us to do this great work.

16 To jump start this effort, the  
17 OCBO asked that I -- representing the  
18 Subcommittee, if I'd be willing to assist in  
19 developing an FCC-sponsored procurement  
20 summit, which was held in July. And certainly  
21 I know Attorney Reed will be giving more  
22 information about the summit in his remarks.

1                   In doing so, the purpose from my  
2 perspective was to do five things and report  
3 to our Subcommittee these findings. Number  
4 one, to ascertain industry's interest in  
5 participating in a process of looking at its  
6 best practices rather than just the  
7 traditional matchmaking events, although this  
8 was a very successful part of the summit.

9                   Number two, to get a good sense of  
10 what industry's response would be to specific  
11 inquiries about its best practices,  
12 particularly if we pose these questions and  
13 inquiries in a collaborative and transparent  
14 manner.

15                   Number three, to ascertain if  
16 there were specific and successful strategies  
17 that industry members were currently engaged  
18 in and would they be willing to share these  
19 strategies and successes in an open audience.

20                   And number four, to ascertain if  
21 diverse companies would participate in this  
22 process if we established a more full-blown

1 one.

2 And finally, get feedback and make  
3 an assessment on how this first step resonated  
4 with companies, including diverse suppliers.

5 Now at this particular point  
6 comments are still be received and reviewed by  
7 OCBO, but my initial belief is that the summit  
8 was very successful and will serve as one  
9 major pillar of our Subcommittee's work going  
10 forward. So we want to thank the OCBO for  
11 inviting us to participate.

12 In addition to assisting with the  
13 summit, I have met with OCBO on several  
14 occasions to discuss our Subcommittee's work.  
15 And as a result of these conversations and on  
16 a going forward basis I intend to forward the  
17 results and feedback from the summit  
18 participants as well as our observations to  
19 all Subcommittee members for their review and  
20 feedback. And hopefully we can do that in the  
21 next few weeks.

22 Then we intend to convene a

1 telecom meeting of all the Subcommittee  
2 members to discuss and examine the information  
3 that we get from the OCBO and to design  
4 additional methodologies for working with our  
5 industry partners.

6 And thirdly, we will then  
7 construct a list of expected outcomes from our  
8 Subcommittee's efforts.

9 And fourth, to continue to  
10 coordinate our efforts with the OCBO office.  
11 And I think going forward it will be important  
12 that I begin now to coordinate to a greater  
13 extent all our efforts and send periodic  
14 progress reports and status reports to all of  
15 our members so that we can ensure that they  
16 are engaged and that their opinions are heard,  
17 not only for me but for all of our fellow  
18 colleagues.

19 In addition to that, we will be  
20 meeting telephonically. And at our next  
21 meeting of the Subcommittee we'd like to have  
22 our preliminary findings based on our

1 assessments and reviews that we're going to  
2 send out to prospective industry stakeholders.

3 So that's essentially what we've  
4 done so far. We're moving I think ahead, but  
5 surely the summit was the first big step in  
6 beginning to design the paradigm for where  
7 this study will go. I mean it is -- certainly  
8 when you begin to look at these kind of  
9 issues, Mr. Chairman and colleagues, it does  
10 require a sense of not only due diligence, but  
11 delicacy when you begin to talk about  
12 industry's procurement practices and how they  
13 can do better and even what they're doing  
14 perhaps that's not as well as they should do  
15 things.

16 So we are moving ahead with  
17 caution, but knowing that this is a very  
18 important item that you've assigned us to do  
19 and we hope to have a full report by the end  
20 of the year.

21 CHAIRMAN RIVERA: Very good, Ron.  
22 Thanks for that report.

1 Does anyone have any questions for  
2 Mr. Johnson?

3 (No audible response.)

4 CHAIRMAN RIVERA: Seeing none,  
5 I'll thank you again, Ron. And it sounds like  
6 you've been very busy and very productive.  
7 I've been talking with Tom over the course of  
8 the summer and following your progress, and it  
9 sounds to be very exciting and we look forward  
10 to a full report as soon as you can get us  
11 one.

12 MR. JOHNSON: Fine. Thank you,  
13 Mr. Chairman.

14 CHAIRMAN RIVERA: Thank you. At  
15 this time I think we need to take a roll call  
16 so that we can --

17 MS. KREISMAN: What I'm going to  
18 do is I'm going to read names so everyone's  
19 not calling at once. And just say "present"  
20 if you're on the phone there.

21 Anita Graham? Anita Stephens  
22 Graham?

1 MS. GRAHAM: Here.

2 MS. KREISMAN: Yes?

3 MS. GRAHAM: Yes.

4 MS. KREISMAN: Celia?

5 MS. NOGALES: Yes.

6 MS. KREISMAN: Yes?

7 MS. NOGALES: Yes.

8 MS. KREISMAN: Chanelle?

9 MS. HARDY: I'm here.

10 MS. KREISMAN: Great. Charles

11 Harrell?

12 MR. HARRELL: Here.

13 MS. KREISMAN: Derrick Frost?

14 (No audible response.)

15 MS. KREISMAN: Derrick?

16 (No audible response.)

17 MS. KREISMAN: Going once, twice?

18 (No audible response.)

19 MS. KREISMAN: Donna?

20 MS. EPPS: I'm here.

21 MS. KREISMAN: Dr. Cindy?

22 DR. SHAO: Yes, here.

1 MS. KREISMAN: Dr. Jorge?

2 DR. SCHEMENT: Here.

3 MS. KREISMAN: Faye?

4 (No audible response.)

5 MS. KREISMAN: Faye there?

6 (No audible response.)

7 MS. KREISMAN: Javier?

8 (No audible response.)

9 MS. KREISMAN: Javier here?

10 (No audible response.)

11 MS. KREISMAN: No. Jose?

12 MR. MARQUEZ: Jose Marquez is

13 here.

14 MS. KREISMAN: Great. Thank you.

15 Loris?

16 MS. TAYLOR: Here.

17 MS. KREISMAN: Maria?

18 MS. BRENNAN: I'm here.

19 MS. KREISMAN: Mark Wallace?

20 (No audible response.)

21 MS. KREISMAN: Mark Wallace?

22 (No audible response.)

1 MS. KREISMAN: Phillip?

2 (No audible response.)

3 MS. KREISMAN: Phillip?

4 (No audible response.)

5 MS. KREISMAN: Robert Mendez?

6 MR. MENDEZ: Here.

7 MS. KREISMAN: Thank you. Tony

8 Perez?

9 MR. PEREZ: Here.

10 MS. KREISMAN: Walter?

11 MR. ULLOA: Here.

12 MS. KREISMAN: William Branham?

13 (No audible response.)

14 MS. KREISMAN: William?

15 (No audible response.)

16 MS. KREISMAN: Thank you very

17 much.

18 CHAIRMAN RIVERA: Thanks, Barbara.

19 I noticed some of you on the phone  
20 have got your phones on mute, and we very much  
21 appreciate your doing that. Thank you.

