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February 12, 2018


VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington DC 20554

**Re: In the Matter of Modernization of
Media Regulation Initiative
MB Docket 17-105
Ex Parte Notice**

Dear Ms. Dortch:

Attached are several emails that were provided to Commission staff pertaining to the above-referenced docket. If there are any questions with respect to this matter, please communicate with the undersigned.

Sincerely,

Aaron P. Shainis
Counsel to
Geo Broadcast Solutions, LLC

Aaron Shainis

From: Chris Devine <cdevine@geobroadcastsolutions.com>
Sent: Wednesday, February 07, 2018 6:40 PM
To: Aaron Shainis; 'acbarrett@mindspring.com'
Cc: James Bradshaw (James.Bradshaw@fcc.gov)
Subject: FW: Is there anything we can do?
Attachments: Untitled_02072018_045332.pdf

Gentlemen: Attached you will find a letter from one of the former heads of the Illinois State's Atty's police force. He spent all of his time in Cook County. Cook County is where Chicago is. The crime rate might ring a bell. In his letter of support for geo-targeting emergency alert information on the radio he cites examples that are now being used by the chairman during speeches about the recently approved wireless emergency alert system and the free market driven ATSC 3.0 opportunity to target content on TV.

We are surrounded by positive commentary regarding the value of geo-targeting content for emergency and commercial use. This letter was written recently in support of our proposal.

The black elected legislative women wrote a letter and strong support of our proposed rulemaking in 2012 for geo-targeting. Citing that the approval would be in the best interest of their minority businesses and communities. This was authored by Senator Broome from Colorado

A letter from the national Black Caucus of local elected officials commented that zoning in on local businesses and communities will open up new opportunities for minority businesses and allow minority communities to benefit from affordable localized advertising supporting our efforts through the GBS proposed rulemaking

18 officers and regional directors of the national Association of Black County officials were included in a letter of support for geo-targeting information specifically citing election information in the geo-targeting of political information to specific neighborhoods public service announcements that can focus specifically what's happening in the local communities. *18 officers signed off on that support letter.

The Honorable Lisa Fowlkes Chief of Public Safety and Homeland Security released a statement yesterday citing the value of targeted alerts to an impacted area and enhanced geo-targeting which wireless providers can now offer on their network devices which was recently approved by the Commission. Ms. Fowlkes continued with the description of targeting blue alerts and the opportunity for emergency alerts to be delivered in a variety of languages through geo-targeting technology.

Those discussions are taking place now. The chairman at the MMTC meeting yesterday addressed small businesses and minorities and how FM class A to C4 upgrades could conceivably help minority broadcasters by increasing their coverage.

*We discussed that subject in the context of geo-targeting technology for radio with the Chairman just a few weeks ago. In the two meetings we had with the Chairman (to be clear one was when he was a Commissioner three years ago and one was just a few weeks ago) we heard him express meaningful *support for what our proposal represents. Yes I absolutely believe that in their eye for I just put it in writing.

We have met with senior executives at HD radio recently and the NAB. They seem pleasantly surprised at how with perfect the technology, which we demonstrated, geo-targeting on a single frequency FM be done very effectively.

We have talked extensively with David Honig and I can safely put back in writing to you that he said that he *strongly supports a rule amendment to allow boosters to broadcast separate content for the benefit all citizens.

David is credited with having advanced the rulemaking regarding FM class C 4 upgrades. Is this something we should revisit with David or Greg Walden or Ms. Fowlkes to attempt to get some traction?

The discussion continues everywhere. In the business community Pandora this week announced that they will be geo-targeting advertising to achieve a competitive edge by making content much more relevant to the consumer. We have support from Companies that represent over *500 radio stations. Those are just the ones who wrote letters. We could certainly secure more support letters if we need to.

Our proposed rulemaking was filed nearly 6 years ago. *Our proposal is clearly in the public interest in the results are being developed through many other technologies. Allison has told you she's working on this but there has to be something else we could do to advance this plan?

