

**Remarks of Commissioner Mignon L. Clyburn
Before the LULAC Legislative Conference
Washington, DC
February 9, 2011**

Introduction

Muchas gracias, Brent, por su amable presentación. To all those who traveled from far away to join us today, Bienvenido!

I consider it a great honor to speak before an organization with such a long and distinguished history in civil rights. Your excellent advocacy has not only led to significant victories for Latinos; but for everyone living in our Nation. You have been tireless advocates for communities that may not have the resources to hire expensive lobbyists. And it is no secret that this Commissioner wants to hear from advocates just as often, if not more, than “FCC regulars.”

If you would, permit me to highlight two developments on the communications front that are of particular importance to all communities: Broadband Adoption and Media Ownership.

Broadband Adoption

Most of you know that in March of last year, the FCC released its National Broadband Plan, and some of its findings, while not surprising to some, are still quite sobering. Altogether, some 93 million Americans—or about one third of all of us—do not have broadband at home. Although the national average for broadband adoption is 65 percent, certain groups are substantially below that average. The average broadband home adoption rate among Latinos is only 49 percent and for Americans living in rural areas, the adoption rate stands at 50 percent.

The Plan found that the two main reasons why people are not adopting broadband are affordability and digital literacy. Collectively, we must do everything in our power to address these issues and encourage greater broadband adoption, and it is good to share with others that your organization is doing its part.

LULAC has worked with the private sector to build technology centers in communities across this nation. You are to be commended for recognizing the importance of training and education, through the creation of the largest Latino non-profit community computer center network of approximately 60 community technology centers, with more on the way. Programs that provide free computer-related training to students, parents, and low-income individuals, are tremendously helpful in bridging the digital divide.

I was also delighted to learn that LULAC is partnering with One Economy on the Digital Connectors program. Digital Connectors has been around since 2003. But last year’s \$28.5 million dollar grant from NTIA could enable One Economy to expand this program to the residents of 159 public housing developments and low-income communities in 50 cities and towns across 31 states.

This afternoon however, I would like to draw further attention to a new broadband services adoption program that was a direct result of the Comcast-NBCU license transfer proceeding. There has been much talk about the number of commitments in this transaction, but one of the more important ones to me is the Broadband Opportunities Program, or “CBOP.” This

potentially groundbreaking initiative, should serve to chip away at key barriers that keep low-income and minority citizens from conveniently accessing the Internet.

Through CBOP, Comcast will make available to approximately 2.5 million low income households, an array of digital-literacy education opportunities that could substantially increase broadband adoption in low-income homes throughout their service area. Current broadband adoption rates in households with annual incomes below \$20,000 are approximately 40 percent.

Under CBOP, families that have at least one child in the household eligible for a free lunch under the National School Lunch Program may be eligible to:

1. Receive the Economy version of Comcast's High-Speed Internet Service for \$9.95 a month – a rate that will stay in place so long as the household remains eligible;
2. Pay no installation or modem charges or fees;
3. Receive one unit of pre-configured, quality computer equipment (which may include rebuilt PCs, netbooks, or other devices) for less than \$150; and
4. Receive access to web-based, print, and classroom-based training programs.

It is important to note that, beginning with the 2011 school year, any household that qualifies anytime during the three-year enrollment period will remain eligible for the discounted High Speed Broadband prices so long as the family meets the household eligibility criteria. In other words, the program features will not change as long as there is a school age child in the home who qualifies for the School Lunch Program.

This not only should bring about greater broadband deployment, which admittedly is good for Comcast, but more significantly from my vantage point, it should encourage greater broadband adoption, due to its affordability, which is good for us all. Comcast will also expand its existing broadband networks, to reach approximately 400,000 additional homes, provide broadband Internet access service in six additional rural communities, and offer free video and high-speed Internet service to 600 new anchor institutions, such as schools and libraries, in underserved, low income areas. This will mark the first time a major ISP in this country will implement such an expansive, inclusive program, to increase broadband adoption and deployment, and close the digital divide for low income families.