22 Now I'm going to go back to Tom

1 Reed's report. It's a very important report  
2 and I think fairly fulsome. He's got a lot of  
3 things to tell us.

4 So we're glad you're here and  
5 thank you and Carolyn for all the work you've  
6 been putting in on the Committee during the  
7 summer months. We very much appreciate it.

8 MR. REED: Thank you, Mr.  
9 Chairman.

10 Thanks, everybody. Good  
11 afternoon. Before I do my report on I guess  
12 what we'd call the participation studies, the  
13 critical information needs studies and let you  
14 know the status of that, I want to sort of  
15 cover a very important housekeeping matter.  
16 And that is, you know, Chairman -- I mean,  
17 Commissioner Rosenworcel mentioned the  
18 rechartering. And I think as all of you know,  
19 both the Chairman and all the commissioners  
20 are committed and support the rechartering of  
21 this Committee.

22 The current charter expires at the

1 -- I think in mid-December. We've submitted  
2 the renewal papers and are just awaiting their  
3 approval. So we will be in touch as soon as  
4 that process is completed about reappointment.  
5 You know, there are no conscripts, so this is  
6 still volunteer. We are not requiring that  
7 you sign up for another two years, although we  
8 certainly hope you will. In that process I  
9 know a few of you have reached out to me. I  
10 know circumstances have changed,  
11 organizational changes and job changes. We  
12 will address those in the next few weeks in  
13 the reappointment process. So we'll get all  
14 that cleared away. And, you know, speak now  
15 or forever hold your peace if you think you  
16 don't want to show up for 2012 to '14. So and  
17 then of course I won't be listening. But  
18 anyway --

19 CHAIRMAN RIVERA: That's very good  
20 news, Tom. And I do want to give the folks  
21 here an opportunity to ask you any questions  
22 about the rechartering or the rechartering

1 process. It's going forward. And yes?

2 MS. DOZIER: How long will it take  
3 from the time the paperwork is submitted  
4 typically until it's approved?

5 MR. REED: Well, we're hoping very  
6 quickly. I don't know I can give you an exact  
7 answer to that question. The process is  
8 already there. I mean, we're just waiting on  
9 final approval of the rechartering paperwork.  
10 So as soon as that's done, having gone through  
11 this, we can get the reappointment letters out  
12 very quickly. So, but of course we're going  
13 to get in contact with everybody because we  
14 don't assume that everybody is signing back  
15 up. Again, we hope you will. So that process  
16 shouldn't take too long. I'm hoping that we  
17 can move very smoothly into the first quarter  
18 of 2013 without any delay. I don't think we  
19 have anything scheduled for this current  
20 Committee --

21 CHAIRMAN RIVERA: Not yet.

22 MR. REED: -- before the charter

1 expires.

2 PHONE PARTICIPANT: I'm sorry, I  
3 cannot make out -- can he get a microphone in  
4 front of him, because we can barely hear him  
5 on the phone.

6 MR. REED: How's this? Can you  
7 hear me now?

8 PHONE PARTICIPANT: Oh, much  
9 better. Thank you.

10 MR. REED: Okay. All right.  
11 Well, I'm going to jump to just an update on  
12 the participation studies, the critical  
13 information need studies.

14 I think as everybody knows here,  
15 OCBO is tasked with identifying and examining  
16 what barriers may exist to participation in  
17 the communications industry and whether those  
18 impact how Americans access critical  
19 information. You know, and we adopt an aim  
20 and then shoot philosophy; and that is, we  
21 need to understand what's happening in the  
22 marketplace before we issue regulations and

1 the like. In other words, in order to conduct  
2 a serious analysis of our policies, we first  
3 must have sufficient data to understand the  
4 media landscape and understand how our rules  
5 and regulatory policies impact that landscape.  
6 Only then can we determine whether regulatory  
7 change is necessary to achieve our statutory  
8 and policy obligations.

9 As you know, Section 257 of the  
10 Communications Act requires that the  
11 Commission identify barriers to participation  
12 in the media and communications marketplace  
13 and to develop and promote policies that favor  
14 a diversity of media voices. The next  
15 triennial report is due in 2013 for the period  
16 ending this upcoming December, so we hope to  
17 get that out as soon as possible. But  
18 obviously the findings of these current  
19 studies, we want to integrate as much as  
20 possible.

21 So again to better understand the  
22 impact of market entry barriers, earlier this

1 year we commissioned a review of the critical  
2 information needs of the American public and  
3 how those needs are being met. A coalition of  
4 scholars which was organized by the USC  
5 Annenberg School of Journalism was  
6 commissioned to do the study as a preliminary  
7 look at how understanding of -- and our  
8 understanding of how groups, including women  
9 and minorities, access information through  
10 various forms of media, what we call the media  
11 ecosystem, and whether their critical needs  
12 are in fact being met.

13 In July, we received the final  
14 draft of the Annenberg group's report. Now  
15 that report is available on OCBO's Web site.  
16 I believe if you go to, you know, the FCC Web  
17 site and link to us, in our library the full  
18 report is there. If you haven't had a chance  
19 to look at it, I recommend that you do.  
20 There's a pretty well put together 10-page  
21 executive summary which will be, you know,  
22 sufficient for your understanding of what that

1 group came up with. So I encourage everybody  
2 to avail themselves of that. That lit review  
3 was the first step at assembling data  
4 examining media ecologies and how Americans  
5 receive their critical information needs. And  
6 again, that full report is available.

7 One of the things that the report  
8 said, just sort of in general, to talk about  
9 as we talk about critical information needs,  
10 it said, "The critical information needs of  
11 local communities are those forms of  
12 information that are necessary for citizens  
13 and community members to live safe and healthy  
14 lives, have full access to educational,  
15 employment and business opportunities, and to  
16 fully participate in the civil and democratic  
17 lives of their communities."

18 There were a number of categories  
19 that the group identified as being part of  
20 critical information, you know, things that  
21 wouldn't surprise, emergency information,  
22 obviously, you know, the kind of information

1 that communities needed when Hurricane Katrina  
2 hit to direct them to where to go, what are  
3 the proper places to get to, what's safe, you  
4 know, what's not? Health and welfare,  
5 educational opportunity, transportation, jobs  
6 and economic opportunities, environment, civic  
7 and political information. Those were a  
8 number of the categories that the group  
9 identified as critical to most Americans.

10 Now lit review suggests that while  
11 useful research has been conducted, and  
12 there's been much, an up to date multi-  
13 disciplinary and more in-depth study of media  
14 ecologies is necessary for the Commission to  
15 meet its obligations under Section 257.

16 So that's where we are now. We  
17 selected a company, Social Solutions  
18 International, which is a woman and Latina-  
19 owned company that's based here in Silver  
20 Spring, Maryland. And that company is a  
21 research, design and data collection analysis  
22 group. They're leading the effort to continue

1 the research that was started by the Annenberg  
2 group.

