



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
ACTING CHAIRWOMAN

August 31, 2021

The Honorable Jamaal Bowman
U.S. House of Representatives
1605 Longworth House Office Building
Washington, DC 20515

Dear Congressman Bowman:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

This is a vitally important task. I believe it needs to inform our thinking at the Federal Communications Commission with everything we do. In your letter you point out that this duty is especially critical with respect to the media marketplace. I agree. The number of broadcast stations owned by women and people of color is far too low. The figures you cite demonstrate this truth with chilling clarity. The last publicly-reported numbers from the FCC, which date to 2017, show that people of color own and control just 6 percent of our nation's full-power television stations, 7 percent of commercial FM radio stations, and 12 percent of commercial AM radio stations despite making up more than 40 percent of our population. Likewise, women own or control just 5 percent of our nation's full-power television stations, 7 percent of commercial FM radio stations, and 9 percent of commercial AM radio stations, despite making up half of our population.

I believe this lack of diversity in ownership has consequences. After all, what we see, hear, and read in the media says so much about who we are as individuals, as communities, and as a Nation. Moreover, stories about those who are often unserved and overlooked may go untold, which may prevent us from having a full accounting of what is happening both where we live and across the country.

Although we've made some progress over the years, led by advocates like Reverend Everett Parker and others who fought to elevate the public's voice in broadcasting and make it more inclusive and previous policies like the Minority Media Tax Certificate, ownership still does not reflect the full composition of our country. Moreover, legislative changes to broadcast ownership policies in the Telecommunications Act of 1996 and more recent judicial opinions, including this year's Supreme Court decision in *FCC v. Prometheus Radio Project*, make addressing this lack of equity in ownership more challenging.

As you know, against this background, Section 5 of the Executive Order encourages independent agencies like the FCC to assess whether “their programs and policies perpetuate systemic barriers to opportunities and benefits for people of color and other underserved groups.” At the FCC we have taken these words to heart and recognize this kind of assessment is critical to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. To this end, across the board the FCC is reviewing programs and policies to identify potential barriers that underserved communities may face in enrolling for or accessing benefits, or engaging with FCC programs, policies, or staff. As part of this review, the agency also is considering whether new policies, regulations or guidance may be necessary, including with respect to its media policies.

At the start of this year, I articulated a new strategic goal for the agency of “Promoting Diversity, Equity, Inclusion and Accessibility.” In furtherance of this goal, the agency will focus on actions it can take to identify and eliminate historical, systemic, and structural barriers that perpetuate disadvantaged or underserved individuals and communities. By updating the agency’s strategic vision in this way, I’ve worked to ensure that advancing equity is core to all the agency’s management and policymaking processes.

Next, as Acting Chairwoman, I appointed two special advisors focused on equity-related issues in my office: D’wana Terry, Acting Director of our Office of Workplace Diversity, and Sanford Williams, Director of our Office of Communications Business Opportunities. Both have been advising my office on steps to identify and address inequities in the FCC’s policies and programs, as well as how we can expand opportunities for communities that have been historically underserved. These efforts involve both policymaking activities and agency management activities, ranging from efforts to improve affordable internet access, increase access to telemedicine, and diversify opportunities provided by the agency’s procurement program.

In addition, the FCC has re-chartered its advisory committee on diversity and expanded its focus. The new Communications Equity and Diversity Council will review equity issues across the communications sector more broadly than in the past and will provide recommendations to ensure that underserved communities are not denied the wide range of opportunities made possible by next-generation networks. To this end, the charter for the new Council specifically directs it to make recommendations “to accelerate the entry of small businesses, including those owned by women and minorities, into the media, digital news and information, and audio and video programming industries, including as owners, suppliers, and employees.” Work is presently underway to establish the membership of this new group and I look forward to their findings.

I am also pleased to report that we are making progress on media policies. As noted above, improving the diversity of media ownership presents a challenge under existing law. However, there are media policies at the FCC that for far too long have been underutilized that could help inform equitable employment policies. Several weeks ago, the FCC unanimously approved a rulemaking to kickstart an effort to collect data from broadcasters about the race and gender composition of their workforce as part of the agency’s Equal Employment Opportunity

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Moreover, our FY2022 Budget Request includes studies to assess the current state of competition, localism, and diversity, in order to assist the agency with its quadrennial duty to review its media ownership rules. As you know, these are the statutory values that for decades have been at the core of the agency's broadcast policies. In light of the Supreme Court's recent opinion in *FCC v. Prometheus Radio Project*, I believe we must build a thoughtful record on these matters before changes are made pursuant to Section 202(h) of the Communications Act. I also believe proceeding in this way is consistent with the January 20, 2021 Executive Order.

