

June 5, 2009

Commissioner Michael  
Copps  
Federal Communications  
Commission  
445 12th Street, SW  
Washington, DC 20554

Commissioner Jonathan  
Adelstein  
Federal Communications  
Commission  
445 12th Street, SW  
Washington, DC 20554

Commissioner Robert  
McDowell  
Federal Communications  
Commission  
445 12th Street, SW  
Washington, DC 20554

RE: African-American Elected Officials Policy Group Foundational Principles regarding the development of a National Broadband Plan as required by the American Recovery and Reinvestment Act of 2009, GN Docket No. 09-51

Dear Commissioners Copps, Adelstein and McDowell:

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

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<sup>1</sup> NBCSL is a body of 624 African American state legislators whose primary mission is to develop, conduct and promote educational, research and training programs designed to enhance the effectiveness of its members, as they consider legislation and issues of public policy which impact, either directly or indirectly upon “the general welfare” of African American constituents within their respective jurisdictions.

<sup>2</sup> 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.

<sup>3</sup> NCBM represents more than 650 African American Mayors across the United States; collectively its membership represents over 48 million citizens. NCBM articulates public policy positions and serves as a clearinghouse on information pertinent to municipal development and financing. NCBM provides technical and management assistance through cutting-edge research, best practices and partnerships that enable its mayors to challenge and overcome grappling issues that erode the vitality and sustainability of our nation's cities.

<sup>4</sup> 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 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.



Black County Officials (“NABCO”),<sup>5</sup> respectfully submit these comments in response to the above-referenced docket.

The creation and adoption of a National Broadband Plan provides us with a much-needed opportunity to safeguard against further socio-economic unrest. Our gross domestic product continues to decline, and our population is undergoing one of the greatest demographic shifts<sup>6</sup> in the history of the United States of America, with projections showing that by 2042, the majority of this nation’s population will be comprised of “minorities”—African Americans, Hispanics, Asian American and Pacific Islanders, and Native Americans. As we undergo this demographic shift, our national unemployment rate, which rivals the joblessness of the Great Depression of the 1930s, stands at a staggering 9.4%<sup>7</sup> for the general population, and 15% and 11.3% for African-American and Hispanic communities,<sup>8</sup> respectively.<sup>9</sup> Likewise, members of minority communities suffer crippling healthcare and education disparities that negatively impact the ability of our communities to survive and thrive, but also creates a detrimental toll on our society at large. For example: African-American men are 50% more likely to suffer from prostate cancer than white men, and

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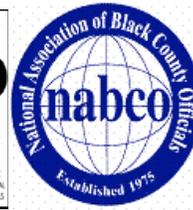
<sup>5</sup> NABCO, an association of approximately 1,200 elected Black County Officials representing 38 states and the District of Columbia and 570 counties, was founded in 1975 to provide elected and appointed black county officials with a forum to review, share and develop responses to local and national issues.

<sup>6</sup> See “An Older and More Diverse Nation by Midcentury,” U.S. Census Bureau, Aug. 14, 2008, [available at http://www.census.gov/Press-Release/www/releases/archives/population/012496.html](http://www.census.gov/Press-Release/www/releases/archives/population/012496.html) (last visited June 4, 2009.)

<sup>7</sup> “Employment Situation Summary,” U.S. Department of Labor, Bureau of Labor Statistics, [available at http://www.bls.gov/news.release/empsit.nr0.htm](http://www.bls.gov/news.release/empsit.nr0.htm) (last visited June 5, 2009).

<sup>8</sup> See “Janet Murguía and Marc Morial: Volunteers can create their own economic stimulus,” [available at http://www.unionleader.com/article.aspx?headline=Janet+Murgu%C3%ADa+and+Marc+Morial%3A+Volunteers+can+create+their+own+economic+stimulus&articleId=43d661b0-4d1d-40e2-a0d9-6ce74a5c69c1](http://www.unionleader.com/article.aspx?headline=Janet+Murgu%C3%ADa+and+Marc+Morial%3A+Volunteers+can+create+their+own+economic+stimulus&articleId=43d661b0-4d1d-40e2-a0d9-6ce74a5c69c1) (last visited June 5, 2009).

<sup>9</sup> “Real gross domestic product -- the output of goods and services produced by labor and property located in the United States -- decreased at an annual rate of 5.7 percent in the first quarter of 2009, (that is, from the fourth quarter to the first quarter), according to preliminary estimates released by the Bureau of Economic Analysis. In the fourth quarter, real GDP decreased 6.3 percent.” National Economic Accounts, U.S. Department of Commerce, Bureau of Economic Analysis, May 29, 2009, [available at http://www.bea.gov/newsreleases/national/gdp/gdpnewsrelease.htm](http://www.bea.gov/newsreleases/national/gdp/gdpnewsrelease.htm) (last visited June 4, 2009).



they are more than twice as likely as white men to die as a result of the cancer.<sup>10</sup> Further, African Americans are 1.6 times more likely to suffer diabetes than are non-Hispanic Whites.<sup>11</sup>

