

**Testimony of
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**Before the
Special Committee on Aging
United States Senate**

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Chairman Kohl, Senator Smith, and members of the Committee, thank you for inviting me to appear before you to discuss the impact of the national transition from analog to digital television (DTV) on America's growing older population. It is a special honor for me, since I spent six years as a Professional Staff Member for this very Committee, so issues of concern to you and our seniors are always at the top of my list.

I will focus on how the Federal Government can establish a coherent, coordinated response to educate seniors about the DTV transition. Collectively, the FCC, other federal agencies, such as National Telecommunication and Information Administration (NTIA) and the Administration on Aging (AoA), the broadcasting, cable, consumer electronics industries, state, local and tribal governments, consumer advocacy groups and community-based providers need to do much more outreach to prepare our seniors. The consequences of failing to mount a more aggressive outreach, awareness, education, and assistance campaign would be disastrous, so I applaud your leadership on the Aging Committee for focusing us on the need to activate now.

To put my testimony into proper context, the FCC is composed of the Chairman and four Commissioners, all nominated by the President and confirmed by the Senate. The Chairman is the chief administrator and directs resources and the activities of the various bureaus, including the Consumer and Governmental Affairs Bureau (CGB), which is principally responsible for executing the Commission's consumer outreach efforts.

For the past two years, I have closely followed the DTV consumer outreach and education effort of the FCC and, in preparation for this hearing, was briefed by CGB on the FCC's activities targeting to older Americans. At the outset, I want to emphasize my belief that the committed and talented staff of the FCC is second to none in federal service and that the CGB staff is willing, capable and ready to faithfully execute whatever plan they are instructed to implement.

Unfortunately, the Commission's DTV outreach and education efforts to date have been lackluster at best. The silver lining in this dark cloud is that there is not a lack of informed and thoughtful ideas about how to reach older Americans. Rather, there has been a lack of leadership and resources in putting these ideas in action. Specifically, there is a lack of an established command and control structure that is responsible to coordinate the national DTV transition effort and to vet, prioritize and implement meritorious ideas from the public and private sectors into a comprehensive, coherent and coordinated plan. Only the government can play the role of

referee to ensure that industry representatives with sometimes conflicting priorities are coordinated to send a clear message that serves all consumers and is not skewed by special interests.

I agree with Chairman Martin that “special emphasis must be placed on ensuring that households including or headed by seniors are aware and well informed of the DTV transition and its implications for them.” Still, I am concerned that there has been a persistent under-appreciation for the potential magnitude of this historic change in the way Americans – particularly over-the-air viewers, many of whom are elderly and on fixed incomes – get their news, public safety and emergency information, and entertainment.

As U.S. Public Interest Research Group (U.S. PIRG) will testify, their recent investigation is finding that store clerks at leading TV retailers are ill-prepared to help consumers get the information they need. If these young, tech-savvy retail workers don’t get it, imagine the challenge many seniors face.

If we fail to reach, inform and prepare the estimated 111 million television households in the U.S., I fear that congressional, state, local and tribal government offices, the FCC, broadcasters, and local cable operators will face a tsunami of complaints when analog, over-the-air transmission ends on at 11:59 pm on February 17, 2009, just 517 days from now.

No senior should face a blank TV screen when they wake up on February 18, 2009 and turn on any set in their home.

Learn From Past Campaigns to Educate and Inform Seniors

We need to implement a coordinated, national DTV transition plan that is comparable to our response to the Year 2000 computer threat. In the context of another initiative very familiar to members of the Aging Committee, I believe we need to dedicate resources to inform all Americans, and especially seniors and other at-risk groups, on a scale that is reasonably commensurate to the federal government’s multi-million dollar publicity campaign to inform seniors of the Medicare drug plan and the prescription drug benefit established under the Medicare Modernization Act.

