

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996, as Amended by the Broadband Data Improvement Act)	GN Docket No. 09-137
)	
A National Broadband Plan for Our Future)	GN Docket No. 09-51
)	
International Comparison and Consumer Survey Requirements in the Broadband Data Improvement Act)	GN Docket No. 09-47
)	

**COMMENTS OF MABUHAY ALLIANCE (NBP PUBLIC NOTICE #26)
ASIAN AMERICANS SUPPORT INCREASE SPECTRUM
FOR PUBLIC INTEREST ISSUES**

*“The Hmong community does not necessarily need more spectrum, what we need is
spectrum that addresses our needs,” Dr. Toulou Thao,
Hmong Community Leader - Fresno.*

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**COMMENTS OF MABUHAY ALLIANCE (NBP PUBLIC NOTICE #26)
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Hmong Community Leader - Fresno.*

These comments are filed on behalf of 15 million Asian Americans. However, it should be noted that the major Asian American subgroups, such as Chinese American, Filipino American, Indian American, Japanese American, Korean American and Vietnamese American, have very different needs. Further, income and educational levels differ. In addition, new immigrant groups have different usage and expectations from broadband.

We fear, much as we fear regarding healthcare reform, that this Commission’s laudable public interest objectives are moving too rapidly and there may be a need for a delay in the response to the February 17th congressional deadline.

Assuming sufficient time, our organization is prepared to examine the different needs and expectations of varying Asian American subgroups. This includes examining, for example, the far greater needs of the isolated and disproportionately low-income Hmong community.

In general, our community supports greater broadband spectrum to meet the needs of wireless broadband services over the next two generations. But we should note that as with other new technologies, including railroads in the 19th century, supply may create artificial and unnecessary demands that do not serve the public interest.

A number of experts believe that half or more of present broadband usage serves little or no social utility. And, some believe that it is possible that in the future, 75 percent or more of broadband usage may be unnecessary.

Since there are limits even to broadband spectrum, perhaps this would be the appropriate time and place to reflect on public interest needs. This is particularly the case for underserved communities including our nation’s 47 million Latinos, 43 million African Americans, 15 million Asian Americans and more than four million Native Americans.

Support for Chairman’s Goals

Our organization supports Chairman Genachowski’s desire to increase spectrum for broadband. We are not clear, however, whether the essential need is to double or triple it or to increase it as much as thirty-fold. For example, since this data shows that text messages monthly went from 48 billion to 110 billion from December 2007 to December 2008, this more than doubling indicates that approximately 1.3 trillion text messages

were made annually in 2008.¹ A doubling every five years would mean that 45 to 50 trillion text messages could be sent annually by 2014. In contrast to the proliferation of text messages, use of first-class mailing declined by five percent from 2007 to 2008. There are only 91 billion first-class mailings in 2008 versus 1.3 trillion text messages.

The significant decline in first-class mailings, if continued over the next five years, would produce a 500 to one differential, or more, in text messages versus first-class mail.

In examining our concerns about wasteful and/or hasty misuse of scarce resources, consider, for example, the growing concerns relating to our nation's historic waste of energy and water. Many estimate, that as with high cost renewable energies, America would do just as well through massive conservation efforts, such as Japan has incorporated. President Obama's weatherization programs are a good example. Similarly, over half of all water usage, particularly in agriculture, is unnecessarily wasted.

At this time, our organization lacks the technological expertise and financing to determine how we could conserve spectrum without interfering with the public interest need for more effective communications.

Creation of Public Interest Spectrum Committee

To the credit of the Obama Administration, it is rethinking a wide range of usage patterns, including wasteful, unnecessary and costly healthcare treatments. Perhaps it is time to form a Public Interest Spectrum Committee and delay any congressional efforts for at least one year to determine necessary spectrum usage that serves the public interest as opposed to a wish list of spectrum usage.

For the most part, underserved Asian American communities will benefit far more if priority is given to public interest broadband usage. We believe America can be Number One in broadband in all important aspects without necessarily increasing our spectrum by twenty- to thirty-fold.

Broadcasting and the Public Interest

The public notice contends that, "Broadcasters have historically played an important role in advancing public interest through free, over-the-air broadcast TV."

This characterization is wildly inaccurate as it relates to the Asian American community as a whole and, in particular, for Asian American communities such as the Chinese American, Filipino American, Indian American, Japanese American, Korean American and Vietnamese American.

Often, the industry has ignored, ridiculed or demeaned the Asian American community.

¹ 2010 Statistical Abstract of the United States.

Contentions by the broadcasting industry that they serve an important public interest are largely muted by their failures not only to Asian Americans, but to other major minority groups including African Americans, Latinos and Native Americans. We do agree, however, that with a revamping of priorities to serve the public interest and reach our nation's minorities, free, over-the-air TV broadcasters could be of assistance to the underserved.

Market Mechanisms for Spectrum Expansion

The failed federal policies regarding allocation of scarce water should be a reminder to this Commission of the need to address market mechanisms for spectrum contribution as quickly as possible. Some states, such as California, address scarcity of water by paying to farmers fair market prices for water; however, they are providing this water to farmers for sale at one-hundredth of its fair market value. This is a backward and a highly expensive approach if used to address the scarcity of spectrum.

Incentives to the Broadcasting Industry

We favor a carrot and stick approach regarding the broadcasting industry. They should be required, with FCC supervision and minority participation, to develop a new public interest approach to free, over-the air broadcasting that fully recognizes the needs and concerns of our nation's minorities. Once this is accomplished, their interests in restricting spectrum will serve an important public interest. Until that occurs, we favor an approach of paying "as little as possible" to secure as much spectrum as possible. We believe this is a view shared by other minority and underserved organizations.

We are also concerned that the revenue secured from this sale of scarce spectrum, which could exceed 60 billion dollars, will inadequately benefit underserved communities and fail to promote unique public interest. We therefore urge that minority communities be actively involved in the decision making. The recent revolt of the Congressional Black Caucus, because of the failure to pay attention to the growing unemployment rates of African Americans and Latinos, is a good example of the possible dangers of inadequate minority participation.

Wireless Auctions

We do not agree with The Wireless Association's position as to the need for 800 MHz of additional spectrum within the next six years. What we do agree with is that we need additional spectrum, but that spectrum must be focused increasingly on essential public interest needs.

Net Neutrality and the Spectrum

Net neutrality is not directly an issue in this proceeding. However, we are perplexed as to how, without multibillions of dollars in additional expenditures, spectrum increases of 800 MHz will occur. What are the market incentives to secure the types of multibillions in investments made by the telecommunication and cable industry? Will these investments primarily benefit non-investors such as Google?

Including the Underserved Communities

We hope these preliminary comments cause this Commission to further examine its priorities relating to additional spectrum and, in part, primarily focus its priorities on the public interest and needs of underserved communities including the majority of African Americans, Latinos, Native Americans and Asian Americans.

Respectfully submitted,

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