

**FCC Consumer Advisory Committee (CAC)**  
**Working Agenda of the April 4, 2024, In-Person Meeting**

**I. WELCOME AND INTRODUCTIONS**

(10:30 – 11:30 am)

**Introduction and Brief Overview**

*Wes Platt, Chief, Consumer Policy Division, CGB*

**A. Welcome from Commission Leadership**

*Chairwoman Jessica Rosenworcel (by video)*

*Commissioner Brendan Carr*

*Commissioner Geoffrey Starks (by video)*

*Commissioner Anna Gomez*

*Alejandro Roark, Bureau Chief, CGB*

**B. Call to Order**

*John Breyault, CAC Co-Chair*

*Claudia Ruiz, CAC Co-Chair*

**C. Roll Call of CAC Members**

**II. DATE ON KEY CONSUMER ISSUES: BROADBAND LABELS, ACP, PREVENTING DIGITAL DISCRIMINATION, DIGITAL TRUST MARK**

(11:30 – 12:00 pm)

*Broadband Labels: Mika Savir, Attorney-Advisor, Consumer Policy Division, CGB*

*Preventing Digital Discrimination: D'wana Terry, Special Advisor to Chairwoman Jessica Rosenworcel and Lisa Wilson Edwards, Associate Bureau Chief, WCB*

*Digital Trust Mark: James Zigouris, Attorney-Advisor, Cybersecurity and Communications Reliability Division, PSHSB*

*ACP Wind Down: Miriam Montgomery, Chief, Consumer Affairs and Outreach Division, CGB*

**III. BRIEFING ON FACA RULES AND RECORDS MANAGEMENT: FCC OFFICE OF GENERAL COUNSEL**

(12:00 – 12:30 pm)

*Darice Gamble, Office of General Counsel*

*Paula Silberthau, Office of General Counsel*

**IV. BREAK**

(12:30 – 1:30 pm)

**V. PRESENTATION: OVERVIEW OF THE FCC'S PROCEEDING ON ARTIFICIAL INTELLIGENCE**

(1:30 – 1:45 pm)

*Zac Champ, Deputy Division Chief, Consumer Policy Division, CGB*

**VI. GENERAL DISCUSSION BY MEMBERS**

(1:45 – 2:45 pm)

**VII. QUESTIONS AND COMMENTS FROM THE PUBLIC**

(2:45 – 3:15 pm)

**VIII. CLOSING REMARKS**

(3:15 – 3:30 pm)

*John Breyault, CAC Co-Chair*

*Claudia Ruiz, CAC Co-Chair*

**IX. ADJOURNMENT**

**Media Contact:**

Will Wiquist

will.wiquist@fcc.gov

**For Immediate Release**

**FCC LAUNCHES EFFORT TO BETTER UNDERSTAND AI'S IMPACT  
ON ROBOCALLS AND ROBOTEXTS**

WASHINGTON, November 15, 2023—The Federal Communications Commission today voted to begin a formal inquiry that will take a closer look at how artificial intelligence technology impacts illegal and unwanted robocalls and robotexts. The agency will assess both AI's potential to positively and negatively affect consumers.

As artificial intelligence technology becomes more prevalent, it presents opportunities to protect consumers but it can also pose privacy and safety challenges. In the case of robocalls and robotexts, AI could improve analytics tools used to block unwanted calls and texts and restore trust in our networks. But AI could also permit bad actors to more easily defraud consumers through calls and text messages, such as by using technology to mimic voices of public officials or other trusted sources.

The Notice of Inquiry adopted today seeks to gather information and prepare for changes in calling and texting practices that may result from AI-influenced technology. For example, the Commission seeks comment on how to define AI in the robocall and robotext context, the current state of AI use in calling and texting, the impact of emerging AI technologies on consumer privacy rights under the Telephone Consumer Protection Act, and what, if any, next steps the Commission should take to address these issues.

This inquiry is part of the Commission's broader exploration of opportunities and challenges that AI and machine learning pose to communications networks. Chairwoman Jessica Rosenworcel has highlighted the real opportunity for emerging technologies to help communications become more efficient and resilient. To that end, the Commission and the National Science Foundation co-hosted a [workshop](#) entitled "The Opportunities and Challenges of Artificial Intelligence for Communications Networks and Consumers." The Commission's [Technological Advisory Council](#) is studying these issues in order to advise the agency through its working group on AI/Machine Learning. And the Commission launched a [spectrum sharing proceeding](#) to explore how leveraging technologies such as AI to understand non-federal spectrum usage and draw insights from large and complex datasets can help facilitate more efficient spectrum use.

Action by the Commission November 15, 2023 by Notice of Inquiry (FCC 23-101).  
Chairwoman Rosenworcel, Commissioners Carr, Starks, Simington, and Gomez approving.  
Chairwoman Rosenworcel, Commissioner Starks issuing separate statements.