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To address this problem, the FCC has set up our nation's largest-ever broadband affordability program. The \$3.2 billion Emergency Broadband Benefit Program provides substantial monthly discounts for broadband service for households that qualify. Those include households that rely on Medicaid, SNAP, Lifeline, Pell grants, or free and reduced school lunches, or have had a substantial loss of income during the past year. Though this program has only been up and running for a short time, we have already enrolled more than five million households. We recently released nationwide zip code enrollment data and hope to use this to better understand what underserved communities are represented in this program and just as importantly, identify those we have yet to reach.

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I welcome the opportunity to speak with you and your staff directly about these initiatives. In addition, I hope we can further discuss the restoration of the Minority Tax Certificate. This policy was repealed by Congress in 1994, but history demonstrates that it was an especially effective tool to enhance the diversity of media ownership. I also welcome further discussion about other legislative efforts to address diversity in media and equitable access to communications.

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Jessica Rosenworcel



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
ACTING CHAIRWOMAN

August 31, 2021

The Honorable Yvette D. Clarke
U.S. House of Representatives
2058 Rayburn House Office Building
Washington, DC 20515

Dear Congresswoman Clarke:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

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Jessica Rosenworcel



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
ACTING CHAIRWOMAN

August 31, 2021

The Honorable Brenda Lawrence
U.S. House of Representatives
2463 Rayburn House Office Building
Washington, DC 20515

Dear Congresswoman Lawrence:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

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FEDERAL COMMUNICATIONS COMMISSION
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OFFICE OF THE
ACTING CHAIRWOMAN

August 31, 2021

The Honorable Val B. Demings
U.S. House of Representatives
217 Cannon House Office Building
Washington, DC 20515

Dear Congresswoman Demings:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

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2233 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Cicilline:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

This is a vitally important task. I believe it needs to inform our thinking at the Federal Communications Commission with everything we do. In your letter you point out that this duty is especially critical with respect to the media marketplace. I agree. The number of broadcast stations owned by women and people of color is far too low. The figures you cite demonstrate this truth with chilling clarity. The last publicly-reported numbers from the FCC, which date to 2017, show that people of color own and control just 6 percent of our nation's full-power television stations, 7 percent of commercial FM radio stations, and 12 percent of commercial AM radio stations despite making up more than 40 percent of our population. Likewise, women own or control just 5 percent of our nation's full-power television stations, 7 percent of commercial FM radio stations, and 9 percent of commercial AM radio stations, despite making up half of our population.

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Although we've made some progress over the years, led by advocates like Reverend Everett Parker and others who fought to elevate the public's voice in broadcasting and make it more inclusive and previous policies like the Minority Media Tax Certificate, ownership still does not reflect the full composition of our country. Moreover, legislative changes to broadcast ownership policies in the Telecommunications Act of 1996 and more recent judicial opinions, including this year's Supreme Court decision in *FCC v. Prometheus Radio Project*, make addressing this lack of equity in ownership more challenging.

As you know, against this background, Section 5 of the Executive Order encourages independent agencies like the FCC to assess whether “their programs and policies perpetuate systemic barriers to opportunities and benefits for people of color and other underserved groups.” At the FCC we have taken these words to heart and recognize this kind of assessment is critical to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. To this end, across the board the FCC is reviewing programs and policies to identify potential barriers that underserved communities may face in enrolling for or accessing benefits, or engaging with FCC programs, policies, or staff. As part of this review, the agency also is considering whether new policies, regulations or guidance may be necessary, including with respect to its media policies.

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In addition, the FCC has re-chartered its advisory committee on diversity and expanded its focus. The new Communications Equity and Diversity Council will review equity issues across the communications sector more broadly than in the past and will provide recommendations to ensure that underserved communities are not denied the wide range of opportunities made possible by next-generation networks. To this end, the charter for the new Council specifically directs it to make recommendations “to accelerate the entry of small businesses, including those owned by women and minorities, into the media, digital news and information, and audio and video programming industries, including as owners, suppliers, and employees.” Work is presently underway to establish the membership of this new group and I look forward to their findings.

