

April 8, 2009

Bernadette McGuire-Rivera,
Associate Administrator, Office of Telecommunications and Information Applications
David P. Grahn, Associate General Counsel, Rural Development
Broadband Technologies Opportunity Program
U.S. Department of Commerce
Room 4812, 1401
Washington, D.C. 20230

RE: African-American Policy Group Foundational Principles regarding the American Recovery and Reinvestment Act of 2009, Broadband Initiatives, Docket No. 090309298-9299-01

Dear Ms. McGuire-Rivera and Mr. Grahn:

The National Conference of Black Mayors (“NCBM”)¹, National Black Caucus of State Legislators (“NBCSL”),² National Organization of Black Elected Legislative Women (“NOBEL”),³ National Black Caucus of Local Elected Officials (“NBC-LEO”),⁴ and National

¹ NCBM represents more than 641 African American Mayors across the United States; collectively its membership represents over 48 million citizens. NCBM is a leader in the redevelopment of our most vulnerable communities and works towards the empowerment of leadership on the local level.

² NCSL is a bipartisan organization that serves the legislators and staffs of the nation's 50 states, its commonwealths and territories. NCSL provides research, technical assistance and opportunities for policymakers to exchange ideas on the most pressing state issues.

³ NOBEL is a non-profit; non-partisan organization primarily composed of current and former Black women legislators as well as many appointed officials. Originally established in 1985 as a national organization to increase and promote the presence of Black women in government, NOBEL in recent years has expanded its vision to serve as a global voice to address a myriad of issues affecting the lives of all women. NOBEL has created the *African American Women Technology Caucus* (AAWTC) to ensure that policy development related to advanced communications technologies and broadband deployment has a strong focus on women and African American communities.

⁴ NBC-LEO was created in 1970 to represent the interests of African American elected officials. NBC-LEO's objectives include increasing African American participation on the National League of Cities' steering and policy committees to ensure that policy and program recommendations reflect African American concerns and benefit their communities. The



Organization of Black County Officials (“NOBCO”)⁵ respectfully submit these comments in response to the above-referenced joint request for information.⁶

The present economic crisis is undeniably the worst since the Great Depression of the 1930s. African-Americans are disproportionately affected by economic downturns. According to the U.S. Department of Labor, 663,000 jobs were lost in March of 2009⁷, thereby pushing the overall unemployment rate up to 8.5%.⁸ The African-American unemployment rate currently stands at a shocking 13.3%⁹, rivaling the total unemployment rate between 1930 and 1931¹⁰.

There are many reasons for these disparities. During the 1930s, segregation, Jim Crow laws, and other forms of racism kept many African-Americans out of work. Today, individuals without broadband access are unable to use the internet to apply for jobs online and to develop the skills that are critical for 21st century jobs—21st century jobs that, at a minimum, rely on skills that many of us take for granted, such as using email, web browsers, and standard word processing software. Although we currently lack granular broadband mapping data to illustrate the relationship between broadband adoption rates and quarterly employment trends, a 2008 Pew Research Center study

organization also works independently with its members to inform them on issues affecting the African American community and helps to devise ways to achieve their community objectives through legislation and direct action.

⁵ NOBCO is a 501(c) corporation, established in 1982, representing a coalition of black elected and appointed officials within county government for all 50 states. NOBCO corporation has its roots in the National Association of Black County Officials (NABCO) which was founded in 1975 as a membership association to bring focus on the nation's African American communities, our issues and their resolution by providing direct assistance to black county officials.

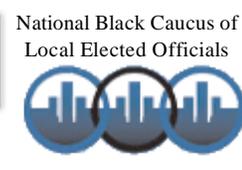
⁶ On April 13, 2009, a broad coalition of minority organizations and MBEs, the Broadband Diversity Supporters, will file extensive and comprehensive comments addressing minority business and consumer priorities. We generally support these comments.

⁷ See U.S. Department of Labor, Bureau of Labor Statistics, “Current Employment Statistics” (April, 2009) available at <http://www.bls.gov/opub/ted/> (last visited April 7, 2009).

