

Attachment—Additional Questions for the Record

**Subcommittee on Communications and Technology
Hearing on
“Connecting America: Oversight of the FCC”
March 31, 2022**

The Honorable Geoffrey Starks, Commissioner, Federal Communications Commission

The Honorable Yvette Clarke (D-NY)

1. A technology called ZoneCasting, developed by GeoBroadcast Solutions, LLC (GBS), allows radio stations to target advertising to specific neighborhoods and to advertise locally on FM boosters, independently of their primary station. In 2020, the FCC released an NOI seeking comments on a proposed rule change allowing the use of FM booster stations for ZoneCasting using GBS’s proprietary technology. Geo-targeted radio would reserve a small portion of airtime every hour for hyperlocal advertising. Proponents of the technology contend that the technology promotes more advertising for small business owners with limited advertising budgets, who want to connect with a geographically specific audience. While this appears to be an excellent benefit on the surface, we cannot overlook the potential risks of this technology.

For example, consider that minority-owned radio stations may feel compelled to do business with major corporations with large advertising budgets at the expense of local businesses in order to stay afloat, which effectively negates any potential benefit for small businesses. Moreover, geo-targeted advertising could lead to an industry-wide "race to the bottom" as advertising agencies and buyers leverage cheaper, geo-targeted ads to demand lower rates market-wide, further damaging industry stability. Further, there is already evidence that targeted advertising can be discriminatory, further dividing and isolating communities. Industry stakeholders and advocacy organizations have expressed concern regarding the potential for this technology to create an advertising landscape wherein redlining of low-income and minority communities runs rampant as broadcasters would have no recourse for ad buyers seeking to geotarget ads only to more affluent parts of a given radio market.

- a. How would the FCC address these potential adverse effects of ZoneCasting?

RESPONSE:

Thank you for your interest in this important issue. While the Commission has not yet made a decision on the rule changes that would facilitate technologies like ZoneCasting, I see great potential in this technology—both in improving the local radio experience for audiences and in better positioning small broadcasters, particularly broadcasters of color, to compete for listeners and advertising dollars.

For the FCC, a threshold question is whether these technologies would cause interference that degrades the listening experience. We have before us two reports from trials in different terrain environments. The results are promising. The Commission is now seeking comment on those reports. Once public input has been submitted, we will carefully review the record with the Commission's expert engineers.

With respect to the economic and redlining points you raise, I understand your concerns and continue to meet with broadcasters on this subject. And I note that there are a wide range of views about the most likely economic impacts. With regard to the likely economic impacts, many radio broadcasters believe, for example, that the industry's stability is threatened by its current inability to compete with other forms of media that have geotargeting capabilities. I recognize that these differences of opinion may represent varying market conditions in different parts of the country, and I note that the rules outlined in the Commission's 2020 Notice of Proposed Rulemaking would permit this use of FM boosters on a voluntary basis.

This technology may not be right for every broadcaster or every market. Based on the feedback that the FCC has received so far, it is reasonable to expect some radio broadcasters will be interested in trying geotargeting if the Commission allows its use. In particular, more than 20 civil rights organizations, including National Urban League, MMTC, and the NAACP, have stated their belief that "the ability to geo-target content on radio will be especially beneficial to minority broadcasters and their advertisers, and could have significant benefits for their programming and for minority ownership in radio overall."

The Honorable Cathy McMorris Rodgers (R-WA)

1. This Committee has a longstanding interest in streamlining the process of deploying broadband infrastructure as a means to increase access to fast and affordable Internet service. For its part, the FCC deserves credit for making progress on this front also over recent years. But more work remains to be done—particularly on Federal lands—to modernize our nation's siting rules. This is particularly important given the recent, massive influx of funding that will spur new builds across the country.
 - a. Do you support further streamlining of our broadband infrastructure rules?
 - b. What is the FCC doing currently in support of this goal?
 - c. Are there additional policies that you support that would further modernize/streamline broadband builds across the US?

The Commission has an obligation to ensure that all Americans have access to high-quality, affordable, and secure communications services. Congress has made a historic contribution towards that goal with its passage of the Infrastructure Investment and Jobs Act, which will fuel the once-in-a-generation construction of broadband infrastructure throughout the United States, including fiber buildouts and tower construction. That infrastructure deployment will require

close cooperation between industry and state, local, and Tribal authorities. The Chairwoman controls the Commission's agenda and is best equipped to describe the agency's current efforts, but I support infrastructure rules that will further encourage partnerships between telecom providers and the state, local, and Tribal authorities that represent their customers. Streamlined rules and more flexibility can be helpful and sometimes necessary, and we must ensure that these goals work with, and not at the expense of, state, local, and Tribal governments. We must also ensure that, in any streamlining of our rules, we incentivize telecom providers to deploy everywhere, and particularly in underserved or unserved areas.

