Scope of the DSTAC Report

The Downloadable Security Technical Advisory Committee (DSTAC) was formed in response to a mandate in the STELA Reauthorization Act of 2014, which required the establishment of a working group of technical experts that represent a wide range of stakeholders “to identify, report, and recommend performance objectives, technical capabilities, and technical standards of a not unduly burdensome, uniform, and technology- and platform-neutral software-based downloadable security system to promote the competitive availability of navigation devices in furtherance of Section 629 of the Communications Act.“ The DSTAC must file a report with the Commission by September 4, 2015 to detail its findings and recommendations. Initial discussions within the working groups centered on the scope of issues on which the DSTAC should focus. The Congressional language, repeated in the DSTAC’s charter, ties the committee’s goals to “promot[ing] the competitive availability of navigation devices in furtherance of Section 629 of the Communications Act.” As reflected in the report of Working Group 1, some members, generally representing the consumer electronics industry and public interest advocates, argue that in order to promote a competitive market for retail navigation devices, manufacturers must be able to differentiate their products from products offered by multichannel video programming distributors (MVPDs) through the use of such features as unique user interfaces, search functions, and the ability to record programming. In contrast, other members, generally representing the cable, satellite TV, and programming content industries, argue that the DSTAC should not focus on issues related to presentation of services offered by MVPDs, and emphasize that MVPD control of presentation is vital to honor programming agreements and offer a complete service.

In order to ensure that the Commission has the benefit of full information in any subsequent deliberations on this topic, we instruct the committee to make recommendations concerning both approaches— an approach under which MVPDs would maintain control of the user interface and an approach that would allow consumer electronics manufactures to build devices with competitive interfaces—as outlined above. Consistent with the Commission’s obligations and responsibilities under the Federal Advisory Committee Act (5 USC App. 2) and the General Service Administration’s implementing regulations (41 CFR Part 102), we provide this guidance to clarify the mission that the agency has assigned to the committee in order to ensure that the advisory committee will effectively carry out its duties.