TWELFTH CONSUMER ADVISORY COMMITTEE (CAC) SUMMARY OF THE THIRD MEETING

September 24, 2024

The Twelfth Consumer Advisory Committee (CAC 12) convened for its meeting at 1:00 P.M. on September 24, 2024, at the Federal Communications Commission Headquarters located at 45 L Street NE, Washington, DC 20554. Keyla Hernandez-Ulloa, Designated Federal Officer (DFO) and David M. Pérez, Deputy DFO, welcomed guests at the meeting and the CAC's Co-Chairs, John Breyault, National Consumers League and Claudia Ruiz, UnidosUS.

In accordance with the provisions of Public Law 92-463, the meeting was open to the public and began at 1:00 P.M. The meeting was adjourned at 2:32 P.M.

Committee Members Present:

- CAC Co-Chair: UnidosUS, **Claudia Ruiz**, Civil Rights Analyst
- CAC Co-Chair: National Consumers League, **John Breyault**, Vice President, Public Policy, Telecommunications and Fraud
    - (Alternate) **Eden Iscil**, Public Policy Manager
- AARP, **Dawit Kahsai**, Government Affairs Director
- American Cable Association (ACA Connects), **Brian Hurley**, Chief Regulatory Counsel
- Asian-Americans Advancing Justice - AAJC, (Alternate) **Nicole Morgenstern**, Telecommunications, Technology, and Media Policy Associate Manager
- AT&T, **Linda Vandeloop**, Assistant Vice President, External Affairs/Regulatory
- Common Sense, **Amina Fazlullah**, Senior Director of Equity Policy
- Consumer Technology Association, **Rachel Sanford Nemeth**, Senior Director Regulatory Affairs
- Deep East Texas Council of Governments, **Mickey M. Slimp**, Broadband Project Consultant
- The Hispanic Federation, **Brent Wilkes**, Senior Vice President for Institutional Development
- INCOMPAS, **Lindsay Stern**, Attorney and Policy Advisor
- Information Technology Industry Council (ITI), **Katherine (Katie) McAuliffe**, Senior Director, Policy Telecommunications
- The Kapor Center, **Lili Gangas**, Chief Technology Community Officer
- LGBT Technology Institute, **Kristen Kelley**, Director of Programs

- Massachusetts Department of Telecommunications & Cable, **Joslyn Day**, Director, Consumer Division
- Multicultural Media, Telecom, and Internet Council, **Kenley Joseph**, Tech and Telecom Policy Counsel
- National Association of Telecommunications Officers and Advisors (NATOA), **Mitsuko Herrera**, Planning, Policy and Special Projects at Montgomery County, Maryland
  - (Alternate) **Frederick Ellrod III**, Director, Communications Policy and Regulation Division
- National Consumer Law Center (NCLC), **Olivia Wein**, Senior Attorney
  - (Alternate) **Margot Saunders**, Senior Attorney
- National Diversity Coalition, **Faith Bautista**, CEO and President
- Next Century Cities, (Alternate) **Ryan Johnston**, Senior Policy Counsel
- Project GOAL, **Debra Berlyn**, Executive Director
- RuralRISE/National Center for Research Development (NCRD), **Tina Metzer**, Vice President and Co-Founder
- TDIforAccess, **AnnMarie Killian**, Chief Executive Officer
- The Internet & Television Association (NCTA), **Radhika Bhat**, Vice President and Associate General Counsel
- The Trevor Project, (Alternate) **Casey Pick**, Director of Law & Policy
- United States Telecom Association (USTelecom), (Alternate) **Josh Bercu**, Vice President, Policy & Advocacy

Committee Members Absent:

- *Individual*, **Cody Dorsey**, Executive Director, Baltimore Digital Equity Coalition
- National Association of Broadcasters (NAB), **Liliana Rañón**, Vice President External Affairs
- Northern Virginia Urban League, Inc., **Scott Alfred Price**, Board Member

WELCOME FROM COMMISSION LEADERSHIP
Alejandro Roark, Chief, Consumer and Governmental Affairs Bureau, FCC

The meeting began with a welcome from Commission Leadership. **Alejandro Roark**, Chief, Consumer and Governmental Affairs Bureau welcomed the CAC members attending in person and online. With praise for the CAC's efforts, he explained that the Committee's efforts provide the FCC with valuable information it needs to address consumer concerns around how artificial intelligence (AI) is used to deploy robocalls and robotexts. He thanked the CAC Co-chairs and members for their hard work, and the FCC staff who supported their efforts.