3 And I don't know if those of you  
4 know are here, but in mid-September we had a  
5 research design conference in Bethesda. That  
6 included a working group of economists, social  
7 scientists and communications industry  
8 specialists to design a multi-city research  
9 strategy to determine how different media  
10 colleges provide for critical information, how  
11 different communities acquire critical  
12 information and whether barriers to  
13 participation in the communications  
14 marketplace may exist that might hinder the  
15 acquisition of critical information.

16 So we tasked this group in  
17 September. We had -- it was a two-day  
18 conference. And we tasked them with designing  
19 a mechanism. I'm very practical. I said, you  
20 know, build me a widget and something that we  
21 can put in a particular market area that will  
22 generate the kind of data that we need,

1 something that would be replicable for  
2 different markets and that would have a top-  
3 down and a bottom-up approach. And now I'll  
4 explain what that means.

5 So the top-down approach, we  
6 wanted to understand how media infrastructures  
7 operate from the top down, and otherwise the  
8 supply side. Essentially what kind of  
9 research mechanisms will enable us to  
10 understand or inventory what media or  
11 communications outlets are available to  
12 individuals and communities in different  
13 markets? Part of that is content analysis.  
14 What content is being provided to individuals  
15 and communities that suits their needs.

16 And the bottom-up approach is the  
17 demand side. And that is, you know, how  
18 individuals and communities, including women  
19 and minorities, extract critical information  
20 from their particular media ecosystems.

21 So the task that we gave this  
22 particular group was to design a fairly -- you

1 know, I won't say straightforward, but a  
2 somewhat complex both qualitative and  
3 quantitative system of analysis so that we  
4 could look at what's happening in any  
5 particular test market. So they were hard at  
6 work on that for two days. SSI's working  
7 continually with that group to provide a  
8 report on a research design model that  
9 hopefully will be optimal and replicable  
10 again. And also to select a couple test  
11 markets that we'll -- where we'll be able to  
12 be able to vet the research design model.

13 So right now we're expecting a  
14 report from SSI. The final report is due I  
15 think in late November. And when we get the  
16 research design in the test markets, we can  
17 vet it and then we can move forward. So  
18 that's where we are with the critical info  
19 needs project.

20 CHAIRMAN RIVERA: Great.

21 MR. REED: So I'm available to  
22 take questions if anybody wants --

1                   CHAIRMAN RIVERA: Any questions  
2 for Tom on that? Yes, Nicol?

3                   DR. TURNER-LEE: Thank you, Tom,  
4 for the update on the research, because I  
5 remember when the FCC put out the request for  
6 information.

7                   So speak to us a little bit about  
8 the deliverable from this. Is the deliverable  
9 primarily to give us a foundation for some  
10 critical data that will actually help us  
11 understand the needs of citizens, you know, at  
12 the most ground level, or is it -- you know,  
13 after hearing the Connect2Compete piece with  
14 technology always evolving, right --

15                  MR. REED: Right.

16                  DR. TURNER-LEE: -- is the other  
17 deliverable of this to figure out ways to do  
18 similar type of work that was just explained  
19 in Connect2Compete to ensure that the market  
20 also -- the citizens also stay up to par with  
21 the marketplace? Because information changes  
22 so rapidly, as well as technology. So I'm

1 just curious where the FCC wants to go with  
2 this.

3 CHAIRMAN RIVERA: Good question.

4 MR. REED: Sure. No, excellent  
5 question. And I'll tell you my -- you're  
6 going to get a number of answers to that, and  
7 I'll give you my perspective on it.

8 Again, going back to -- my view is  
9 very practical when you go back to sort of the  
10 constitutional framework here. One of the  
11 things that we have to identify is what is the  
12 compelling governmental interest? And  
13 certainly providing for the informational,  
14 critical informational needs of all Americans,  
15 including women and minorities and other  
16 diverse groups, is a compelling interest.

17 But the deliverable at the end of  
18 the day, I mean, when we get to the goal line  
19 here, it should be that we've got data that  
20 tells us, okay, this is how the infrastructure  
21 is working for these groups. This is what  
22 this particular group needs. For instance,

1 Latinas want information on cervical cancer.  
2 Where are they getting it? Is the media  
3 ecosystem providing adequate information on  
4 health for Latinas in that context? If it's  
5 not, is it related to the fact that  
6 individuals that are at the levers that are  
7 providing the content are not there?

8           So we are hopeful that when we  
9 test this we'll be able to see where the holes  
10 are. So we'll go to a particular community,  
11 and part of the task of this research group is  
12 to select -- you're not going to find an  
13 optimal market. You know, if we had the  
14 resources, we'd be looking at 30 or 40  
15 markets, but initially we want to test a  
16 relatively diverse market and find out simply  
17 where the holes are and why those holes exist,  
18 the holes being this is how this particular  
19 group is not being served. It's information  
20 that they need. And if we -- we may be able  
21 -- we want to be able to determine why they're  
22 not receiving that information. Is it because

1 there's an ownership issue, there's under-  
2 representation of that particular group  
3 amongst owners that are providing the content?

4 So hopefully that answers your  
5 question a bit more. And we want to be able  
6 to do that when we can test a couple markets.  
7 We want to be able to go further once we have  
8 this tool to be able to plug it into various  
9 markets so we can get a broader sense of  
10 what's happening across the country. And then  
11 we're going to overlay that -- we hope to  
12 overlay that with national surveys. So  
13 hopefully that answers your question then.

14 CHAIRMAN RIVERA: Jim?

15 MR. WINSTON: Tom, I probably made  
16 an assumption that's incorrect, then. Is this  
17 study in any way connected to addressing the  
18 Adarand study that we've had for over a decade  
19 now?

20 MR. REED: Well, okay. I think  
21 the best way -- yes. Yes, it is. I think the  
22 best way to talk about it, when I first

1 started talking about -- I mean, these  
2 studies, if they do what we intend, you know,  
3 obviously they'll identify what the compelling  
4 governmental interest is. And once we've  
5 identified that, and if there -- as I've  
6 mentioned, if there are holes in the  
7 infrastructure where individuals are not able  
8 to extract information that they need, we'll  
9 be able to determine why. If we can determine  
10 why, if they're related to barriers that exist  
11 in the marketplace, then the Agency then could  
12 narrowly tailor, you know, and the language of  
13 Adarand could narrowly tailor its curative  
14 approach to those lacks in the marketplace.  
15 So in that respect, absolutely it's related to  
16 Adarand.

17 But it's gone much further than  
18 that. I mean, obviously the last time the  
19 Agency did studies of any scope like this were  
20 in '99 and 2000, and technologically things  
21 are vastly different. So our approach has had  
22 to match that change.