-----Original Message-----

From: Scanner

Sent: Wednesday, February 07, 2018 4:54 PM

To: Chris Devine

Subject: GBS Scan

Please open the attached document. It was scanned and sent to you using a Samsung MFP.

KEN LAVORATA
6461 W. Warner
Chicago, Illinois 60634

August 2, 2017

VIA HAND DELIVER

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington DC 20554

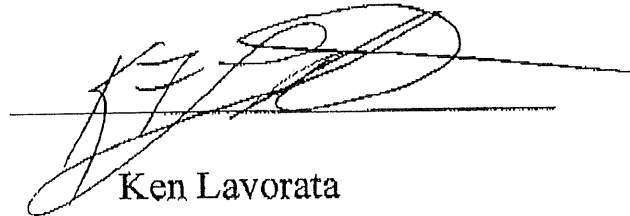
Re: MB Docket No. 17-105

Dear Ms. Dortch:

I, Ken Lavorata, have reviewed the Comments of Shainis & Peltzman, which were filed in the above-referenced Docket. I am also familiar with the Petition for Rulemaking filed by Geo-Broadcast Solutions, RM No. 11659, which is referenced in the Shainis & Peltzman Comments.

I have spent 48 years in law enforcement, 35 years with the Chicago Police Department and 13 years with the Cook County States Attorney's Office as an investigator. I spent much of that time in some of the more challenging areas of Chicago. During that time I have encountered many situations where the public would have benefited from the ability of radio stations to geographically target emergency alerts, weather issues and even traffic problems. Because time is such a significant factor, first responders would have benefited greatly from the information that could be geographically targeted.

I urge the Commission to take whatever steps it deems appropriate to expeditiously modify Section 74.1231(I) of the Commission's rules, allowing for origination of programming on booster facilities. As explained in the Shainis & Peltzman Comments, the public interest are significant. I believe that the adoption of this minor rule change will allow for a much needed boost for the radio industry, the economy, and not least, the public welfare.



Ken Lavorata

Aaron Shainis

From: Chris Devine <cdevine@geobroadcastsolutions.com>
Sent: Wednesday, February 07, 2018 6:40 PM
To: Aaron Shainis; 'acbarrett@mindspring.com'
Cc: James Bradshaw (James.Bradshaw@fcc.gov)
Subject: FW: GBS Scan
Attachments: Untitled_02072018_045401.pdf

-----Original Message-----

From: Scanner
Sent: Wednesday, February 07, 2018 4:55 PM
To: Chris Devine
Subject: GBS Scan

Please open the attached document. It was scanned and sent to you using a Samsung MFP.

[Home \(/\)](#)

BLACK ELECTED LEGISLATIVE WOMEN

[Home \(/\)](#) [Bureaus \(/bureaus\)](#) [Proceedings \(/proceedings\)](#) [Filings \(/filings\)](#) [Comments \(/comments\)](#)
Comment regarding Permit Origination of Programming on FM
Booster Stations by Black Elected Legislative Women.
[Contact \(/contact\)](#)

[Home \(/\)](#) / [Filings \(/filings\)](#) / [Black Elected Legislative Women \(/filings/id/6017036652\)](#)

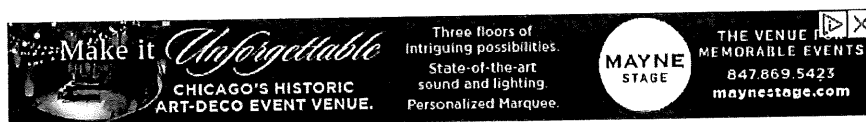
Comment Info

- Filed by - Black Elected Legislative Women
- Address - P. O. Box 7217 Denver, CO 80207
- Date - 05/22/2012
- ID - 6017036652

Proceeding Info

- Proceeding - RM-11659
- Subject - Permit Origination of Programming on FM Booster Stations
- Date - 04/13/2012
- Status - Open