CG Docket No. 23-362

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*This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).*

**Media Contact:**

MediaRelations@fcc.gov

**For Immediate Release****FCC MAKES AI-GENERATED VOICES IN ROBOCALLS ILLEGAL*****State AGs Will Now Have New Tools to Go After Voice Cloning Scams***

WASHINGTON, February 8, 2024—Today the Federal Communications Commission announced the unanimous adoption of a Declaratory Ruling that recognizes calls made with AI-generated voices are “artificial” under the Telephone Consumer Protection Act (TCPA). The ruling, which takes effect immediately, makes voice cloning technology used in common robocall scams targeting consumers illegal. This would give State Attorneys General across the country new tools to go after bad actors behind these nefarious robocalls.

“Bad actors are using AI-generated voices in unsolicited robocalls to extort vulnerable family members, imitate celebrities, and misinform voters. We’re putting the fraudsters behind these robocalls on notice,” said **FCC Chairwoman Jessica Rosenworcel**. “State Attorneys General will now have new tools to crack down on these scams and ensure the public is protected from fraud and misinformation.”

The rise of these types of calls has escalated during the last few years as this technology now has the potential to confuse consumers with misinformation by imitating the voices of celebrities, political candidates, and close family members. While currently State Attorneys General can target the outcome of an unwanted AI-voice generated robocall—such as the scam or fraud they are seeking to perpetrate—this action now makes the act of using AI to generate the voice in these robocalls itself illegal, expanding the legal avenues through which state law enforcement agencies can hold these perpetrators accountable under the law.

In November of 2023, the FCC launched a Notice of Inquiry to build a record on how the agency can combat illegal robocalls and how AI might be involved. The agency asked questions on how AI might be used for scams that arise out of junk calls, by mimicking the voices of those we know, and whether this technology should be subject to oversight under the TCPA. Similarly, the FCC also asked about how AI can help us with pattern recognition so that we turn this technology into a force for good that can recognize illegal robocalls before they ever reach consumers on the phone.

The Telephone Consumer Protection Act is the primary law the FCC uses to help limit junk calls. It restricts the making of telemarketing calls and the use of automatic telephone dialing systems and artificial or prerecorded voice messages. Under FCC rules, it also requires telemarketers to obtain prior express written consent from consumers before robocalling them. This Declaratory Ruling ensures AI-generated voices in calls are also held to those same standards.

The TCPA gives the FCC civil enforcement authority to fine robocallers. The Commission can also take steps to block calls from telephone carriers facilitating illegal robocalls. In addition, the TCPA allows individual consumers or an organization to bring a lawsuit against robocallers in

court. Lastly, State Attorneys General have their own enforcement tools which may be tied to robocall definitions under the TCPA.

A coalition of 26 State Attorneys General—more than half of the nation’s AGs—recently [wrote](#) to the FCC supporting this approach. By taking this step, the FCC is building on its work to establish partnerships with law enforcement agencies in states across the country to identify and eliminate illegal robocalls. These partnerships can provide critical resources for building cases and coordinating efforts to protect consumers and businesses nationwide. The FCC offers partner states not only the expertise of its enforcement staff but also important resources and remedies to support state investigations.

The FCC currently has a Memorandum of Understanding with [48 State Attorneys General](#) to work together to combat robocalls.

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## Preventing and Eliminating Digital Discrimination

### What Congress Said

On November 15, 2021, President Biden signed into law the Infrastructure Investment and Jobs Act (Infrastructure Act) of 2021. Section 60506(b) of the Infrastructure Act states:

Not later than 2 years after November 15, 2021, the Commission shall adopt final rules to facilitate equal access to broadband internet access service, taking into account the issues of technical and economic feasibility presented by that objective, including –

- (1) preventing digital discrimination of access based on income level, race, ethnicity, color, religion, or national origin; and
- (2) identifying necessary steps for the Commission to take to eliminate discrimination described in paragraph (1).

Congress defined the term “equal access” in section 60506 to mean the equal opportunity to subscribe to an offered service that provides comparable speeds, capacities, latency, and other quality of service metrics in a given area, for comparable terms and conditions.

### What the FCC Did

- The FCC established a Task Force to Prevent Digital Discrimination, which conducted multiple listening sessions across the U.S. to inform the rulemaking process.
- Using information from this outreach and public comments the FCC received in response to a *Notice of Inquiry* (Mar. 16, 2022) and a *Notice of Proposed Rulemaking* (Dec. 21, 2022), the FCC adopted final rules in a *Report and Order and Further Notice of Proposed Rulemaking* on Nov. 15, 2023.

### What Do the Rules Say

The new rules, which will be effective on March 22, 2024, establish a framework to facilitate equal access to broadband internet services by preventing digital discrimination of access.