Alejandro also outlined upcoming proceedings with public comment periods to provide more avenues for input. Alejandro reviewed the timeline for CAC 12, stating that the charter ends on October 13, 2024, and that nominations for the next iteration of the CAC are being reviewed. He thanked those members who applied for the next term, CAC 13.

CALL TO ORDER & ROLL CALL
John Breyault, CAC Co-Chair & Claudia Ruiz, CAC Co-Chair

Co-Chair **John Breyault** noted that enough CAC members were present, constituting a quorum and called the meeting to order after conducting roll call. See list of committee members present above.

DISABILITY INCLUSION STATEMENT & ANNOUNCEMENTS
Keyla Hernandez-Ulloa, Designated Federal Officer, FCC

Keyla Hernandez-Ulloa provided opening remarks about how committee members in the room could use the microphones and provided guidance on making the meeting accessible to people with disabilities for those in the room and participating online. Keyla also thanked the FCC staff who made the meeting possible by supporting in various logistics roles. Keyla also let the public know they may submit via email questions and comments to LiveQuestions@fcc.gov, which will be read during the public comment portion of the agenda.

PRESENT THE REPORT

Working Group One: Technical
John Breyault, CAC Chair of Working Group One

John Breyault presented the timeline of events for the CAC 12 since its kickoff meeting in April 2024. John's presentation deck is available at www.fcc.gov/cac. During that meeting, the CAC opted to create two working groups; 1. a technical workgroup focused on AI technology and 2. focused on outreach and education. As the leader of the technical working group, Mr. Breyault explained that Working Group 1, comprised of 17 members from industry, advocacy and nonprofits groups met nine times following a technical briefing by the FCC. He reviewed six areas of consideration outlined by Chairwoman Rosenworcel in the CAC 12 charge letter and explained that Working Group 1 focused mainly on the first three areas of consideration. The need to establish definitions and understand the various uses of AI in creating robocalls and robotexts by both good and bad actors were guiding principles of their consensus driven approach. Working Group 1 developed nine recommendations, included in the final report and outlined in the slide deck presented during the meeting. He reviewed the six questions/prompts included in the CAC Chage Letter, then presented on the portion of the report created by Working Group One (which covered Questions #1-3. Question #1 resulted in Recommendations

#1-3, Question #2 generated Recommendations #4 and #5, and Question #3 generated Recommendations #6-#8.) He also presented Recommendation #9, which resulted from Question #5.

Mitsuko Herrera, NATOA – Requested that recommendations be numbered in the report, and that the Disability Advisory Committee (DAC) be more included in future CAC proceedings like this one (where disability issues were arguably not focused on enough given the impact of A.I. on that community.) She also noted that definitions of "A.I." were included in the August NPRM, definitions and research the FCC had done that could have been provided to the CAC well in advance and helped the processes run more efficiently.

The CAC Co-chairs conferred with the Designated Federal Officer who agreed that the request to number the recommendations would not constitute a substantive change and could be added to the final report.

Lili Gangas, The Kapor Center – Noted that this Report is representative of "where we are now," and that all present and the FCC should stay aware of changes with A.I., both technological and regulatory. She recommended in the future that benchmarks of developments in A.I. could trigger more opportunities to analyze the issues, and that more data is being generated which should be reviewed as mentioned in recommendation #8, as well as data from other agencies. She also recommended that the Report be made available in Spanish.