[VIEW PROCEEDING \(/PROCEEDINGS/ID/RM-11659\)](#)



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Comment

Executive Board:

National Vice President Sen. Arthenia Joyner (FL)

First Vice President Rep. Karen Yarborough (IL)

Hon. Sharon Weston Broome (LA) National President

Secretary Rep. Sharon Beasley Teague (GA)

Corresponding Secretary Rep. Karen Camper (TN)

Treasurer Rep. Mia Jones (FL)

May 22, 2012

Re: RM No. 11659

Financial Secretary Rep. Angela Williams (CO)

Chaplain Rep. Earline Parmon (NC)

Parliamentarian Rep. Laura Hall (AL)

Historian Honorable Diana Bajoie (LA)

Immediate Past President Honorable Margaret Carter

Regional Chairpersons:

National Regional Coordinator Rep. Barbara Ballard (KS)

Region 1 Rep. Meshea Poore (WV)

Region 2 Rep. Adrienne Jones (MD)

Region 3 Sen. Mattie Hunter (IL)

Region 4 Sen. Jackie Winters (OR)

National Executive Director Hon. Gloria Travis Tanner, CO (Retired)

Federal Communications Commission 445 12th Street, SW Washington, DC 20554

FCC Commissioners: The National Organization of Black Elected Legislative Women (NOBEL/Women) is a non-profit, non-partisan organization primarily composed of current and former black women legislators as well as many appointed officials and we would like to submit our Statement in Support of the Petition of Rulemaking filed by GEO Broadcast Solutions, LLC. This Statement of Support is to permit origination of programming on FM booster stations because we believe this technology to be beneficial to those constituents we serve and the businesses that we support.

As the economy is heading for recovery, programs and technology, such as this, will continue to move us towards a national use of cookies to enhance our online experience. By continuing to visit this site you agree to our use of cookies. More info (http://wikipedia.org/wiki/HTTP_cookie)

NOBEL Women work actively to address public policy issues in many fields, one of which is telecommunications. Because of our interest in enhancing the lives of minorities and all people by promoting issues that affect change, NOBEL Women believes the Geo Broadcast Solutions proposal would be of great assistance to minority/ethnic groups by targeting messages of particular importance and interest to these communities. This proposal will also render assistance to the expansion of minority businesses by allowing stations to focus on local minority communities at affordable cost to local businesses. What better way to begin building our country, than to begin by building our minority and local communities? Technology such as this must continue to be supported, not only by our organization, but by Federal, state, and local organizations, whose job is to ensure economic recovery.

The National Organization of Black Elected Legislative Women supports Geo Broadcast Solutions and believes that this technology is in the best interest of our minority businesses and communities, and our country. Sincerely,
Senator Sharon Weston Broome National President
P.O. BOX 7217 - DENVER, COLORADO 80207-1271 (303) 355-7288 FAX (303) 333-1798

CERTIFICATE OF SERVICE

I, Sharon Weston Broome, hereby certify that I have delivered, on this ~ day of May, 2012, a copy of the foregoing Statement in Support of the Petition for Rulemaking to the following party:

Aaron P. Shainis, Esq. Shainis & Peltzman, Chartered 1850 M Street NW Suite 240 Washington, DC 20036

~

/Signature



[Bureaus \(/bureaus\)](#)

[Proceedings \(/proceedings\)](#)

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[Contact \(/contact\)](#)

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Aaron Shainis

From: Chris Devine <cdevine@geobroadcastsolutions.com>
Sent: Wednesday, February 07, 2018 6:43 PM
To: Aaron Shainis; 'acbarrett@mindspring.com'
Cc: James Bradshaw (James.Bradshaw@fcc.gov)
Subject: FW: GBS Scan
Attachments: Untitled_02072018_045606.pdf

Gentlemen I'm not going to send anymore documentation because I really don't want to be annoying. But the other things I mentioned in my first email are available either on the FCC website or I can send them if needed. Apologies for being so exercised about this but everybody's talking about stuff we can do. Only right now we can't do it.