⁸ See *id.*

⁹ See *id.*

¹⁰ See United States Department of Labor, Bureau of Labor Statistics, “Compensation from Before World War I Through the Great Depression” (January 30, 2003) available at <http://www.bls.gov/opub/cwc/cm20030124ar03p1.htm>, last visited April 7th, 2009 (The unemployment rate in the United States jumped from 8.9% in 1930 to 15.9% in 1931).



indicated that the rate of home broadband adoption amongst African-Americans was just 43% in April of 2008, compared to 55% of adults overall.¹¹ Therefore, it would be quite a risky gamble to conclude that African-American unemployment rates can be improved without assigning priority status to low-income rural and urban communities.

While President Roosevelt’s New Deal successfully led to a recovery in the overall economy, it left African-American workers and businesses largely on the sidelines.¹² We cannot afford for that to happen again. Thus, we ask that NTIA and RUS consider the following:

Meaningful Broadband Mapping

Ongoing, longitudinal, and granular broadband mapping studies, with poverty, unemployment, race and language data at the street level to track the geographic imprint of *de facto* segregation, are critical for identifying unserved and underserved communities. Without this data, government agencies will be unable to assess the extent of broadband coverage and target strategies to maintain the broadband infrastructure.

Public-Private Partnerships and Broadband Technology Plans

State and local government leaders are in the best position to understand the needs of their communities and the ways in which broadband can best stimulate their regional economies. Thus, NTIA and RUS should award grants to states or regional public-private partnerships. Further, NTIA and RUS should encourage each state to create a broadband technology plan with specific benchmarks for ensuring the deployment needs of priority areas.

¹¹ See Pew Internet and American Life Project, “Home Broadband Adoption 2008” (July, 2008) available at <http://pewresearch.org/pubs/888/home-broadband-adoption-2008>, last visited April 7th, 2009.

¹² See Ira Katznelson, “When Affirmative Action Was White” (2005)(Illustrating the degree to which New Deal programs were implemented in deliberately discriminatory ways “forever altering the economic arena in America” and stating that “laws like the Social Security Act were worded to deny benefits to entire categories of people, many of them minorities working as maids, farmers, and migrant workers); See also Michael Dawson, “The Real Deal on the New Deal,” Washington Post (March 9th, 2009), (stating that “the New Deal reinforced structural black economic disadvantage in many ways”) available at <http://www.theroot.com/views/real-deal-new-deal>, last visited on April 3rd, 2009; See also David E. Bernstein, “Only One Place of Redress: African Americans, Labor Relations, and the Courts from Reconstruction to the New Deal,” (2001) (stating “Broad-based New Deal legislation typically did not have discriminatory intent but had harsh, foreseeable discriminatory effects.”).



Assigning the Highest Priority to First Class Service to Unserved and Underserved Communities

NTIA and RUS should assign priority consideration to proposals that address service disparities in unserved and underserved communities.

Funding for HBCUs

NTIA and RUS should award funding to HBCUs that assist in correcting broadband service disparities.

Defining Underserved and Unserved Communities

In defining underserved and unserved communities, NTIA and RUS should account for factors such as poverty, unemployment, race and language.

Broadband Adoption in Minority and Low-Income Communities

The highest priority for broadband adoption grants should be assigned to stimulating broadband adoption and telecom literacy for low income, minority communities.

Accountability and Transparency in the Broadband Deployment Process

NTIA and RUS should coordinate projects so as to eliminate potential waste and redundancy. Coverage maps must be made available to the public online to allow the public to comment and ensure accountability.

Infrastructure projects of this magnitude are rare, which is why this must be done right. Millions of Americans, due to a lack of access to broadband, are effectively excluded, marginalized, and inhibited from applying for and acquiring the skills they need to thrive in the 21st century. Access to digital tools of socio-economic and political empowerment, like those provided by broadband infrastructure and applications, could reduce healthcare disparities, improve the quality of education for African Americans and provide greater entrepreneurial and job creation opportunities in our communities. By taking these steps, the administration would exponentially expand the long-term impact of the one-time allocation of economic stimulus dollars.

We strive to ensure that our constituents are full beneficiaries of the promise and potential of America's increasingly digital economy. It is our hope that NTIA and RUS will act on this opportunity to ensure that broadband is built out to all Americans, by all Americans, and for the benefit of all Americans.

Sincerely,