1                   CHAIRMAN RIVERA:   Karen?

2                   MS. NARASAKI:   Thank you, Mr.  
3                   Chair.   I have three questions.

4                   So how does the research that  
5                   David was talking about fit in with this  
6                   research?   In other words, my understanding  
7                   around the research that David was talking  
8                   about was about compliance.   And it seems to  
9                   me that part of the ecosystem in terms of  
10                  what's happening is understanding what  
11                  companies -- whether companies are actually  
12                  following existing regulations in order to  
13                  determine what that framework looks like.   So  
14                  that's one question.

15                  The second question is do I  
16                  understand correctly that part of this is  
17                  going to be a survey of what minority women  
18                  and other diverse providers are out there in  
19                  terms of, for example, Latino radio owners or  
20                  something like that?

21                  And then the third thing is I'm  
22                  always concerned about reliance on the

1 national surveys because even the Census  
2 Bureau research in the area of technology  
3 tends to not take into account language. And  
4 it's generally only in English, which I think  
5 masks the deficiencies in the emerging  
6 immigrant populations in terms of whether  
7 their needs are being served or not. And  
8 since it's such a growing part of the  
9 community, I'm concerned about that as well.

10 MR. REED: Okay. Let me see if I  
11 can take those in order.

12 You mentioned David's research.  
13 Again, I'll say, just sort of overlapping,  
14 this is in development and we're working with  
15 a number of -- SSIs working with a number.  
16 We've had about 20 academics and specialists  
17 in various areas. So this is in development.  
18 You know, the study that David referenced was  
19 particularly related to EEO, and this is much,  
20 much, much broader than that. I think that's  
21 the most I can say about that without getting  
22 into specifics that we'd probably need to sort

1 of have a discussion with the folks who are in  
2 the midst of the design that may more  
3 accurately be able to answer that question for  
4 you.

5 I understand your concerns about  
6 the survey. I mean, I think one of the  
7 realities that we have is that we have limited  
8 resources. I mean, that's the elephant in the  
9 room, and I'll just call it out. We've got  
10 limited resources, so there are a number of --  
11 part of what we're trying to do here is we're  
12 trying to couple a very deep dive into  
13 individual markets and also addressing the  
14 concerns. And that -- the issue that you  
15 discussed in terms of language minorities and  
16 that type of thing, it's very much at the  
17 forefront of what we're talking about here as  
18 our specialists are sort of doing the research  
19 design.

20 I mean, we're not just looking at  
21 traditional disadvantaged groups. We're  
22 looking at recent immigrant groups. We're

1 looking at again, language minorities. We're  
2 looking at the diversity in the Asian American  
3 community, and also in the Latin American  
4 community. So those issues are being  
5 addressed.

6           So I understand that. I  
7 understand your concerns in terms of the  
8 national surveys, and that's an excellent  
9 point. I mean, we haven't designed those  
10 surveys yet and that's something that was  
11 raised at our research design conference.  
12 So, but again, we're trying to couple sort of  
13 the case studies that deep dive into  
14 individual markets with sort of a national  
15 overlay. So that's where the surveys come in.  
16 But that's a second part of where we're sort  
17 of just finishing the first step.

18           So I think that -- did that  
19 address all your questions on the list?

20           DR. TURNER-LEE: So the third  
21 question was so are you basically also taking,  
22 for want of a better word, a census of what

1 all the different providers are that are out  
2 there?

3 MR. REED: That was definitely  
4 discussed. I mean, when we were looking at  
5 the case studies, I mentioned that we -- one  
6 of the challenges that the researchers were  
7 looking at was how do we inventory -- let's  
8 say if we're in Eau Claire, Wisconsin. You  
9 know, how do we inventory what's being  
10 provided in that particular market, whether  
11 it's traditional broadcasts, what's being  
12 provided on the Internet, what's being  
13 provided in various sources, what's being  
14 provided in print? So there will be an  
15 inventory of, like I said, top-down, the  
16 suppliers what are they supplying and some  
17 degree of content analysis. So I think that  
18 does take in again the question of who's doing  
19 the providing.

20 CHAIRMAN RIVERA: Other questions  
21 for Tom? Yes, Diane? I'm sorry.

22 MS. SUTTER: Tom, to piggyback on

1 kind of what Karen was saying, one of the  
2 questions that I think is going to overlap  
3 with some of what the Subcommittee that we're  
4 working on, which is market barriers to entry  
5 -- one of the things is we take a consensus,  
6 or a census, if you will, of what is the  
7 ownership there?

8           Is there going to be a way for us  
9 to also address some of the barriers to having  
10 more diverse ownership in those markets of the  
11 various entities that you're going to be  
12 looking at? Because that would be -- I think  
13 we'd like to try and work with you on that at  
14 least as it relates to that so that we can as  
15 part of our Subcommittee's responsibilities to  
16 be able to see what we're going to learn and  
17 how we can use that to come back to this group  
18 with findings, recommendations, et cetera.

19           MR. REED: No, that's great.  
20 Thank you, Diane. I mean, I definitely  
21 encourage your group to both take another look  
22 at the literature review again, and when this

1 report becomes public in late November to  
2 examine that as well. As I said, I think part  
3 of this process is determining who's doing the  
4 providing. And if there are gaps in the  
5 information that's being provided where  
6 individuals and groups and communities aren't  
7 being served, why those gaps exist.

8 So without telegraphing or pre-  
9 staging what the result is, we want to ask the  
10 question first why do those gaps exist and do  
11 they exist because people aren't being allowed  
12 to enter the marketplace? So that's certainly  
13 a central question. Because otherwise we  
14 might identify the gaps, but if we don't know  
15 they exist and if we don't know why they're  
16 related to maybe traditional discrimination or  
17 other issues that created barriers, then we  
18 really aren't going to be able to do anything  
19 from a policy perspective unless we  
20 understand.

21 MS. SUTTER: Thank you.

22 CHAIRMAN RIVERA: Other questions?

1 Yes, Karen?

2 MS. NARASAKI: So will our  
3 advisory group have a chance to look at the  
4 plan of research before it actually goes into  
5 the field?

6 MR. REED: That I don't know. I  
7 think I -- it's going to be made public in  
8 November and it's going to be tested. And I  
9 think with anything that's made public there  
10 will be an opportunity to comment on it  
11 shortly thereafter. We probably won't be  
12 releasing the research plan internally, I  
13 mean, other than, you know, to internal groups  
14 or to advisory groups before the public  
15 notification.

16 CHAIRMAN RIVERA: But if you've  
17 got something to say about it, pick up the  
18 phone and call Tom once it's made public.

19 MR. REED: That's right. All  
20 those conversations are unrecorded, so we  
21 can --

22 CHAIRMAN RIVERA: Yes, Nicol?

1 DR. TURNER-LEE: Tom, also this is  
2 more of a research question as well. Are you  
3 going to go a little deeper around  
4 generational differences in the research?  
5 Because obviously some of the prior research  
6 has shown us that young people access  
7 different than more senior populations. So  
8 I'm just curious with the different  
9 demographic groups will there be some drill  
10 down that I think would be relevant to this  
11 Committee as well as the general audience  
12 around trends?