Brent Wilkes, Hispanic Federation – Wanted to find out if A.I. companies' content could be pre-flagged in order to help with its detection (acknowledged that A.I. companies may not be under the jurisdiction of the FCC.)

- **Mitsuko Herrera, NATOA** – We focused on A.I.-voice-generated calls specifically, so the CAC did not focus on A.I.-assisted calls and texts that do not include A.I.-generated voice. But A.I.-assisted calls and texts could still be covered/prohibited by the TCPA.
- **Josh Bercu, U.S. Telecom** – In accordance with the Charge Letter, the group was focused on malicious calling, not calling that was authorized.
- **Mitsuko Herrera, NATOA** – Pointed out Recommendation #2, which emphasizes intent to deceive or defraud as being applicable to Brent's question. So, there was a distinction made between A.I.-generated voices that just remind people that their bill is due, for example, and A.I.-generated impersonations of elected officials. The intent to harm was a bigger focus than the A.I. companies themselves.

AnnMarie Killian, TDI for Access – Recommends having more than one representative on A.I. working groups from disability communities, as people with disabilities are at higher risk of harm from A.I. The panel that presented to the CAC working group #1 had several great experts.

Mickey Slimp, Deep East Texas Council of Governments – In response to Brent's question, the group tried to stay within the scope of the questions and could not investigate or regulate every usage of A.I. (especially since A.I. use is becoming so common citing online searches as an example.) He suggested that the public should know when content is being generated using AI, that there should be some kind of notification to that effect.

Mitsuko Herrera, NATOA– Noted that companies like YouMail are already helping to scan for A.I.-generated messages. Margot Saunders clarified that YouMail is actually a tool for a different use case, but there are tools out there to help with these issues.

Working Group Two: Education and Outreach
Claudia Ruiz, Chair of Working Group Two

Claudia Ruiz presented a summary of the recommendations from Working Group #2. The slide presentation is available at www.fcc.gov/cac. This group covered consumer education and outreach efforts to recommend on this subject (primarily Question #6 in the Charge Letter). The Recognize-React-Report (3 "Rs") was a focus of the group's report. CAC Report Recommendations #10-16 were presented. She also noted the great amount of detail that was worked out by Working Group Two for consumer education campaigns on this subject, which may be found in detail in the CAC Report.

Debra Berlyn, Project GOAL – offered as a recommendation (not an amendment) that costs of implementation for outreach programs should be accounted for, and that funding for these outreach efforts should be addressed.

Ryan Johnston, Next Century Cities – In Recommendation #16, the Commission should implement methods to differentiate incoming complaints data re: A.I. as it comes in from consumers to better track demographic data and to make complaints involving A.I. easier for consumers to make.

Amina Fazlullah, Common Sense – Wanted to emphasize the Train-the-Trainer recommendation as a model for other agencies in the government, as well as noting that the Complaint process may offer an opportunity to track A.I. abuses (something that is not being tracked currently by other parts of the government.)

Lili Gangas, The Kapor Center – noted the recommendation for an information clearing house on this subject (to promote A.I. literacy,) as well as feedback that recommends education efforts on types of A.I. harms, and also a Community Challenge that could focus on ways to help inform providers, intermediaries and consumers.

Faith Bautista, National Diversity Coalition – noted that non-profits should be included in outreach efforts, taking advantage of their networks and to provide funding for outreach and education partners to do this work.

VOTE ON REPORT
Debra Berlyn (ProjectGOAL) moved to vote on the report.
Ryan Johnson (Next Century Cities) seconded the motion.
The report was approved with no nay votes.

PUBLIC COMMENT

David M. Pérez, Deputy DFO for the CAC read instructions for the public to provide comment by submitting questions via email to LiveQuestions@fcc.gov. No public comments or questions were received or presented at this time.

ADJOURNMENT

The meeting adjourned at 2:32 P.M.

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete. Additional details of the meeting may be found in the recorded video, available at www.fcc.gov/consumer-advisory-committee.

John Breyault, National Consumers League

Claudia Ruiz, UnidosUS