The Honorable Steve Scalise (R-LA)

1. As you may know, since coming to Congress, I have led efforts to modernize our nation's outdated video laws. My goal has been to ensure that everyone in the marketplace gets paid for their products and consumers have more freedom to choose what programming they want to pay for.
 - a. Can you describe the extent to which streaming services that wish to offer local stations have been able to do so without retransmission consent?
 - b. Has the lack of retransmission consent agreements between broadcasters and streaming services created distortions in the marketplace?
2. In your view, does the lack of regulation for streaming services correlate with the innovation and popularity of these services? If so, please explain why?
3. In light of your consideration of question 2, what steps can and should the Commission take to reform the video marketplace in a manner that allows all services (including streaming, cable, and satellite) to compete on a level playing field?
4. In light of your consideration of question 2, what steps can Congress take to reform the video marketplace to better reflect the competition in the marketplace today?

RESPONSE:

While online distributors are not subject to the retransmission consent rules applying to broadcasters and Multichannel Video Programming Distributors that Congress created in the Cable Act of 1992, many of the largest online distributors now offer packages that include the major broadcast networks and, in some cases, local affiliates. These new choices in video distribution can increase competition and choice—wins for consumers. They also reflect a dramatic evolution in the video programming market over the last three decades. If Congress decides to take action to level the playing field between online distributors and MVPDs, changes to Title VI of the Communications Act would be required. I stand ready to work with Congress to ensure that any such changes promote reliable access to local broadcast stations.

The Honorable Bill Johnson (R-OH)

1. Do you believe Congress must fully fund the Secure and Trusted Communications Network Reimbursement Program in order for it to be successful in securing our nation's communications networks?

RESPONSE:

I strongly support the goals of the Secure and Trusted Communications Reimbursement Program and have been a leader in pushing for the Commission to ensure that our networks are secure and that untrustworthy equipment and services are removed. When I hosted the Find it, Fix it, Fund it Workshop at the Commission back in 2019, I discussed the importance of funding for small rural carriers and noted that we cannot expect these small carriers to replace insecure equipment alone. That remains true today. While the estimated expenses came in above the appropriated funding, I believe that any result that leads to carriers being unable to afford to remove, replace, and dispose of insecure equipment and services would leave our networks vulnerable. We have come a long way toward eliminating untrustworthy Huawei Technology Company and ZTE Corporation equipment from our networks and we need to finish the job.

The Honorable Earl L. "Buddy" Carter (R-GA)

1. The IIJA requires the NTIA to utilize the FCC's new maps when deciding how much of the \$42.5B each State should receive.
 - a. Upon the release of the first version of the FCC's broadband DATA Maps, to what extent do you expect the first version to be challenged – both because of the accuracy of the Broadband Fabric and the providers' filings?

RESPONSE:

We cannot close the holes in broadband access in this country if we don't know where they are. Our new maps will be an important tool in deploying broadband where it is needed most. But while these maps will be a significant improvement, we can't expect them to be perfect on the first version. That is one of the reasons for the challenge process. I expect that if there are errors, challenges may occur.

- b. In addition, how long do you believe it will take to process any challenges that are received and how much more accurate will the map be as a result of the challenge?

RESPONSE:

I am confident that the FCC's Broadband DATA Map team will work diligently to process any

challenges. Any challenge that is proven accurate will improve the accuracy of our maps, which is a good thing. Chairwoman Rosenworcel determines the schedule and priorities for the Broadband Data Maps Taskforce and can provide additional insight on expected timing.

The Honorable John R. Curtis (R-UT)

1. I am excited about the promise of low earth orbit (LEO) satellite systems and their ability to deliver high speed connectivity to remote communities in Utah. LEO satellite providers have announced plans to launch thousands and even tens of thousands of satellites, which drastically increases the need for safety rules and coordination among competing systems. How do you intend to address these space safety concerns and ensure these new technologies are deployed responsibly?

RESPONSE:

I share your optimism about the potential for next-generation satellite broadband to bridge the digital divide in the hardest-to-reach areas of our nation. I've proudly supported several Commission decisions authorizing new satellite constellations that will use low-earth orbit satellites to provide broadband service with unprecedented speed and lower latency. At the same time, the FCC's satellite policies were drafted in a different age of satellite policy, when launch numbers and constellation sizes were smaller and the technology very different. I believe that we should update our rules to reflect the new reality of more frequent launches and larger constellations, and we should work with the industry and our Federal partners with substantial expertise in space safety in considering these updates.