13 MR. REED: You know, that's a  
14 great question. I don't know. In the  
15 sessions that I sat in on, you know, we had  
16 two days and I -- so there were a number of  
17 things that were covered. I don't recall that  
18 generational differences were covered,  
19 although I suspect that they were. And  
20 certainly I will add that to the mix, because  
21 we're in close contact with SSI that's putting  
22 together a report. So once we get -- and

1       there's going to be a full transcript that we  
2       have of the two days, so a lot of that's going  
3       to be thrown in the mix.

4                   CHAIRMAN RIVERA:   Okay.   Some  
5       potential for some very significant data  
6       that's going to come out of this.   And I  
7       wanted Tom to go into some depth with regard  
8       to what he's doing and what's going on,  
9       because I think this has the potential to  
10      inform the Committee's work and you might want  
11      to keep in mind the fact that this data is at  
12      some point going to be available as you pursue  
13      your various tasks on behalf of the full  
14      Committee.   And of course we have Tom here and  
15      he will be helping us and also will be very  
16      mindful of the existence of that data once it  
17      becomes available.

18                   MR. REED:   Just one last point  
19      just to remind folks that what we're getting  
20      in late November -- you know, this is the  
21      government, so let's understand our timing.  
22      We're getting the report on the research, the

1 actual research design. And then there's  
2 going to be a recommendation in that report on  
3 test markets. Some of that is dependent on  
4 resources. We want to do as much as we have  
5 with the funds that we have available.

6 And then I'm not sure what the  
7 time frame is in terms of how long it's going  
8 to take to actually test the markets so that  
9 we get data back from the markets. I'm  
10 thinking, and don't hold me to this, that  
11 we're looking at, you know, December through,  
12 you know, probably most of the first half of  
13 2013 where we'll have data that's something  
14 that we can use. We're probably looking at  
15 the second quarter of 2013, calendar 2013.

16 I'll have more specifics, so if  
17 anybody has more questions, just shoot me an  
18 email and I'll get in touch with SSI and also  
19 a couple of my folks who are working hard on  
20 it. We can get better estimates as to when  
21 we'll have that information back. And then  
22 once we have that, we've got a tool that we

1 think we can use, then we'll go deep into  
2 other markets. And that again will depend on  
3 funding. So, but thank you.

4 CHAIRMAN RIVERA: Tom, do you have  
5 anything else for us?

6 MR. REED: I think that -- no,  
7 that was it.

8 CHAIRMAN RIVERA: Okay.

9 MR. REED: That was it. I think  
10 we're all done.

11 CHAIRMAN RIVERA: Thank you.  
12 Great report. Appreciate it.

13 MR. REED: Thank you.

14 CHAIRMAN RIVERA: Yes. All right.  
15 Diane, you're on.

16 MS. SUTTER: Thank you.

17 CHAIRMAN RIVERA: And I know  
18 you've got a plane to catch.

19 MS. SUTTER: That's all right.  
20 That's all right. It's not going anywhere  
21 yet.

22 PARTICIPANT: Hopefully the seats

1 will stay attached.

2 MS. SUTTER: Yes, hopefully the  
3 seats will stay on the plane. And I am flying  
4 American.

5 (Laughter.)

6 MS. SUTTER: It's a direct flight,  
7 so we have a lot of opportunity for where they  
8 can leave you, yes. Yes.

9 Thank you, Mr. Chairman. I have  
10 the privilege of chairing the Market Barriers  
11 to Entry Subcommittee. And as a way of  
12 background, and since our last meeting in  
13 August, we received direction from the  
14 Commission on how they would like us to  
15 proceed and what they're looking for from this  
16 Committee. And in particular we were tasked  
17 with examining the reintroduction and re-  
18 implementation of the tax certificate for the  
19 Commission's report to Congress at the end of  
20 the year.

21 Most in the industry agree that  
22 the tax certificate was a good policy despite

1 suggestions that there may have been a few  
2 instances in which the policy may have been  
3 abused. Our efforts are really focused on  
4 providing information and data on how the tax  
5 certificate worked, anecdotal evidence of its  
6 success, and whether any gaps exist in the  
7 policy and its original goals, considering the  
8 current media landscape. Once we have this  
9 information, we'll provide it to this full  
10 Committee so that we can see what are  
11 appropriate recommendations to send up to the  
12 Commission.

13 Over the years a number of tax  
14 certificate bills have been reintroduced into  
15 Congress, but they were unable to overcome two  
16 significant challenges, one being timing.  
17 There were never companion bills in both the  
18 House and the Senate at the same time. And  
19 two, they were unable to garnish sufficient  
20 bipartisan support.

21 Several organizations and ad hoc  
22 committees have examined a new tax certificate

1 policy and many have tried to include language  
2 to prevent abuse that would limit the policy  
3 to instances where minorities and women own  
4 more than 50 percent of the entity. This  
5 situation is not always possible where private  
6 equity is involved and needs to be considered  
7 in terms of the reality of the economic  
8 marketplace.

9 Part of our challenge will be to  
10 develop language that could be used to ensure  
11 that entrepreneurs are in operational control,  
12 but may not own 50 percent of the equity,  
13 which is the attempt that was being made in  
14 previous bills that have been before Congress.

15 Our group had determined that we  
16 now after two calls, two conference calls with  
17 the Committee as a whole that we are aware  
18 that the media industry is completely  
19 different today than the one that was in place  
20 when the tax certificate was adopted.  
21 Consolidation has had and will continue to  
22 have a major impact on ownership.

1                   And looking toward 2013 we'll need  
2                   to have discussions with the major media  
3                   players that exist today; Clear Channel,  
4                   Comcast, CBS, others, to see what their  
5                   thinking is around minority and women  
6                   entrepreneurship in today's economic  
7                   environment. We need to determine what's in  
8                   it for them and are they looking for a tax  
9                   certificate or some other way to work with  
10                  women and minorities to make ownership  
11                  possible.

12                  A number of other organizations  
13                  have been working on this issue over the years  
14                  since the tax certificate went away and we  
15                  want to bring them into our conversation. The  
16                  one constant is that the tax certificate  
17                  benefitted both the recipient and the seller,  
18                  but we may want to look at other ways to  
19                  structure a tax certificate or some other idea  
20                  that could work to increase minority and  
21                  female ownership.

22                  For example, Clear Channel has

1       donated radio stations to MMTC, which they are  
2       now selling. And there are other things that  
3       we might want to look at as ways in addition  
4       to the tax certificate that could be potential  
5       ways to increase diversity in ownership.

6       However, we have been asked to focus on -- the  
7       Commission has asked us to focus on  
8       recommendations on the tax certificate policy,  
9       so that is our primary goal.