-----Original Message-----

From: Scanner
Sent: Wednesday, February 07, 2018 4:57 PM
To: Chris Devine
Subject: GBS Scan

Please open the attached document. It was scanned and sent to you using a Samsung MFP.

Written Statement
of

Lisa M. Fowlkes
Chief, Public Safety and Homeland Security Bureau
Federal Communications Commission

"Ensuring Effective and Reliable Alerts and Warnings"

Before the
Subcommittee on Emergency Preparedness, Response and Communications
Committee on Homeland Security
U.S. House of Representatives

Tuesday, February 6, 2018

Good morning, Chairman Donovan, Ranking Member Payne, and Members of the Subcommittee. Thank you for the opportunity to appear before you to discuss our nation's emergency alerting systems.

As I recently testified before the U.S. Senate Committee on Commerce, Science, and Transportation, the false alert issued on January 13th by the State of Hawaii, in which recipients were warned of an imminent ballistic missile attack, was absolutely unacceptable. It resulted in widespread panic, and the extended period it took to correct the error – nearly 40 minutes – compounded the problem. Looking beyond the immediate consequences of the mistake, which were serious in and of themselves, this cry of “wolf” damaged the credibility of alert messaging, which can be dangerous when a real emergency occurs.

The Commission acted swiftly in the wake of this incident to open an investigation into the matter. That investigation is ongoing, however, the Public Safety and Homeland Security Bureau last week presented a preliminary report to the Commissioners at the FCC's January 30th Open Meeting, the presentation materials for which are attached to this written statement. Based on our investigation thus far, the Bureau finds that a combination of human error and inadequate safeguards contributed to this false alert.

While the mistake was realized very quickly, it took 38 minutes for a correction to be issued through the alerting system.

The Hawaii Emergency Management Agency has advised us that it is working with its vendor to integrate additional technical safeguards into its alert origination software, and has changed its protocols to require two individuals to sign off on the transmission of tests and live alerts to ensure that a similar incident does not happen again.

The Commission is also looking into the recent tsunami alerts issued following the 7.9 magnitude earthquake in the Gulf of Alaska on January 23rd to better understand how the Wireless Emergency Alert system performed. We are aware that questions have arisen about who received the alerts and who didn't, both with respect to carriers' participation in WEA and with respect to the geographic distribution of the alert, and we will seek answers.

Moving forward, the Commission will focus on what steps need to be taken to prevent an incident like the one in Hawaii from happening again, and will issue a final report at the conclusion of our investigation. Once issued, we will work with FEMA to engage in stakeholder outreach, and encourage the use of best practices. It will also be incumbent upon Federal, state and local officials to work together to prevent such a false alert from happening again. We also must ensure that corrections are issued immediately after a false alert goes out in order to minimize panic and confusion.

Emergency alerting systems provide timely and life-saving information to the public, and stakeholders must come together to take all necessary measures to bolster and restore the public's confidence in these systems.

The incidents in Hawaii and Alaska are very present in our minds. But I would be remiss in not discussing the benefits of and success stories behind wireless emergency alerts. In this respect, I would like to describe the FCC's efforts to support Wireless Emergency Alerts, commonly known as “WEA,” since the system was deployed in April 2012.

To provide you with the scope of its impact, in the last 5 years, WEA has been used to issue over 35,000 emergency alerts. The National Weather Service alone has sent well over 33,000 WEA alerts. For example, we understand that local California officials used WEA four times in response to the 2017 wildfires in Northern California, and sixteen times for the Los Angeles area wildfires. Representatives from the California Governor's Office of Emergency Services and officials in Marin and Mendocino Counties reported successful use of WEA to move citizens in their jurisdictions to safety. WEA was also used extensively in all areas affected by the 2017 hurricanes, including 21 WEA alerts sent in Puerto Rico alone.

