

November 24, 2020

To the Federal Communications Commission Agency Review Team:

The Covid-19 pandemic has exacerbated the inequalities in society across the political spectrum. One area, broadband access, has forced countless families to simply fall behind as remote learning and remote employment opportunities are foreclosed on them due to lack of access or inadequate access. This problem falls particularly hard on families of color in major cities who have been digitally redlined by major Internet Service Providers.

Study¹ after study² after study³ show that major national ISPs have decided to invest fiber optic infrastructure in wealthy neighborhoods in large densely populated cities while skipping low-income neighborhoods in those same cities. The result of this digital redlining is the formation of a 1st class and 2nd class broadband infrastructure where wealthy communities easily access 21st century opportunities with low-cost, fast Internet while everyone else is left behind. This is different than the rural challenge, where public investment in public infrastructure can remedy the problem of access—such with the passage of Majority Whip Clyburn’s Accessible, Affordable Internet for All Act—this problem stems from the profitability of discrimination and must be stopped.

It is a given that the new Federal Communications Commission should reclassify broadband as a Title II common carrier service and update its net neutrality and privacy rules. That is the bare minimum of what is needed in this unprecedented time.

What we need from the Biden Administration is for it to appoint an FCC Chair and Commissioners that will do much more than the bare minimum. What we need is a new FCC that will confront this socio-economic discrimination by the major providers in broadband access by abolishing digital redlining of fiber infrastructure with its Title II authority.

We demand that the new Biden FCC commit to abolishing digital redlining in its first year and use its power to end digital redlining of fiber infrastructure in its entirety across America before the end of the first term. When companies like AT&T decide to cut off copper DSL and not replace it with fiber in low-income communities, the new FCC should find such practices to be illegal discrimination under Title II and mandate that they expeditiously deploy fiber equally throughout these communities. For more than 15 years, the national ISPs have had the opportunity to fully deploy their 21st century networks and they have failed to do so. It is time for the regulatory agency in charge of enforcing the public interest to get the job done.

¹ Vincent Le and Gissela Moya, *On the Wrong Side of the Digital Divide: Life Without Internet Access, and Why We Must Fix It in the Age of COVID-19*, THE GREENLINING INSTITUTE (June 2, 2020), <https://greenlining.org/publications/online-resources/2020/on-the-wrong-side-of-the-digital-divide>.

² Galperin, H., Bar, F., Kim, A.M., Le, T.V., Daum, K., *Who Gets Access to Fast Broadband? Evidence from Los Angeles County*, Spatial Analysis Lab at USC Price, Annenberg School for Communication (Sept. 2019), <http://arnicusc.org/wp-content/uploads/2019/10/Policy-Brief-4-final.pdf>.

³ Communications Workers of America & National Digital Inclusion Alliance, *AT&T’s Digital Redlining Leaving Communities Behind for Profit* (Oct. 2020), available at <https://cwa-union.org/sites/default/files/20201005attdigitalredlining.pdf>.

Sincerely,

Access Humboldt
Advocacy for Principled Action in Government
Advocates for Basic Legal Equality
California Center For Rural Policy
California LGBT Arts Alliance
CARDBoard Project
CCTV Center for Media & Democracy
Communities In Schools of Los Angeles (CISLA)
Community Media Visioning
Demand Progress Education Fund
Detroit Community Technology Project
eLoop llc
Fight for the Future
Indivisible Sacramento
Jobs With Justice
Lit Communities
Louisville Metro Office of Civic Innovation & Technology
Media Alliance
MediaJustice
mohuman
Movement Alliance Project
National Hispanic Media Coalition
Native Public Media
New America's Open Technology Institute
NLEN
NTEN
One Family LA
Open MIC (Open Media and Information Companies Initiative)
OpenMedia
Parent Organization Network
Public Knowledge
San Francisco Tech Council
Speak UP
Stemnastics LLC
The Greenlining Institute
Voqal
Western New York Library Resources Council
Writers Guild of America, West, Inc.
X-Lab