10               And toward that end the Committee  
11       has divided into two task forces. One will be  
12       to work to gather historical data information  
13       and what has previously been written by law  
14       firms, other organizations that have talked  
15       about the tax certificate, what has happened  
16       with it and what the history has been to try  
17       to mass that data on the use of the tax  
18       certificate. And number two, the second  
19       committee is going to be working on anecdotal  
20       evidence to find examples of success stories  
21       where we can identify people who have  
22       participated in the program and build a

1 successful company because of the use of the  
2 tax certificate. Our hope would be to put a  
3 face, if you will, on the tax certificate, not  
4 just to provide statistical information.

5 A big part of this project will be  
6 to reach out to other people and organizations  
7 that have an interest in this and are willing  
8 to donate their time and work with us. To  
9 date we have contacted by email David Honig at  
10 MMTTC, Jim Winston at NABOB, Aaron Fuller at  
11 AWM, Jane Mago at the NAB, Toni Cook Bush at  
12 Skadden, and we've asked for their  
13 participation and assistance with identifying  
14 historical data, articles, examples of  
15 individuals and/or companies that have  
16 utilized the tax certificate when it was in  
17 force. We've also contacted NTCA to elicit  
18 their help in providing background  
19 information.

20 I had the opportunity to speak  
21 with Frank Washington, who many of you may  
22 recall was the last individual that was

1 seeking to do a deal with the tax certificate.  
2 And I think that -- he told me this is the  
3 first time anyone has ever called him to ask  
4 him about what he thought happened and what  
5 might be the future and where we go. He has  
6 agreed, promising that if we will actually  
7 listen and do something with the information,  
8 was the qualification that Frank had -- that  
9 he has a lot of information, has a lot of  
10 history and had previously done a number of  
11 deals utilizing the tax certificate which had  
12 been very successful. So I think he is going  
13 to be a good and interesting resource for us,  
14 and one that we would be remiss in not  
15 including since his deal became the lightning  
16 rod, if you will, for the dissolution of the  
17 tax certificate. So a better understanding of  
18 what happened then and what the differences  
19 are between what happened at that era and  
20 where we are today.

21 We are also planning to contact  
22 Frank Montero at Fletcher Heald & Hildreth for

1 some of the work that he has done and things  
2 he has written. NTIA and John Oxendine who  
3 headed Broadcap at the time of the tax  
4 certificate. So those are the people we've  
5 identified at this point.

6 We welcome your ideas, your  
7 contacts, your suggestions to help the  
8 Subcommittee as we assemble this historic  
9 data, as well as the anecdotal information so  
10 we can provide recommendations going forward.  
11 It's a lot to do in a very short period of  
12 time, so all in-comers are greatly welcomed  
13 and we look to be inclusive in this. A number  
14 of our Committee members are here. I would  
15 ask that you would just raise your hand so  
16 people in this room know at least who in this  
17 room is working with us. And that if you  
18 would indeed talk to any one of us, we would  
19 look forward to that.

20 And is there anything that any of  
21 the Committee members would like to add to  
22 that report?

1 (No audible response.)

2 MS. SUTTER: All right. Then  
3 thank you, Mr. Chairman. That's the report of  
4 our Committee.

5 CHAIRMAN RIVERA: Thank you,  
6 Diane. Great report and great work.

7 And if you are reached out to by  
8 the Subcommittee, I hope you will give them  
9 every cooperation. They're doing some  
10 important work and we sure do need the tax  
11 certificate back, or something like it.

12 MS. SUTTER: It is interesting how  
13 many people don't really know what that even  
14 was. It was 1996 I think is --

15 CHAIRMAN RIVERA: Long time ago.

16 MS. SUTTER: -- the dissolution of  
17 it. And there are an awful lot of -- thank  
18 you. Even longer. And there are a lot of  
19 people who really are unaware of it and don't  
20 recognize that it had a lot of success during  
21 the time and made a major difference in the  
22 number of minorities that we had in ownership.

1 So I think it's important to at least have the  
2 conversation. And whether this is the only or  
3 the best way, it's certainly one way and  
4 hopefully it will spawn the conversation about  
5 what else we might be doing.

6 CHAIRMAN RIVERA: It's a good  
7 starting point, yes. Does anybody have any  
8 questions for Diane?

9 (No audible response.)

10 CHAIRMAN RIVERA: Okay. Well  
11 thank you very much. And I know you've been  
12 working very hard, you and the Subcommittee,  
13 particularly in the short term, so we really  
14 appreciate all the effort you have put into  
15 this and that you will put into it. Thank you  
16 very much.

17 Nicol, do you have a report for  
18 us?

19 DR. TURNER-LEE: Yes, I do. Thank  
20 you, Mr. Chairman.

21 First I want to say before I did  
22 the report this is an exciting time to give

1 this particular report for the WiFi Technology  
2 Committee with all of the things happening  
3 that we've heard today with the research, as  
4 well as some of the recent announcements. So  
5 thank you for the opportunity to update and  
6 speak on behalf of the Subcommittee for the  
7 Wi-Fi and the use of unlicensed spectrum for  
8 women, minorities and small business owners.

9           So the timing for our presentation  
10 could not be better as the FCC champions one  
11 of the most aggressive plans to ensure that  
12 the nation does not experience a spectrum  
13 shortage that hinders our economic  
14 productivity, social engagement and public  
15 benefits. And FCC Chairman Genachowski  
16 recently spoke to the importance of supporting  
17 unlicensed spectrum band to generate more  
18 robust wireless broadband on these lower band  
19 frequencies. In his own words, the chairman  
20 shared that "unlicensed spectrum has a  
21 powerful record of driving innovation, driving  
22 investment and economic growth." And

1 Commissioner Rosenworcel who was just here  
2 echoed these sentiments when she shared that  
3 "good spectrum policy has room for both  
4 licensed and unlicensed spectrum."

5 So prior to this all happening we  
6 had our Committee of which several members are  
7 here and represented on the phone, to actually  
8 look at this particular task. And this is a  
9 really important task I think. Whereas what  
10 Diane reported on in terms of going back and  
11 thinking about market barriers to entries in  
12 the past, we're sort of forward thinking I  
13 think with the task of this Committee,  
14 particularly as unlicensed spectrum continues  
15 to generate billions in revenue, whether it  
16 comes through wireless connections, through  
17 the home or business networks, live content  
18 streaming, smart metering or tele-medicine.  
19 These uses all contribute not only to  
20 consumers' effectiveness and efficiency, but  
21 also to the nation's bottom line because it  
22 ultimately creates jobs and opportunities,

1 particularly in communities that are under-  
2 served and among women and small business  
3 owners.

4 In the last meeting our  
5 Subcommittee offered a more verbal report that  
6 touched upon the engagement of these audiences  
7 and how this unlicensed spectrum technology  
8 could actually be used to bridge digital  
9 disparities. And we spoke about it in this  
10 imagination frame that our group was in on the  
11 use of this type of spectrum to power up e-  
12 books in low-income communities or to offer  
13 virtual laboratories for research and  
14 development for emerging entrepreneurs. And  
15 I think this Committee actually agreed that  
16 those are really great opportunities for  
17 communities of color, women and small business  
18 owners.

