



August 30, 2017

The Honorable Ajit Pai, Chairman
The Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Note: The following commentary was submitted July 17, 2017, with regards to Restoring Internet Freedom – WC Docket No. 17-108. In the interest of public disclosure, and to ensure that the voices of the Hispanic Technology and Telecommunications Partnership (HTTP) and MANA, A National Latina Organization are heard among the multitude of submissions, the information is being re-submitted in response to the public comment period to reinforce the importance of a consumer-focused solution for Latino communities. This submission has been thoroughly analyzed and formulated with the best interest of the Latino community in mind.

Dear Chairman Pai:

On behalf of the Hispanic Technology and Telecommunications Partnership (HTTP), comprised of 17 coalition members representing millions of Latino constituents in the United States, and MANA, A National Latina Organization, we respectfully submit the following commentary in strong support of an open Internet. The issue is of vital concern to the Latino community, which represents almost 1/5 of the national population¹, and the sharpest increase in Internet connectivity of any demographic, particularly through mobile technology². Consumer access, equity, and security remain the guiding principles for our advocacy on the issue to ensure the prevention of improper discrimination online.

We remain committed to a straightforward policy with broad-based, bipartisan support, in contrast to the existing Title II utility framework that can hurt low income consumers, particularly Latinos stuck on the wrong side of the digital divide. While we recognize the concerns about legal authority that led the Commission to reclassify broadband as a Title II utility when it last addressed this issue, we disagreed with the decision and favored Section 706 authority for net neutrality regulation. What we are seeing as a result is that network investment is well below what it otherwise would be and experts warn the drop off could reach hundreds of billions of dollars. Simply put, increased investment and broadband buildout can mean increased opportunity for access and adoption by minorities, and especially low income Latino households.

¹ <https://www.census.gov/newsroom/facts-for-features/2016/cb16-ff16.html>

² http://assets.pewresearch.org/wp-content/uploads/sites/7/2016/07/PH_2016.07.21_Broadband_Final.pdf

Consumers, especially in poor, marginalized communities, which are often Latino communities, suffer the collateral damage when Internet access and deployment are stunted. The gains that advocates and policy makers alike have strived for cannot be sacrificed. Now is the time to focus on strong, permanent net neutrality rules to protect consumers and ensure basic fairness and openness online. We believe the best path forward includes action from Congress to enact a lasting and bipartisan net neutrality law that applies equally to all mobile and fixed broadband providers with the following provisions:

No Blocking/Throttling: Broadband providers should be restricted from blocking competitors' safe and lawful devices, content, applications, or services that do not violate the terms of use of fixed and mobile broadband service providers.

Transparency/Full Disclosure: Equitable standards for transparency should be established for both fixed and mobile broadband providers to disclose terms and conditions of their respective services, network management policies and practices, and performance metrics. Consumers deserve to have clarity in the products they are paying for and the details of the service being provided.

No Unreasonable Discrimination: Broadband providers should be restricted from discriminating against safe and lawful network traffic, as defined by the terms of use for fixed and mobile broadband service providers.

Privacy Rules: The Federal Trade Commission (FTC) should be given the authority to enforce privacy across the Internet ecosystem. Without comprehensive, fair, and equal privacy protections, consumers will be left with a false sense of security regarding privacy when different types of providers may leave their privacy and personal data vulnerable. The best way to protect consumers is to come up with consistent, unified and pro-consumer privacy rules for the entire Internet ecosystem.

Lifeline Program: A modernized Lifeline program that is more efficient and truly aimed at helping those who need it the most (i.e. those who are not currently connected and are low income) is fundamental to help close the digital divide. If executed properly, this tool is one that can have a profound impact on ending the disparities in broadband access, by income and in minority communities, which still persist and we advocate vehemently for the program's success.

No Redlining: Broadband providers must be required to develop infrastructure to serve all Americans, without the practice of redlining. Redlining must be prohibited, as it serves to amplify the digital divide and treats poor consumers and communities unfairly, when they are in the most need. It is necessary for regulators to understand the many ways that redlining can be manifested and pass smart policies to prevent the practice.

This holistic approach to addressing the immediate needs of the broadband ecosystem and regulatory mechanisms keeps the needs and rights of consumers at the forefront, especially those who are in most need of access and upgrades to networks, while equitably regulating the industry to serve those consumers, and promoting common sense policy solutions that rise above partisan conflicts. In the current dynamic, markets fluctuate and investment stalls because of the partisan environment that causes instability. It is crucial that this effort be fully bipartisan so that we are

not stuck having another change in policy once each new administration takes office. It is our belief that swift action from Congress on a net neutrality law that includes strong consumer protections and encourages investment and innovation will serve not only the Latino community, but communities nationwide who will undoubtedly benefit from safe and reliable Internet access.

Sincerely,



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