WEA also helps to recover missing children. In 2016 alone, 179 AMBER Alerts were issued in the U.S. involving 231 children. Since the system was deployed in 2012, WEA has been credited with the safe return of 47 missing children.

The Commission places the highest priority on ensuring that emergency management authorities and first responders have the most up-to-date alerting tools available to them. Since WEA was first deployed in 2012, the Commission has taken significant steps to enhance federal, state, and local alert and warning capabilities to leverage advancements in technology.

In September 2016, the Commission adopted rules to enable wireless alerts to contain more content by increasing message length from 90 to 360 characters and by supporting embedded phone numbers and URLs. It also took action to enable support for alerts written in Spanish and make it easier for state and local authorities to test WEA, train personnel, and raise public awareness about the service.

The Commission also recognized that it is critical for emergency managers to be able to geographically target alerts to only those phones located in areas affected by an emergency. When the WEA program launched in 2012, participating wireless providers were generally required to send the alerts to a geographic area no larger than the county or counties affected by the emergency situation. As of last November, all participating wireless providers are now required to transmit alerts to a geographic area that best approximates the area affected by the emergency situation, even if it is smaller than a county.

But the Commission did not stop there. Last Tuesday, the Commission voted to require participating wireless providers to target alerts to the impacted area with an overreach of no more than one tenth of a mile by November 30, 2019. The Commission's recent action also requires that alert messages remain available in a consumer-accessible format on wireless devices for 24 hours after receipt, or until the consumer chooses to delete the message, which will enable the public to better review emergency information. The Commission also adopted enhanced consumer notification requirements at point of sale, to ensure consumers understand the benefits of enhanced geo-targeting and the extent to which the wireless provider offers enhanced geo-targeting on its network and devices.

Public safety officials support the Commission's recent action. For example, Francisco Sanchez, Deputy Emergency Management Coordinator at the Harris County, Texas, Office of Homeland Security & Emergency Management stated that the rule changes "set a much needed course to keep the nation's Wireless Emergency Alerts system a trusted life-saving tool for the public safety community, and is the single greatest improvement in years to the country's alerts

and warnings infrastructure,” and that it “will empower local public safety officials with the tools necessary to keep WEA relevant and their communities safer.”¹

By matching alerts to phones actually located within the affected area, the Commission’s action will assist emergency response efforts and instill confidence in the public’s reliance on WEA. Because people will be receiving alerts that are relevant to them, they will be less likely to opt out of the program and more likely to take the alerts they receive seriously. We are also currently considering how to provide emergency managers with the ability to transmit alerts in languages in addition to English and Spanish, alerts that can contain pictures, and alerts that could provide the public with the ability to reply.

While WEA is a powerful alert and warning tool, it is also important to note that it is only one among several tools available to emergency managers to alert and warn their communities.

For example, the Emergency Alert System, or EAS, is the traditional system used to provide alerts and warnings to the public over broadcast, cable and satellite systems, and remains a vital tool for emergency managers, state and local authorities. The Commission has been working to modernize the EAS to ensure that it remains a relied upon and useful tool. For example, just this past December the Commission adopted a new “blue alert” code for both EAS and WEA that will allow alert originators to provide targeted information to the public regarding threats to law enforcement and to help apprehend dangerous suspects. In November, the Chairman also circulated an item for the Commission’s consideration that would modernize and streamline the filing process for EAS state plans. In addition, last November the FCC authorized the rollout of Next Generation TV, also known as ATSC 3.0, on a voluntary, market-driven basis. Next Gen TV offers a new and improved method to provide consumers with vital information during emergencies. For example, it will enable advanced emergency alerting that could wake up sleeping devices to warn consumers of imminent emergencies. It will also allow for localized, emergency alerts in a variety of languages, and enhanced datacasting to serve law enforcement and first responders more efficiently.