The educational achievement gap for minority communities is likewise grave. According to a 2009 study conducted by McKinsey & Company, Black and Latino students are roughly two-and-a-half to three years of learning behind their white counterparts.<sup>12</sup> Moreover, based on the results of the National Assessment of Educational Progress, 48% of Blacks and 43% of Latinos test “below basic,” as compared to only 17% for White students.<sup>13</sup>

Given our changing national landscape and unstable socio-economic climate, there is little doubt that we must employ expedient and innovative measures to rectify our failing employment and economic situations, and to improve our education and healthcare system, particularly in terms of the impact we are able to have on minority communities. By relying on access to new jobs, and enhanced career and academic training, and better healthcare, we believe that broadband technologies will serve as critical tools to help us to deal with the challenges we face today in preparation for a better, more prosperous tomorrow.

The face of America is changing, and as we prepare for a new economy, we must maximize our use of technology to train our next generation of leaders and the new American workforce, and prepare our communities to do the work that needs to be done to guarantee our continued position as a preeminent world power. Because of advanced communication technologies, we can now more efficiently address multiple issues on multiple fronts without sacrificing the integrity of our efforts or the quality of our results. We now stand in the face of a tremendous opportunity to effect positive change in America that will yield long-term social, economic and political results, both at home and abroad. This opportunity is one that cannot be squandered, and one that we should allow to pass us by.

We face a variety of economic, academic and health care related hurdles ahead, and broadband technology, and the applications it supports, provides a prime opportunity to provide much needed economic and educational resources to our communities. Moreover, broadband

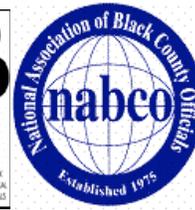
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<sup>10</sup> “Minority Health: Quick Facts About Health Disparities,” Families USA: The Voice of Health Care Consumers available at <http://www.familiesusa.org/issues/minority-health/facts/minority-health-health-quick-facts.html> (last visited June 6, 2009).

<sup>11</sup> “Diabetes Statistics for African Americans,” American Diabetes Association available at <http://www.diabetes.org/diabetes-statistics/african-americans.jsp> (last visited June 6, 2009).

<sup>12</sup> “The Economic Impact of the Achievement Gap in America’s Schools,” McKinsey & Company, Social Sector Office, available at <http://www.mckinsey.com/client-service/social-sector/achievement-gap.asp> (last visited June 6, 2009).

<sup>13</sup> *Id.*



technology can, and must, be used to help communities of color cope with the disproportionate health consequences we face as a result of lack of access to affordable, high-quality healthcare services that enable preventive care and management of the chronic diseases that threaten the longevity and vitality of our communities. The time is now to prepare minority communities for the America of the future, for without innovative and immediate assistance, the entire fate of our nation will suffer.

It is for these reasons, that the creation of a National Broadband Plan is critically important to our ability to overcome our socio-economic hurdles and once again thrive as a nation. These comments, submitted jointly by NBCSL, NOBEL, NCBM, NBC-LEO and NABCO focus on two primary aspects involved in the implementation of a National Broadband Plan: accessibility and adoption.

Access to and adoption of broadband involve considerations of cost, availability and value. In a study conducted by the Pew Internet and American Life Project, 18% of non-broadband users cited the cost of broadband access, or of computing hardware, as the primary reason that they did not have broadband.<sup>14</sup> An additional 14% of non-broadband users said that the service was not available to their homes, while a whopping 51% of non-broadband users cited ‘lack of relevance’ as their reason for not using broadband.<sup>15</sup> Based on these, and similar statistics, the question seems to arise: Once we provide access to broadband, how do we get people to use it? An evaluation of this core questions should be the ambit of a National Broadband Policy, and as such, our comments follow.

#### ACCESSIBILITY

Accessibility to broadband hinges on cost and availability. To address the issue of cost, the Federal Communications Commission (“FCC”), should ensure that principles of competition prevail in making sure that a variety of broadband providers are able to facilitate access to this fundamental technology. Whether via fiber optic lines, cable, digital subscriber lines, power lines, or satellite service, all Americans should be afforded high-speed Internet access courtesy of a broadband connection. Regardless of geography, socio-economic status, race or ethnicity, no segment of our society should suffer a disparate impact from lack of access to, or productive use of, broadband technology or digital innovation. All Americans, particularly the members of

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<sup>14</sup> “Stimulating Broadband: If Obama Builds It, Will They Log On?”, Pew Internet and American Life Project, [available at](http://www.pewinternet.org/Reports/2009/Stimulating-Broadband-If-Obama-builds-it-will-they-log-on/Obamas-Online-Opportunities-If-you-build-it-will-they-log-on/2-Barriers-to-adoption.aspx?r=1) ”<http://www.pewinternet.org/Reports/2009/Stimulating-Broadband-If-Obama-builds-it-will-they-log-on/Obamas-Online-Opportunities-If-you-build-it-will-they-log-on/2-Barriers-to-adoption.aspx?r=1> (last visited June 5, 2009).