19 But as we did this, we also asked  
20 several minority tech entrepreneurs in a very  
21 non-empirical study, a very small sample. And  
22 in this survey we found that the majority of

1       them were not aware of the utility of  
2       unlicensed spectrum or understood how they  
3       could access that. The FCC was actually very  
4       generous with their time to speak about the  
5       need for compliant devices, which our own  
6       Subcommittee had an educational a-ha moment,  
7       but what we found with these entrepreneurs,  
8       that they also were not aware of these various  
9       compliance objectives.

10               Clearly, unlicensed spectrum has  
11       already spurred innovations in Wi-Fi  
12       technology and the Internet-enabled devices  
13       that deliver content and/or services. I just  
14       read an article recently: More than 800  
15       million new WiFi capable devices are sold each  
16       year.

17               With that being said, again we  
18       have the opportunity to be on the right side  
19       of history to ensure that we do not have those  
20       barriers to entry that will limit these  
21       populations from taking full advantage of the  
22       economic and social opportunities that are

1       afforded.

2                       So with that, Mr. Chairman, and to  
3       all of the Committee members, we would like to  
4       today just continue the conversation we've  
5       already had with OCBO around convening a  
6       formal workshop to raise the awareness and  
7       education around unlicensed spectrum  
8       technologies.

9                       The goal of this workshop would be  
10       twofold: One would be to raise the  
11       educational awareness level of minority  
12       entrepreneurs, women and small business owners  
13       to understand the value proposition of  
14       unlicensed spectrum and hear best practices  
15       from those with experience on how to get  
16       products and services to the market. We feel  
17       that once you actually do this education  
18       people have to also understand what the  
19       business proposition is. And because of the  
20       lack of understanding among these people that  
21       we surveyed who were information managers,  
22       cloud computing specialists, et cetera,

1 engineers, they have to know about it. So we  
2 thought that that would be a great way to  
3 raise awareness as one of the goals of the  
4 workshop.

5 The second goal, and I think we'll  
6 be working closely with the other task force,  
7 is to understand the specific market barriers  
8 to entry that does inhibit minority engagement  
9 in the space. Clearly, in this area there are  
10 some barriers. We're not as familiar yet on  
11 what they specifically are, so we see that as  
12 part two of this workshop, or potentially  
13 emanating from the results of this workshop,  
14 but working closely with the Commission to see  
15 how we address that in the research that Tom  
16 actually spoke about and the other findings  
17 from the Committees.

18 And one of the recommendations we  
19 put out there for the Committee is certainly  
20 we could host it here, but it's not a bad idea  
21 to take it on the road to actually see how  
22 other people -- inventors, engineers, industry

1 representatives, government and investors --  
2 are actually applying this spectrum.

3           So in the end, and I will open it  
4 up to other Committee members, we hope to work  
5 closely with the Commission to host this in  
6 the next few months and come back to this  
7 advisory group with results from these  
8 sessions. And as a side bar, again we're  
9 excited about what we've heard today, in  
10 particular myself, because I think that will  
11 help us to understand how we actually craft  
12 this particular space to make it much more  
13 amenable to open participation from these  
14 populations that are just now understanding  
15 the burgeoning potential of unlicensed  
16 spectrum technology.

17           So I'm going to yield, but like  
18 Diane said, because I have several Committee  
19 members that are here, to make sure I didn't  
20 forget anything in my notes. I know Eric is  
21 here. I've heard Jose on the phone. And  
22 Donna I believe is on the phone. Any other

1 Committee members on the phone? Did we forget  
2 anything?

3 MR. MARQUEZ: No, I just wanted --  
4 I'm -- it's Jose Marquez and I'm the president  
5 of LISTA. I don't want to add anything to  
6 this, but I don't remember that we ever  
7 addressed the issue of having certain Latino  
8 and African-American companies come in and  
9 address the Commission on some of these  
10 issues. I don't know if, Mr. Chairman, that  
11 was ever voted on, or did we ever have to vote  
12 on something like that? Just want a point of  
13 clarification.

14 DR. TURNER-LEE: I believe it was  
15 mentioned in the last meeting. I think it was  
16 brought up. And we have met and that wasn't  
17 one that was in our report, but I'm not sure  
18 if that's something that also should be a side  
19 bar, Tom, that we should talk about as well.

20 CHAIRMAN RIVERA: Yes, I agree.  
21 Jose, why don't you circle back with Nicol on  
22 that question?

1 MR. MARQUEZ: Okay.

2 CHAIRMAN RIVERA: And then we'll  
3 carry it up to Tom and see what next steps are  
4 most appropriate with that paradigm in mind.

5 MR. MARQUEZ: Okay. Thank you,  
6 Mr. Chairman.

7 DR. TURNER-LEE: Yes, in summary,  
8 we're ready to get to work.

9 CHAIRMAN RIVERA: Yes, indeed. I  
10 can see that.

11 Any questions for Nicol? Yes,  
12 Andy?

13 MR. SCHWARTZMAN: I find this  
14 extremely helpful and very important. I think  
15 that Wi-Fi is arguably on a cost-benefit basis  
16 the most effective thing the FCC has ever done  
17 in terms of regulatory cost benefit. It  
18 yields unbelievable benefits and there's so  
19 much more that can be done with unlicensed.

20 My question is perhaps delicate  
21 and it's directed I think to you, Mr.  
22 Chairman. There are policy questions at the

1 Commission level that could have a significant  
2 impact on the amount of spectrum available for  
3 unlicensed use in the years to come. Is it  
4 appropriate for this Committee to weigh in  
5 with a recommendation that could be, for  
6 example, to maximize availability of  
7 unlicensed, or whatever?

8 CHAIRMAN RIVERA: Well, I think  
9 that's a great question and I think again we  
10 want to work with Tom on that and have him  
11 talk with the chairman's office.

12 And I think, Nicol, you need to  
13 liaise with Tom and see what we ought to do.  
14 That's a good question.

15 DR. TURNER-LEE: Yes, it is a  
16 great question, and one I think we should go  
17 into further discussion around given the  
18 timing.

19 CHAIRMAN RIVERA: Other questions?

20 (No audible response.)

21 CHAIRMAN RIVERA: Now, well,  
22 there's a lot going on, as you can see. We

1 have one other Subcommittee and that's on  
2 Channel 5 and 6. And the chairman was not  
3 able to be with us today. She's on an  
4 airplane.

5 But, Tom, do you have any  
6 information about -- I know you've been trying  
7 to have a conversation with Susan about next  
8 steps on that. And do you have anything that  
9 you can add?

10 MR. REED: Well, thanks, Henry.  
11 First I'd like to thank all the Subcommittees  
12 and chairs for all the work that you've done  
13 in the last few months. I know it's been a  
14 heavy lift and we certainly appreciate it.  
15 And I'd like to thank Carolyn and Nicol and  
16 Barbara obviously who've done -- who go above  
17 and beyond and pulling this stuff together.  
18 So my hat is off to everyone.