Over the past several years, the FCC has also worked closely with FEMA to conduct nationwide tests of the EAS to assess its reliability and effectiveness. The FCC has also successfully deployed the EAS Electronic Reporting System, or ETRS, a user-friendly database that allows the over 25,000 EAS participants to report test results in close to real time. The most recent test was conducted on September 27, 2017, and our initial analysis of the ETRS results shows improvements in most areas. For example, results indicate more than 95 percent of participants received the test alerts, and nearly 92 percent successfully retransmitted the alert—both up from the previous year. Further, more than twice as many EAS Participants retransmitted the Spanish language version of the alert than was the case in 2016. In all, we are encouraged by the results and will continue to strive to find ways to enhance the EAS as well.

In closing, we look forward to partnering with emergency management professionals from your jurisdictions on the alerting capabilities that they need to use EAS and WEA with confidence during crises when every second counts.

Thank you for your consideration, and I look forward to any questions you may have.

¹ FCC Approves Life-Saving Enhancements to Wireless Emergency Alerts, Public Safety Officials Applaud Step Forward, Press Release (Jan. 30, 2018), at <http://www.readyharris.org/News-Information/Ready-Harris-News/Post/30743?platform=hootsuite>.

**REMARKS OF FCC CHAIRMAN AJIT PAI
AT MMTC's 9TH ANNUAL BROADBAND AND SOCIAL JUSTICE SUMMIT**

WASHINGTON, DC

FEBRUARY 6, 2018

Good morning. I hope everyone is highly caffeinated. I say that not because it's 8:00 in the morning. I say that because you're about to spend 90 minutes listening to a parade of current and former FCC Commissioners.

Kidding aside, thank you, Commissioner Tate, for that introduction. Thank you to MMTC and its leadership for welcoming me here today. Thanks in particular to Interim President and CEO Maurita Coley Flippin. I also need to acknowledge Julia Johnson, who is not only the Chair of MMTC's Board of Directors, but also the Chair of the FCC's Advisory Committee on Diversity and Digital Empowerment as well. As they say, mi Chairman es su Chairman.

I'm honored to be joined here today by my highly entertaining colleagues, Commissioners Carr and O'Rielly, and by Commissioner Clyburn, who I understand is joining us via video.

But most of all, it's an honor and a pleasure to be with you today. Yours is one of the most respected and thoughtful voices in our community. It's no accident that my very first meeting as FCC Chairman included MMTC and involved a discussion of strategies for expanding broadband access and promoting digital opportunity.

MMTC has been a key advocate for many of the policies we've enacted over the past year. When we proposed to eliminate the broadcast main studio rule, some opponents called this an attack on localism. But MMTC pointed out that the rule's prescribed staffing requirements effectively served as a barrier to market entry for minority broadcasters by putting significant financial burdens on these businesses. In the end, your argument carried the day, and we got rid of this archaic rule.

MMTC has also been a long-time proponent of creating a new class of FM radio stations, called C4. This reform could allow hundreds of Class A FM stations to broadcast with increased power. In particular, MMTC has noted that this "could help small and minority-owned stations gain access to capital and strengthen their foothold in the broadcasting arena." This idea has been sitting around for a while—long before I got into this position.

Well, I can now say that it's standing up. I'm pleased to announce that just yesterday afternoon, our Media Bureau circulated a Notice of Proposed Rulemaking that seeks public input on whether to amend our rules to create Class C4 FM radio stations. As this proceeding moves forward, you can be sure that we'll be looking to MMTC for your insight and expertise.

In addition to being a forceful advocate, MMTC has been a formal partner for some key initiatives at the Commission. I'm speaking in particular about our Advisory Committee on Diversity and Digital Empowerment and our Broadband Deployment Advisory Committee.

I wanted to spend some time this morning giving an update on the latest developments regarding these important ventures.

Let's start with the Diversity Committee.

When I last appeared before you, shortly after becoming Chairman, this Committee was dormant. It hadn't been active for years. I thought that should change. And so I decided to re-constitute it. At the time, I said that its chief mission would be to develop recommendations on how to empower disadvantaged communities and accelerate the entry of small businesses, including those owned by women and minorities, into media and other digital industries. The Committee would also be charged

with examining ways to ensure that disadvantaged communities can benefit from the opportunities made possible by next-generation networks.

