



April 21, 2010

Julius Genachowski, Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Preserving the Open Internet*, GN Docket No. 09-191; *Broadband Industry Practices*, WC Docket No. 07-52; *A National Broadband Plan for Our Future*, GN Docket No. 09-51

Dear Chairman Genachowski:

We are writing as organizations that represent the most vulnerable communities in our country, communities that are less likely to have broadband access but are more likely to be marginalized by the news media, to urge the Federal Communications Commission to take the legal steps necessary to reestablish its authority to regulate broadband network operators following the recent decision issued by the U.S. District Court of Appeals.

The court's decision in *Comcast v. FCC* leaves the most vulnerable members of our society without legal protection from the business ambitions of large cable and telecom companies. These companies have a history of refusing to build out their broadband networks to our communities. They have also made the price of broadband access so prohibitive that many families remain on the wrong side of the digital divide.

We urge the FCC to reestablish its authority to regulate these network providers. Without doing so, the FCC will be unable to implement its National Broadband Plan, eliminate the digital divide, and protect our Internet freedoms by passing Network Neutrality rules. Absent such rules, companies like AT&T, Comcast and Verizon will be able to discriminate online by preventing the public from accessing the news and information they need to empower themselves, their families, and their communities.

The FCC's recent study showed that people of color are among the least connected communities in our country. Only 59 percent of African American households and only 49 percent of Latino households have broadband access. Among households earning less than \$20,000 per year, only 40 percent are connected. Broadband is deployed in less than 10 percent of Tribal lands.

Bridging the digital divide is critical to improving the quality of life for poorer families who want an equal opportunity and a fair chance to compete in today's society. Our organizations were hopeful that the National Broadband Plan was an important first step toward providing everyone with access to broadband. We were also hopeful when the FCC started a rulemaking proceeding to adopt Network Neutrality regulations to protect our freedom to speak for ourselves without seeking permission from corporate gatekeepers.



The deregulatory decisions of the past now threaten the Commission's continued ability to make policy decisions that best serve the public interest. . The communities we represent are the least likely to be represented in policy fights taking place in Washington even though they are often the most directly impacted. We urge the FCC to re-establish its authority to regulate broadband networks: such a move is critical to enabling greater civic participation, protecting cultural and individual self-expression, and promoting economic opportunities for all members of our society.

Regards,

Malkia A. Cyril
Executive Director
The Center for Media Justice
and the Undersigned

Color of Change, Oakland CA
James Rucker, Executive Director
Members: 600,000

Presente.org, Nationwide
Faviana Rodriguez
Members: 100,000

Ella Baker Center for Human Rights, Oakland, CA
Jakada Imani, Executive Director

Center for Rural Strategies, Whitesburg KY & Knoxville, TN
Dee Davis, President

The Utility Reform Network, San Francisco, CA
Mark W. Toney, Ph.D, Executive Director
Members: 2,000

Esperanza Center for Peace and Justice, San Antonio, TX
Graciela Isabel Sanchez, Director
Members: 75,000

Native American Journalists, University of Oklahoma Gaylord College, Norman, OK
Jeff Harjo, Executive Director



Afro-Netizen, Philadelphia, PA
Chris Rabb

Northwest Federation of Community Organizations, Seattle, Washington
LeeAnn Hall

National Association of Hispanic Journalists, Nationwide
Iván Román, Executive Director

Feministing, New York, New York

Mountain Area Information Network, Asheville, North Carolina
Wally Bowen, Executive Director

Flanbwayan Hatian Literacy Project, New York, NY
Darneall Benoit
Members: 150

Main Street Project, Minneapolis, MN
Steven Renderos, Media Justice Organizer
Members: 10,000

Media Literacy Project, Albuquerque, NM
Andrea Quijada, Executive Director
Members: 6,500

P.E.A.C.E. Initiative, San Antonio, TX
Patricia S. Castillo, L.M.S.W. Executive Director
Members: 5,000

The Media Justice League, San Antonio, TX
George Garza
Rebecca Ohnemus
Ernesto Olivo
Chuck Robinson
Members: 804

Prometheus Radio Project, Philadelphia, PA
pete tridish, Director of Electromagnetism

Berkeley Media Studies Group, Berkeley, CA
Lori Dorfman, DrPH, Director

Media Mobilizing Project, Philadelphia, PA
Todd Wolfson, Founder



Thousand Kites, Whitesburg, KY
Nick Szeburla, Director

Reclaim the Media, Seattle, WA
Jonathan Lawson, Executive Director

UT Austin
Anne Lewis, Senior Lecturer

Native Public Media, Oakland, CA
Loris Taylor, Executive Director

California Center for Rural Policy Humboldt State University, Arcata, CA
Connie Stewart, Executive Director

People Escaping Poverty Project, Moorhead, MN
Duke Schemp, Executive Director

Media Alliance, Oakland, CA
Tracy Rosenberg, Executive Director

Peoples Production House, New York, NY
Deepa Fernandes, Executive Director

Mujeres Unidas, Texas

Greenlining Institute, Berkeley, CA

Picture the Homeless, Bronx, NY
Lynn Lewis, Director
Members: 1500, and tens-of-thousands homeless New Yorkers

Adhikaar, Woodside, NY
Luna Ranjit, Executive Director
Members: 500, and a community of 30,000 low-to-moderate income people

Comprehensive Development Inc., New York, NY
John Mancuso Jr., Executive Director
Members: 1400 students, 100 combined and CBO staff, and 250 volunteers