In comparing the DTV transition and the Medicare prescription drug benefit program, similarities include: (1) there is a substantial senior base in the overall targeted audience, (2) the information can be dense, technical and confusing to seniors, (3) there is a federal subsidy that needs to be publicized, (4) there are affected industries that have a financial stake in educating seniors; and (5) there are multiple message points that need to be clearly and consistently conveyed by a date certain. We also can learn from the federal government’s implementation of the last national preparedness and education campaign.¹

¹ According to the Government Accountability Office (GAO), the total federal spending on the national Medicare publicity campaign was significant. In Fiscal Year 2004 alone, the Federal Government spent approximately \$65 million. GAO found that despite the large expenditures, the Administration’s education materials did not provide “clear, accurate, and accessible information to Medicare beneficiaries.” GAO reported that the materials that were distributed “collectively fell short of conveying program features.” According GAO, the responsible federal agency

I am pleased that with my encouragement and that of my colleague Commissioner Copps, the Commission's Fiscal Year 2009 Budget Request to the Office of Management and Budget for DTV consumer education increased nearly twenty-fold to \$20 million. That is roughly one dollar for each over-the-air household. This is a large improvement from previous Commission requests for DTV education and outreach funding. It is my hope that something in that range is the figure ultimately submitted in the President's FY 2009 budget proposal to Congress.

Even though these resources are urgently needed and will determine the scope and depth of our efforts, it is not solely a matter of funding to raise the awareness of Americans, particularly at-risk groups such as the elderly, low income families, rural residents, people with disabilities, minority groups and Non-English speakers. It is a matter of coordination and prioritization. As GAO found with the prescription drug education campaign, we cannot just throw money at the task. Instead, we need to develop a coordinated, national plan. The FCC, in conjunction with NTIA, is the best-positioned federal agency to provide leadership, direction and focus at the Federal level.

Ideas Moving Forward

Despite initial outreach efforts, studies continue to show that a significant number of consumers are not knowledgeable about the DTV transition and related products and services. With a population older in the U.S. than in many other countries, a recent study shows that elderly Americans are much more susceptible than younger Americans to fall on the wrong side of the DTV divide. Some may say that is inevitable. I say it means we have to redouble our efforts.

While Berlin, Germany reportedly spent about \$980,000 to educate a population of 3.4 million about their DTV transition over a four-week period,² and the United Kingdom plans to spend approximately \$450 million for DTV outreach and education programs from 2008 to 2012, we're in the position of having to do more in less time and with far fewer financial resources. Nevertheless, I believe that with proper coordination and planning, we're up to the task. Here

was "effective in raising awareness of the drug card program, but was less effective in its efforts to inform and assist beneficiaries." GAO, *Medicare: CMS's Implementation and Oversight of the Medicare Prescription Drug Discount Card and Transitional Assistance Programs* (Nov. 2005); GAO, *Medicare: CMS's Beneficiary (DATE?); Education and Outreach Efforts for the Medicare Prescription Drug Discount Card Transitional Assistance* (Nov. 2005).

² According to GAO, "[i]n Berlin, two important consumer education mechanisms were messages on terrestrial-only television signals and information sessions with retailers. On television signals received by terrestrial television, households saw a rolling scroll that informed them about the DTV transition. Deutsche TV-Platform and the Berlin Chamber of Commerce also held information sessions with retailers. Other consumer education mechanisms included a direct mailing to every household, a consumer hotline, flyers and newsletters, an Internet Web site, and advertisements on buses and subways. One primary concern with the consumer education effort was to avoid confusing cable and satellite subscribers. Because the DTV transition only affected households relying solely on terrestrial television, the consumer education effort focused on means that would target only these households, and not households subscribing to cable and satellite service. We were also told that a short consumer education period was best for informing households about the DTV transition; in Berlin, the consumer education effort lasted approximately 4 weeks and cost approximately 800,000 Euro (\$984,160)." GAO, *Telecommunications: German DTV Transition Differs from U.S. Transition in Many Respects, But Certain Key Challenges are Similar*, July 2004 (footnotes omitted).

are some next steps that I believe we need to take, immediately, to get on the path of reaching and educating people in more than 111 million U.S television households.