That was the vision. How's the reality looking?

We kickstarted the new Diversity Committee last summer, and we were able to assemble an outstanding leadership team. As I mentioned earlier, the Committee's fearless leader is MMTC Board Chair, Julia Johnson. With Julia at the helm is Vice-Chair Diane Sutter, President and CEO of ShootingStar Broadcasting.

Beyond that, we've assembled an all-star team of professionals with an extraordinary depth of industry knowledge who are serving as Chairs of three working groups: former Commissioner Henry Rivera, now of the Emma Bowen Foundation; Heather Gate of Connected Nation; and Marc Morial of the National Urban League.

Rounding out the Committee, we have representatives of public interest groups, civil rights organizations, trade associations, and the communications industry. We are deeply indebted to these experts for volunteering their valuable time and for their commitment to public service.

That's the team. So what are they working on?

A lot! They're gathering and developing data. They're examining industry trends and practices. And they're considering both industry-based solutions and targeted regulatory or legislative solutions to respond to the challenges identified by the Committee.

We've organized these efforts around three working groups:

The first is the **Digital Empowerment and Inclusion** working group, led by Heather Gate. It's tasked with identifying new ways to expand access to emerging technologies in underserved and under-connected communities. This group will also recommend methods to ensure that disadvantaged communities aren't denied the benefits of the digital revolution, including educational, economic, health care, and civic participation opportunities. This working group may also offer recommendations on how to encourage supplier diversity for small, women- and minority-owned businesses.

The second working group focuses on **Diversity in the Tech Sector**, and is led by Marc Morial. This group is studying the underemployment and lack of promotion opportunities for women and minorities in the tech sector—a serious problem, particularly at the best-known tech companies. It's looking at ways businesses can address these issues, and to that end is working to identify best practices of industry leaders with respect to diversity in the tech field.

Finally, we've tasked the **Broadcast Diversity and Development** working group, led by Henry Rivera, with finding ways to encourage diverse voices (including minorities and women) in the broadcast business. Among the proposals it's studying is an incubator program. This working group is also charged with studying how to promote diversity in ownership and management, as well as in broadcast-related procurement suppliers.

I'd like to take a moment to discuss the broadcast incubator program in greater detail. It goes back a long way for me; it's been a personal priority since my unsuccessful push for this program in 2014. And I know that MMTC has been fighting for an incubator program far longer than that in order to boost station ownership for small businesses, including those owned by minorities and women.

The concept is simple. An incubator program would provide an ownership rule waiver or similar benefit to a company that helps facilitate station ownership for a qualifying entity. For example, in exchange for a defined benefit, an established company could assist a new owner by providing management or technical assistance, loan guarantees, direct financial assistance, training, or business planning assistance.

Even though there's been general support for this, the idea had stalled. Past Commissions failed to take action. That is, until now. Last fall, the FCC finally committed to adopt an incubator program to promote new entry and ownership diversity.

But we recognized that before the program can begin, there are many issues that need to be addressed. So we issued a Notice of Proposed Rulemaking seeking input on how to design and implement the program. We want to develop a record on how best to structure and administer an incubator program to support the entry of new and diverse voices into the broadcast industry. The Notice asked very detailed questions on things like the eligibility criteria for the incubated entity; appropriate incubating activities; benefits to the incubating entity; how such a program would be reviewed, monitored, and enforced; and the costs and benefits of such a program.

Our goal is to develop an incubator program that will help address barriers to station ownership, such as lack of access to capital and the need for technical experience—and for these solutions to increase broadcast ownership diversity.

I have specifically asked the Advisory Committee to assist us in developing the overall structure and method for implementing the program, and I look forward to the committee's recommendations.

As I said in November when we adopted the Notice, there was a lot of talk during previous Administrations about trying to take action to promote ownership diversity—but there was little to nothing done about it.