19 As to Channels 5 and 6, just very,  
20 very briefly, Susan and I have been in  
21 contact. We, at least temporarily, have asked  
22 this Subcommittee to hold. There are some

1 larger questions that are at play obviously  
2 around incentive auctions and repacking and  
3 spectrum allocation that the Agency is sort of  
4 hard at work on. And the issue of sort of any  
5 migration opportunities for AM radio and 5 and  
6 6 are subsumed within those larger questions.  
7 So until the Agency has resolved some of these  
8 issues and we understand what the spectrum map  
9 is going to look like, I think we're going to  
10 hold on this question for a little bit. All  
11 right?

12 CHAIRMAN RIVERA: That sounds  
13 right. So we'll be in touch with regard to  
14 that, Channels 5 and 6, going forward.

15 And if any of you are on task  
16 forces -- well, I know all of you are on task  
17 forces, but if any of you want to take on  
18 another task force, given the reports that  
19 you've seen today, please contact the  
20 Subcommittee chair. You're welcome to join  
21 another task force and they're happy to have  
22 the help. Just contact them and let me know

1 and we can certainly sign you up for another  
2 task force.

3 That brings us to the end our  
4 agenda. Sherman?

5 MR. KIZART: Mr. Chairman, this  
6 question is for you and to Tom. There's been  
7 more discussion about this whole foreign  
8 ownership issue and the possibility of its  
9 expansion, and there's been some talk about  
10 how it might be an effective way to address  
11 the diversity of ownership question.

12 My question to you and to Tom is  
13 how will the Commission -- how will our  
14 Committee be actively engaged in that whole  
15 issue, because again it's something that  
16 commissioners are talking about, the industry  
17 is talking about, and there may be a role that  
18 we can play with respect to that whole issue.

19 CHAIRMAN RIVERA: No, that's a  
20 very good question. Tom and I have not  
21 discussed that and we will certainly do that.  
22 We are basically operating under a system

1 where the Commission asks us for input. And  
2 to the extent that they are interested in  
3 input from this Committee on that subject,  
4 then we will get involved. But I haven't had  
5 an opportunity to talk to Tom about it. But  
6 I will do that.

7 MS. KREISMAN: And a formal  
8 petition is now pending with the Commission  
9 that requests relief in that, so that  
10 complicates things a little bit.

11 CHAIRMAN RIVERA: Yes. Tom,  
12 anything you want to say about that?

13 MR. REED: In the context of what  
14 both Henry and Barbara said, I'm always happy  
15 to have a conversation about your thoughts on  
16 the subject, and certainly we could have  
17 further conversations as to whether or not  
18 it's a viable issue for this Committee to take  
19 up.

20 CHAIRMAN RIVERA: All right.  
21 That's a very good question though, Sherman.  
22 Thank you for raising it.

1                   Anything else anyone wants to  
2 raise? Karen?

3                   MS. NARASAKI: Thank you, Mr.  
4 Chair. I was wondering -- it was interesting  
5 talking to -- hearing from the new  
6 commissioners and it reminded me that there is  
7 a fairly long backlog of recommendations from  
8 this and prior versions of this Committee to  
9 the FCC. And I'm wondering if we've had  
10 recently any status report on where any of  
11 those recommendations are, whether any of them  
12 are still under consideration.

13                   CHAIRMAN RIVERA: Right. I have  
14 -- we have not had such a report. And I don't  
15 want to put Tom on the spot here. I have not  
16 -- I didn't ask him to prepare a status report  
17 for us today, but I think we could certainly  
18 have one going forward.

19                   Tom, do you want to say anything  
20 at all?

21                   MR. REED: Yes, I mean, I think  
22 just candidly, I mean, there were -- right,

1 we're referencing any number of  
2 recommendations that have been before the  
3 Agency that have been put forth by this --  
4 well, prior iterations of this Committee. I  
5 know we did a status report a couple years ago  
6 on standing -- on recommendations.

7 I think given the complexities of  
8 what the Agency is working on at any given  
9 time, what's been helpful is if there are  
10 particular issues that individual groups want  
11 to raise, then I'm always happy to pull  
12 together the appropriate people within the  
13 Agency to talk about those issues to determine  
14 whether they're viable actions that the Agency  
15 can take with respect to those  
16 recommendations.

17 I don't think it's productive,  
18 frankly, when we reference, you know, a host  
19 of recommendations because it really doesn't  
20 pinpoint where the concerns are. I think one  
21 of the benefits of this Committee is to  
22 address in a more laser-like fashion what

1 issues we think we can work on and make some  
2 progress on.

3           So I found that I'm always  
4 available to have those conversations and we  
5 can sort of discuss where particular  
6 initiatives are. And it gives me an  
7 opportunity also to talk to the individuals in  
8 the various offices and bureaus who have the  
9 laboring oar on those issues to sort of get  
10 them to provide some information on where  
11 those things are.

12           So I think if there are particular  
13 recommendations that you or anyone else can  
14 identify that are of note, then we can have a  
15 discussion about those. I think that's a  
16 productive way forward.

17           MS. KREISMAN: We have such a  
18 dynamic industry, that sometimes time makes  
19 some of the former recommendations no longer  
20 relevant and sometimes they've been subsumed  
21 in other things that we've done or are doing.  
22 So I agree with Tom absolutely.

1 MR. REED: Just to add to that, I  
2 mean, I've had -- in my office we've had  
3 numerous meetings with MMTC and other  
4 organizations that have raised  
5 recommendations, that we've talked about  
6 specific recommendations. And point of fact,  
7 there are about seven or eight right now that  
8 my office is doing white papers on in terms of  
9 where they are, the issues that sort of  
10 continue to come up kind of perennially. And  
11 so we're always at work on the issues that we  
12 think are top priority or that we think are  
13 low-hanging fruit. So by all means, reach out  
14 to me and we can talk about, you know, what's  
15 on the list.

16 CHAIRMAN RIVERA: So some still  
17 are under consideration. That's good news.

18 Anything else anybody wants to  
19 raise?

20 (No audible response.)

21 CHAIRMAN RIVERA: All right.

22 Seeing none, I want to again thank you for

1 your work that you have done and that you will  
2 be doing and for coming today and sharing your  
3 thoughts and advice and comments.

4 We will -- I'm going to try to  
5 meet again in January, depending on when we  
6 can get access to this room. So watch your  
7 email. Barbara will be sending something out  
8 to all of you to schedule that and hope you'll  
9 save the date on your calendar.

10 A special thanks to Barbara for  
11 all her work on the Committee. She's been a  
12 stalwart and we're very grateful to you.

13 So with that, we'll stand  
14 adjourned, and again thank you.

15 (Whereupon, the meeting was  
16 adjourned at 3:34 p.m.)

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19  
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the Digital Age Advisory Committee

Before: FCC

Date: 10-03-12

Place: Washington, DC

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