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To address this problem, the FCC has set up our nation's largest-ever broadband affordability program. The \$3.2 billion Emergency Broadband Benefit Program provides substantial monthly discounts for broadband service for households that qualify. Those include households that rely on Medicaid, SNAP, Lifeline, Pell grants, or free and reduced school lunches, or have had a substantial loss of income during the past year. Though this program has only been up and running for a short time, we have already enrolled more than five million households. We recently released nationwide zip code enrollment data and hope to use this to better understand what underserved communities are represented in this program and just as importantly, identify those we have yet to reach.

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Jessica Rosenworcel



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
ACTING CHAIRWOMAN

August 31, 2021

The Honorable Joaquin Castro
U.S. House of Representatives
2241 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Castro:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

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Jessica Rosenworcel



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
ACTING CHAIRWOMAN

August 31, 2021

The Honorable André Carson
U.S. House of Representatives
2135 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Carson:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

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Jessica Rosenworcel



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
ACTING CHAIRWOMAN

August 31, 2021

The Honorable Karen Bass
U.S. House of Representatives
2021 Rayburn House Office Building
Washington, DC 20515

Dear Congresswoman Bass:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

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FEDERAL COMMUNICATIONS COMMISSION
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OFFICE OF THE
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August 31, 2021

The Honorable Danny K. Davis
U.S. House of Representatives
2159 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Davis:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

This is a vitally important task. I believe it needs to inform our thinking at the Federal Communications Commission with everything we do. In your letter you point out that this duty is especially critical with respect to the media marketplace. I agree. The number of broadcast stations owned by women and people of color is far too low. The figures you cite demonstrate this truth with chilling clarity. The last publicly-reported numbers from the FCC, which date to 2017, show that people of color own and control just 6 percent of our nation's full-power television stations, 7 percent of commercial FM radio stations, and 12 percent of commercial AM radio stations despite making up more than 40 percent of our population. Likewise, women own or control just 5 percent of our nation's full-power television stations, 7 percent of commercial FM radio stations, and 9 percent of commercial AM radio stations, despite making up half of our population.

I believe this lack of diversity in ownership has consequences. After all, what we see, hear, and read in the media says so much about who we are as individuals, as communities, and as a Nation. Moreover, stories about those who are often unserved and overlooked may go untold, which may prevent us from having a full accounting of what is happening both where we live and across the country.

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As you know, against this background, Section 5 of the Executive Order encourages independent agencies like the FCC to assess whether “their programs and policies perpetuate systemic barriers to opportunities and benefits for people of color and other underserved groups.” At the FCC we have taken these words to heart and recognize this kind of assessment is critical to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. To this end, across the board the FCC is reviewing programs and policies to identify potential barriers that underserved communities may face in enrolling for or accessing benefits, or engaging with FCC programs, policies, or staff. As part of this review, the agency also is considering whether new policies, regulations or guidance may be necessary, including with respect to its media policies.

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In addition, the FCC has re-chartered its advisory committee on diversity and expanded its focus. The new Communications Equity and Diversity Council will review equity issues across the communications sector more broadly than in the past and will provide recommendations to ensure that underserved communities are not denied the wide range of opportunities made possible by next-generation networks. To this end, the charter for the new Council specifically directs it to make recommendations “to accelerate the entry of small businesses, including those owned by women and minorities, into the media, digital news and information, and audio and video programming industries, including as owners, suppliers, and employees.” Work is presently underway to establish the membership of this new group and I look forward to their findings.

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To address this problem, the FCC has set up our nation's largest-ever broadband affordability program. The \$3.2 billion Emergency Broadband Benefit Program provides substantial monthly discounts for broadband service for households that qualify. Those include households that rely on Medicaid, SNAP, Lifeline, Pell grants, or free and reduced school lunches, or have had a substantial loss of income during the past year. Though this program has only been up and running for a short time, we have already enrolled more than five million households. We recently released nationwide zip code enrollment data and hope to use this to better understand what underserved communities are represented in this program and just as importantly, identify those we have yet to reach.

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Jessica Rosenworcel



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
ACTING CHAIRWOMAN

August 31, 2021

The Honorable Debbie Dingell
U.S. House of Representatives
116 Cannon House Office Building
Washington, DC 20515

Dear Congresswoman Dingell:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

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Jessica Rosenworcel



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
ACTING CHAIRWOMAN

August 31, 2021

The Honorable Dwight Evans
U.S. House of Representatives
1105 Longworth House Office Building
Washington, DC 20515

Dear Congressman Evans:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
ACTING CHAIRWOMAN

August 31, 2021

The Honorable Jesús "Chuy" Garcia
U.S. House of Representatives
1519 Longworth House Office Building
Washington, DC 20515