**Definition –** In the *Report and Order*, the FCC defines “digital discrimination of access” as:

- “Policies or practices, not justified by genuine issues of technical or economic feasibility, that (1) differentially impact consumers’ access to broadband internet access service based on their income level, race, ethnicity, color, religion or national origin, or (2) are intended to have such differential impact.”

**What is Prohibited –** A policy or practice will violate the FCC’s prohibition on digital discrimination of access if it discriminates, either by intent or in effect, based on one of section 60506’s listed characteristics. The rules require assessment in the first instance of whether a policy or practice is discriminatory; and if so, whether there were reasonably available and achievable alternatives (i.e., alternatives that were technically and economically feasible) that would have been less discriminatory.

While fully taking into account technical and economic challenges, these rules target business practices and policies that impede equal access to broadband without adequate justification. The rules focus on the very real problem of outcome, such as when decisions untainted by discriminatory intent nevertheless cause different communities to receive different access to broadband services.

### Who is Covered –

- *Covered Consumers* are current and prospective subscribers to broadband internet access service, including individuals, groups of persons, organizations, and groups of organizations.
- *Covered Entities* are entities that provide, facilitate, and affect consumer access to broadband.
- *Covered Services* include broadband internet access services.
- *Covered Elements of Service* include all policies and practices that may affect a consumer's ability to have "equal access" to broadband internet access service.

### How Will it Work –

The FCC will add to its Consumer Inquiries and Complaint Center a dedicated pathway for digital discrimination of access complaints. Both individual consumers and community and public interest organizations will be able to file informal complaints. The FCC is completing administrative requirements for the complaint process and will announce the process steps and easy-to-submit form for consumers to use in the first half of 2024.

There is also a process for covered entities to seek Advisory Opinions from FCC staff concerning the permissibility of their policies and practices.

FCC staff will review complaint information internally to inform policy and, when appropriate, to initiate potential enforcement action. The FCC will launch investigations into complaints and allegations of digital discrimination of access on a self-initiated basis. The FCC will not initiate possible enforcement investigations solely concerning conduct that produces differential impacts under the rules until six months after the effective date of the rules.

The FCC will investigate possible instances of discrimination of broadband access, work with companies to solve problems, facilitate mediation, and, when necessary, penalize companies for violating the rules.

The FCC will designate a Special Advisor for Equal Broadband Access within the Wireline Competition Bureau to provide technical assistance to all stakeholders.

### Looking Ahead

The FCC issued a *Further Notice of Proposed Rulemaking* in November that proposed affirmative obligations (compliance measures) to facilitate equal access. These proposed rules would require that:

- Broadband providers annually submit to the FCC information about any large-scale broadband deployment, upgrade, or maintenance projects that were completed or substantially completed that year and the communities served by those projects, and
- Establish a mandatory internal compliance program requiring regular assessment of the communities served by recent, pending and planned large-scale projects; and whether those projects may differentially impact access to broadband.

The FCC is also seeking further comment on whether to establish an Office of Civil Rights.

Comments on these proposals were due on or before **March 4, 2024**. Reply comments were due on or before **April 1, 2024**. More information can be found on the Commission's website.

### Stay Informed

Keep up-to-date by visiting <https://www.fcc.gov/task-force-prevent-digital-discrimination>



## Affordable Connectivity Program (ACP) Wind-Down Fact Sheet

Through the Bipartisan Infrastructure Law, the Federal Communications Commission (FCC) was tasked to develop and maintain the Affordable Connectivity Program (ACP) – a federal program that offers eligible households a discount on their monthly internet bill and a one-time discount off the purchase of a laptop, desktop computer, or tablet. Over 23 million eligible households are currently enrolled and receiving the monthly discount.

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### What's happening?

The \$14.2 billion Congress initially made available for the ACP is running out. Due to the lack of additional funding for the ACP, the Commission has announced that April 2024 will be the last month that the ACP households will receive the *full* ACP discount, as they have received in prior months. ACP households may receive a *partial* discount in May 2024. After May 2024, unless Congress provides additional funding, ACP households will no longer receive the ACP benefit and the ACP will end.

As a result, the FCC has begun taking steps to wind-down the ACP that include:

- **January 11, 2024:** The FCC released an [Order](#) detailing the wind-down process.
- **January 25, 2024:** By this date, households that were receiving the monthly ACP discount should have received their first notice from their internet company with information about the end of the ACP.
- **February 8, 2024:** The ACP stopped accepting new applications and enrollments. Both paper and electronic ACP applications were removed and are no longer available. Households that were approved and enrolled with an internet company before this date and remain enrolled in the program will continue to receive their ACP discounts during the wind-down period until the ACP ends.
- **March 4, 2024:** The FCC issued a [Public Notice](#) announcing that April 2024 will be the last month for ACP households to receive the full ACP discount, as they have in prior months. ACP households may receive a partial discount in May.
- **March 19, 2024:** ACP households should have received their second notice from their internet company, informing them that the ACP is ending and the impact on their internet service and bills. The third notice will be included as part of the last bill or billing cycle in which the full ACP discount is applied.
- **April 2024:** If Congress does not provide additional funding, April 2024 will be the last month ACP households will receive the full ACP discount, as they have received in prior months.