This effort will not reach its full potential however, without help from LULAC and others, so permit me to suggest several ways we all can make sure that deserving communities realize the maximum benefit from this product:

- 1) As the 2011-2012 school year approaches, we can all join the coordinated effort to ensure that all eligible families are aware of the program. With 880 LULAC councils nationwide, you are the key in making sure that the communities you serve are fully aware of this program.
- 2) Communicating with the other partners – government, schools and not for profits – with whom you work, will ensure that families are aware of the program and its launch in September. This program only has a three year window, so every year, every day, counts.

Diversity in Media Ownership

Since the release of the National Broadband Plan, we can point to progress being made to increase greater adoption of broadband services. I wish I could comfortably say the same when it comes to diversity in media ownership. The paltry numbers of minority media owners in the broadcast context are frightening.

On the radio side, of the more than 11,000 commercial AM and FM stations, people of color control just over 800 of those stations, or approximately 7 percent. In terms of broadcast television ownership, people of color own a mere 3 percent of all full-power commercial stations. And given the fact that these are 2007 figures, and that we are just recovering from one of the most significant financial crises in recent memory, there is a very real chance that those disturbing numbers may actually not be telling the whole story.

Over the years, there have been a number of creative proposals put forth with hopes of increasing the levels of media ownership. There are two that I think require immediate attention from the Commission. First, the Commission should move quickly to assemble and provide the data that it has on media ownership. Before determining what steps are necessary to solve a problem, we must determine the scope of that problem.

Broadcast Ownership Form 323 is the vehicle the Commission uses to obtain information on race and gender ownership in the broadcast industry. In 2009, the FCC adopted improvements to the Form 323 data collection process. Licensees had until July 8, 2010, to file their amended Forms. The staff in our Media Bureau, in conjunction with outside parties, is working diligently to assemble the proper data, and we hope to have a thorough report ready this year.

Some of you may have heard that the TV spectrum incentive auctions recommended in the National Broadband Plan, provide a variety of opportunities for participating television broadcasters, but I also believe we should take this moment to determine what, if any opportunities, there may be for radio broadcast operations as we rethink this band.

The Commission should draw upon its internal spectrum and industry expertise, as well as the input from those of you in the radio community that have encouraged us to consider these other opportunities. Together, I believe we can formulate recommendations that take into account, the concerns of radio and TV broadcasters and the realities of the evolving audio entertainment sector. I personally look forward to working with the Commission's Bureaus and Offices, as well as the private sector on this endeavor, and I believe it is feasible to conduct such a review by the end of this calendar year.

And finally, many of us are upbeat about the potential of what the over the air television property in Los Angeles and the cable network stations may bring to this media landscape over the next eight years. Within a relatively short period of time — as a result of the Comcast, NBCU transaction—the momentum and potential for minority media ownership and expression in this nation, could be forever augmented.

But the plain, hard truth is this: If we, as members of communities that have been traditionally underrepresented ownership and programming-wise, fail to wholeheartedly engage and support these emerging opportunities and the efforts of these owners, broadcasters and programmers; if we endorse in public, but neglect in private to watch these stations; if we do not patronize their advertisers, and refuse to fill out the ratings diaries when asked, then my friends, these very stations that negotiated so hard to get, will indeed fail, and very soon, we find

ourselves quoting the same if not more troubling statistics, and lamenting over the same hardships.

Conclusion

However, we have before us this day, this year, and in this decade, an unprecedented series of opportunities, most notably in the communications space. That television or entertainment remote switch; that mouse attached to that computer; that knob or button controlling that radio dial, in large part, and in very significant ways, hold the key to our very survival.

The means to tell our stories, the opportunity to educate our people, the ability to prosper and thrive as entrepreneurs and as consumers: The power quite literally is in your hands. That energy, that force lies within each and all of you. So let us grasp this moment, embrace these incredible opportunities that are before us, and collectively, let us soar together and maximize the greatness of our communities.

Otra vez; muchas gracias por la oportunidad a hablar con ustedes. Buenas tardes.