<sup>15</sup> Id.



‘unserved’ and ‘underserved’<sup>16</sup> communities must actively participate in, and become full beneficiaries of, our increasingly digital society.

The corollary to the broadband-cost issue is the availability of broadband. While many Americans can currently access some form of broadband, there still exists a vast majority of this nation’s population who lack the potential to obtain high-speed Internet via a broadband connection. In order to fill those gaps in broadband coverage, and thus create ubiquitous accessibility to broadband, the FCC’s National Broadband Plan ought encourage and implement mapping as provided in the Broadband Data Improvement Act and the American Recovery and Reinvestment Act. By engaging in broadband mapping, the FCC will better be able to identify those unserved and underserved communities lacking sufficient access to broadband services, and can thereafter engage entities to properly deploy broadband to those needy areas. National broadband maps are of critical importance to our ability to achieve universal access to broadband. Therefore, the African American Elected Officials Policy Group is of the impression that mapping should be conducted through public-private partnerships between not-for-profit entities working with local governments to ascertain the optimum broadband technology plan for specific communities seeking access to broadband technology. Once the areas lacking broadband are adequately identified, we can more accurately approach the task of ensuring broadband access to our communities.

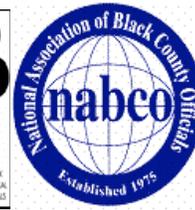
As it addresses issues of accessibility, the FCC should be particularly mindful that at risk populations, including those who are members of low-income households or are digitally illiterate, are in unique danger of missing the opportunity to fully access and utilize broadband services. In those instances when the FCC ascertains that a community or certain individuals fall within this ‘at risk’ category, whether because of geographic, racial, ethnic, or socio-economic situation, the National Broadband Plan should specifically provide accessibility allowances for those who are unable to afford the use of broadband, or are unaware of the benefits of this technology to themselves and their communities.

#### ADOPTION

Just as the issue of access involves considerations of cost and availability, the question of adoption hinges on clear understandings of value and benefit. Study after study has shown that while many

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<sup>16</sup> The African American Elected Officials Policy Group comprised of NOBEL, NBCSL, NABCO, NCBM and NBC-LEO, support a definition of ‘unserved’ communities that reflects insufficient competition, characterized by less than two different broadband providers, competitively priced, within the same subscriber area, as well as total lack of access to broadband connectivity. Likewise, the African American Elected Officials Policy Group support a definition of ‘underserved’ communities that encompasses the proposed definition of ‘unserved’ and also takes into account low adoption rates – less than a 60% take rate – of broadband service, even where such service is readily available and competitively priced. In both instances, availability and competitive pricing should be construed in terms of average annual income and earnings associated with the subscriber area in question.



members of minority communities, African American communities in particular, may be able to access broadband the subscriber/adoption rate is startlingly low. A 2008 study by the Pew Research Center indicated that the rate of home broadband adoption amongst African-Americans was just 43% in April of 2008, compared to 55% for adults overall.<sup>17</sup> Taking this statistic into consideration, and in light of other data analyzing broadband adoption rates, we feel confident that the primary reason for low broadband adoption amongst communities of color is a lack of value.

To overcome this issue of broadband value, the National Broadband Plan should encourage computer access both at home, in school and through community centers. A National Broadband Plan should likewise encourage the creation of culturally relevant content and applications that will help spur the increased adoption and use of broadband services by making such services increasingly relevant to the lives of everyday Americans.

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. A National Broadband Plan should encourage each state to create a broadband technology plan with specific benchmarks and targeted programs that ensure adoption and use in low-income and minority communities. These communities should be given first priority. Additionally, the National Broadband Plan must address service disparities in unserved and underserved communities. Special considerations should be given to innovative programs that utilize Historically Black Colleges and Universities (HBCUs) in correcting broadband service disparities.

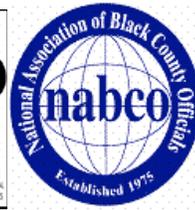
A national increase in the availability and adoption of broadband, and the various applications it supports, represents an unprecedented opportunity to extend digital connectivity to all Americans, particularly to members of unserved and underserved communities. The potential benefits of our shift to a broadband-based, digital economy will dramatically impact the productivity and prosperity of our communities and of our nation as a whole.

## CONCLUSION

Considering the hurdles that lie ahead, broadband technology, and the applications it supports, provides a prime opportunity to provide much needed employment and educational resources to our communities. The fate of our nation is on the line, and broadband technology can, and must, be used to help improve our population, particularly members of minority, low-income, unserved and underserved communities. Through broadband, we have the profound power and unique opportunity to create a new America, and restore this great nation to its status as an economic stronghold and international world power. The best is yet to come, and the path to prosperity to

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<sup>17</sup> 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 7, 2009).



which we aspire starts at a place of digital inclusion and empowerment created courtesy of access to, and productive use of, broadband technology.