- **May 2024:** If Congress does not provide additional funding, ACP households may receive a partial ACP discount from their internet company in May 2024.
- **After May 2024:** If Congress does not provide additional funding, the ACP will run out of funding and ACP households will no longer receive the ACP benefit.

#### Notifications from ACP Internet Companies:

During the wind-down period, internet companies are required to send ACP households three (3) separate notices about the ACP ending and its impact on household internet bills and service. Internet companies are also required to send notices to ACP households in writing and in a manner that is accessible to persons with disabilities.

- **First Notice:** By January 25, 2024, ACP households should have received their first written notice from their internet company informing them that the ACP is ending and the impact on their service and bill.
- **Second Notice:** By March 19, 2024, ACP households should have received their second written notice from their internet company, informing them that the ACP is ending and the impact on their internet service and bills.
- **Final (Third) Notice:** This notice will be included as part of the last bill or billing cycle in which the full ACP discount is applied.

Internet companies are encouraged to send notices in the same way they usually communicate with households, including in a household's preferred language. Households may receive these notices from their internet company by e-mail, text, in the mail, or along with their bill.

Internet companies are encouraged to send notices beyond the FCC's required schedule that may also inform consumers about other low-cost offerings or low-income programs that may be available.

#### Determining how to continue internet service:

##### **During the ACP Wind-Down:**

ACP households are not required to stay with their internet company or continue to receive the same internet service after the end of the ACP.

- Households can decide to opt out (no longer continue internet service after the ACP ends) by contacting their internet company and telling them they would like to drop their internet service.

If households wish to continue to receive internet service, they can:

- select another, lower cost internet plan from the same internet company, or
- start an internet service with a different internet company

ACP households will not be charged termination fees or fees for changing plans with the same or different ACP internet company.

##### **After the ACP ends:**

ACP households may have been asked by their internet company if they wish to continue service after the ACP has ended. ACP households may have been asked this when they signed up to receive the ACP discount with their internet company or more recently.

ACP households will continue to receive internet service after the ACP ends if they:

- Previously agreed to continue internet service from their internet company.
- Paid for internet service from their internet company BEFORE they started receiving the ACP discount.
- Currently contribute to the cost of their internet service even with the ACP discount applied.
  - This includes households that contribute to the cost of any portion of bundled services (such as those offering voice, internet, and texting or video and internet) that include ACP-supported internet service.

ACP households will NOT continue to receive internet service after the ACP ends, if they:

- DID NOT previously agree to continue internet service after the end of ACP.
- Have not paid their internet company for service.

If a household is not sure if they previously opted in or opted out to receiving service from their internet company after the ACP ends, contact their internet company and discuss their options.

### Consumer Protections:

During the ACP Wind-Down, ACP internet companies are still responsible for following the consumer protection requirements in the ACP rules. Some of the ACP rules will continue even after the ACP has ended. The ACP rules include, but are not limited to:

**Transferring ACP Discount:** During the ACP Wind-Down, households can continue to transfer their ACP discount to other participating internet companies who continue to accept ACP transfers.

**Terminating Service:** ACP internet companies cannot end an eligible ACP household's internet service for failure to pay for service until 90 days has passed since the bill due date. However, with advance notice, ACP internet companies can switch the household to a lower-cost internet plan if the household enters a delinquent status after the bill due date. This rule will be in place for as long as the household continues to receive the ACP discount.

**Early Termination Fees:** If a household applied their ACP discount to an internet plan that has a service contract, the internet company cannot charge the household an early termination fee for ending that service contract early, even after the ACP ends.

### Preparing for the ACP Ending:

To prepare for the end of the ACP, households are strongly encouraged to:

- Consistently check their emails, text messages, and mail for notices from their internet company about the ACP ending and how it will impact their internet bill.
- Contact their internet company and ask if they have a lower cost plan and/or a low-income program. When calling their internet company, have account and billing verification information.
- Contact Universal Service Administrative Company (USAC) for questions about the wind-down. Consumers can call the ACP Support Center at 877-384-2575 or go to <https://www.usac.fcc.gov> for information about the status of the program.
- Consumers can also file a complaint through the FCC's Consumer Complaint Center at <https://consumercomplaints.fcc.gov> about ACP billing and service issues.

For more information refer to the ACP Wind-Down Order, the ACP Wind-Down 60-Day Public Notice, and the consumer guides located on the FCC's website at [www.fcc.gov/acp](https://www.fcc.gov/acp).