Create Federal DTV Transition Task Force. It is long overdue for the FCC, NTIA and other relevant federal agencies to formalize their relationship and develop a Federal DTV Transition Task Force with representation from the leadership of each agency. This multi-agency task force would develop benchmarks and a timeline to achieve nationwide awareness of the DTV transition. And, it would be accountable to Congress. To be effective, the task force would need a certain measure of budgetary and policy formulation and execution authority to avoid the complicated bureaucratic decision-making apparatus of each agency. In addition to authority, the task force would need staff. From the FCC, for example, there should be detailed staff from CGB, the Media, Enforcement, and Public Safety and Homeland Security Bureaus and the Offices of General Counsel and Engineering and Technology. With dedicated staff from different agencies, the task force would also serve as the clearinghouse for all things related to the DTV transition national campaign and for coordinating this network of networks. The aging network, for example, would have access to financial and human resource to assist seniors make the transition.

The task force would be able to coordinate with public and private partners, leverage existing resources and develop a single unified federal message, *i.e.*, develop and use common terminology to describe the digital-to-analog converter box program and other DTV technology. In addition to coordinating government efforts at all levels, the Federal task force can convene joint meetings with the private sector DTV Transition Coalition to ensure a coherent, consistent message across all channels.

Maximize Existing Federal Resources. Once a unified message has been developed, the task force could then work with other federal agency components, such as the AoA, the Social Security Administration, Department of Agriculture, Labor, Education Health and Human Services, the U.S. Postal Service and AmeriCorp, to integrate DTV educational information into every point of contact that is made with a consumer. All federal agency websites and correspondence or mailings to citizens' homes, such as Social Security mailers and Meals on Wheels deliveries, are golden opportunities to educate and inform consumers about different aspects of the DTV transition, including the converter box program and the analog cut-off date.

Establish a National DTV Call Center and Hotline. We should establish a National DTV Call Center with staff that speaks foreign languages and provide access for persons with disabilities, and a national toll-free number that is easy to remember and unassociated with the ongoing, non-DTV operations of the FCC. NTIA's toll-free number is a standard recording; and some have complained the FCC's general customer helpline is much too long, as it covers many other issues, and consequently it is not as useful as it could be. Consumer outreach specialists should be able to develop a more succinct and consumer-friendly message. Additionally, the call center could be the point of contact for households in need of local assistance to obtain or install converter boxes. We can help state and local governments connect seniors to community-based service providers. This is especially important to seniors, a disproportionate number of whom do not have access to the Internet or know how to reach our website.

Launch a Targeted Grassroots Information Campaign. The task force, working with state, local and tribal governments, the DTV Transition Coalition partners, and community-based service providers, could target communities with the highest concentration of over-the-air viewers, including senior citizens, low-income, non-English speaking, rural populations and tribal communities. It can launch a coordinated grassroots information distribution campaign, which would include posting signs in supermarkets, retail stores, churches, social service organizations, all modes of public transportation and other public places. For example, the FCC, the AoA and its allied aging network -- which includes state and local agencies, as well as community based service providers like Meals on Wheels -- have been in discussion about various information distribution efforts.

While these steps may require some additional funding from Congress or a reallocation of funds already appropriated to the FCC, first and foremost, dedicated leadership and focus are required from the FCC -- the expert agency primarily responsible for the DTV transition.

Conclusion

Thank you for inviting me to testify about raising the awareness of America's elderly population and informing them about the DTV transition. I am confident that with further direction from Congress and this Committee, the FCC, other federal agencies and all interested stakeholders could develop and implement a coordinated, comprehensive and coherent consumer awareness and education campaign.

I will be happy to answer your questions.