No longer. To borrow from Yoda in *The Empire Strikes Back*, “Try not. *Do*, or do not. There is no try.” Much wisdom in that statement there is. And so I am determined that the FCC on my watch will take concrete steps to create a more diverse communications industry. Our work towards establishing an incubator program is a big step forward in this regard. I encourage your participation as we do this work.

That said, I am pleased to announce that we will take the next steps toward this goal on March 27th, when the Diversity Committee plans to hold its next meeting. More information on its agenda will follow. And I hope many of you will attend that meeting and support the work of this important advisory committee.

On a different but related note, there is another issue I'd like to touch on. A number of years ago, the FCC looked into a repugnant practice in which certain advertisers would exclude minority-focused media outlets from their ad campaigns through a so-called “No Urban/No Hispanic” dictate. For the FCC's part, former Commissioners Jonathan Adelstein and Robert McDowell led the charge. And the American Association of Advertising Agencies, known as the 4As, did too. In 2011, the 4As adopted an advertising non-discrimination policy framework and complaint review process for the media industry to follow. For a time, the policy seemed to work as intended.

Unfortunately, judging from the feedback of some media entities, it appears that the problem has arisen again. And so, once more, the 4As group is working to end discriminatory practices in the advertising industry. Later today, the 4As will be announcing a new policy, called Fair Play. It's issuing a charter to its members, asking media agencies and media departments within agencies to recommit to fair and equitable treatment of minority media owners. This updated policy aims once again to eliminate the problem of “No Hispanic,” “No Urban,” and “No Asian” dictates in the media industry. I want to put it on the record today that this initiative has my full support. It is my hope that this new policy will help even the playing field for all minority broadcasters. In my view, these dictates have no place in the American media marketplace.

With that, from media to telecom. I'd like to take a couple of minutes to discuss another group that has been very hard at work this past year, and which has benefited from MMTC's partnership. I'm referring to our Broadband Deployment Advisory Committee, or BDAC.

There is no area where the FCC and MMTC's missions are more closely aligned than our shared commitment to closing the digital divide. Every American who wants high-speed Internet access should be able to get it. To close the digital divide and make sure that consumers have more competitive choice for broadband, we'll need massive private investment. And the plain truth is that there are significant regulatory barriers to the expansion and improvement of our wired and wireless infrastructure. These barriers are the grit in the gears of deployment that the BDAC was created to address.

Like our Diversity Committee, the BDAC features multiple working groups. Also like the Diversity Committee, MMTC members serve in key leadership positions. Kim Keenan and Rikin Thakker have been the Vice-Chairs of our Removing State and Local Regulatory Barriers working group. Just weeks ago, this group submitted its findings and recommendations to the Commission.

The group identified six barriers that stifle network investment: regulatory ambiguity, discrimination, excessive fees, inflexibility, noncompliance with their own rules, and local requirements that are overly burdensome. More important, they've recommended ways to overcome these hurdles. For example, they propose creating "Broadband Ready" checklists to set expectations and expedite deployment projects. I don't have time to go through all the findings. But I will say that this report is a valuable contribution to our efforts to promote expanded availability of wired and wireless broadband.

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Two hundred years ago this month, the great abolitionist and social reformer Frederick Douglass was born, a little more than an hour's drive from here on Maryland's Eastern Shore. His message was as piercing as his passion for justice was strong. His words and wisdom still resonate today.

Take, for instance, his famous statement that "[s]ome know the value of education by having it. I know its value by not having it." We can easily see an echo of this kind of opportunity gap in the digital age. Those who are on the wrong side of the digital divide are denied the full ability to educate their kids, get high-quality health care, start a business, become civically engaged, and otherwise better their lives.

I want to change that. That's why I'm so grateful to MMTC for your counsel on these and many other issues. Working together, I'm confident that we'll bridge the digital divide and empower millions of Americans to become participants in, rather than spectators of, the digital economy—improving their lives and lifting our nation.