Dear Congressman Garcia:

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Washington, DC 20515

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Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

This is a vitally important task. I believe it needs to inform our thinking at the Federal Communications Commission with everything we do. In your letter you point out that this duty is especially critical with respect to the media marketplace. I agree. The number of broadcast stations owned by women and people of color is far too low. The figures you cite demonstrate this truth with chilling clarity. The last publicly-reported numbers from the FCC, which date to 2017, show that people of color own and control just 6 percent of our nation's full-power television stations, 7 percent of commercial FM radio stations, and 12 percent of commercial AM radio stations despite making up more than 40 percent of our population. Likewise, women own or control just 5 percent of our nation's full-power television stations, 7 percent of commercial FM radio stations, and 9 percent of commercial AM radio stations, despite making up half of our population.

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Although we've made some progress over the years, led by advocates like Reverend Everett Parker and others who fought to elevate the public's voice in broadcasting and make it more inclusive and previous policies like the Minority Media Tax Certificate, ownership still does not reflect the full composition of our country. Moreover, legislative changes to broadcast ownership policies in the Telecommunications Act of 1996 and more recent judicial opinions, including this year's Supreme Court decision in *FCC v. Prometheus Radio Project*, make addressing this lack of equity in ownership more challenging.

As you know, against this background, Section 5 of the Executive Order encourages independent agencies like the FCC to assess whether “their programs and policies perpetuate systemic barriers to opportunities and benefits for people of color and other underserved groups.” At the FCC we have taken these words to heart and recognize this kind of assessment is critical to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. To this end, across the board the FCC is reviewing programs and policies to identify potential barriers that underserved communities may face in enrolling for or accessing benefits, or engaging with FCC programs, policies, or staff. As part of this review, the agency also is considering whether new policies, regulations or guidance may be necessary, including with respect to its media policies.

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In addition, the FCC has re-chartered its advisory committee on diversity and expanded its focus. The new Communications Equity and Diversity Council will review equity issues across the communications sector more broadly than in the past and will provide recommendations to ensure that underserved communities are not denied the wide range of opportunities made possible by next-generation networks. To this end, the charter for the new Council specifically directs it to make recommendations “to accelerate the entry of small businesses, including those owned by women and minorities, into the media, digital news and information, and audio and video programming industries, including as owners, suppliers, and employees.” Work is presently underway to establish the membership of this new group and I look forward to their findings.

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To address this problem, the FCC has set up our nation's largest-ever broadband affordability program. The \$3.2 billion Emergency Broadband Benefit Program provides substantial monthly discounts for broadband service for households that qualify. Those include households that rely on Medicaid, SNAP, Lifeline, Pell grants, or free and reduced school lunches, or have had a substantial loss of income during the past year. Though this program has only been up and running for a short time, we have already enrolled more than five million households. We recently released nationwide zip code enrollment data and hope to use this to better understand what underserved communities are represented in this program and just as importantly, identify those we have yet to reach.

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Jessica Rosenworcel



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
ACTING CHAIRWOMAN

August 31, 2021

The Honorable Steven Horsford
U.S. House of Representatives
562 Cannon House Office Building
Washington, DC 20515

Dear Congressman Horsford:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

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Jessica Rosenworcel



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
ACTING CHAIRWOMAN

August 31, 2021

The Honorable Eleanor Holmes Norton
U.S. House of Representatives
2136 Rayburn House Office Building
Washington, DC 20515

Dear Congresswoman Norton:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
ACTING CHAIRWOMAN

August 31, 2021

The Honorable Pramila Jayapal
U.S. House of Representatives
2346 Rayburn House Office Building
Washington, DC 20515

Dear Congresswoman Jayapal:

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Washington, DC 20515

Dear Congressman Levin:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

This is a vitally important task. I believe it needs to inform our thinking at the Federal Communications Commission with everything we do. In your letter you point out that this duty is especially critical with respect to the media marketplace. I agree. The number of broadcast stations owned by women and people of color is far too low. The figures you cite demonstrate this truth with chilling clarity. The last publicly-reported numbers from the FCC, which date to 2017, show that people of color own and control just 6 percent of our nation's full-power television stations, 7 percent of commercial FM radio stations, and 12 percent of commercial AM radio stations despite making up more than 40 percent of our population. Likewise, women own or control just 5 percent of our nation's full-power television stations, 7 percent of commercial FM radio stations, and 9 percent of commercial AM radio stations, despite making up half of our population.

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As you know, against this background, Section 5 of the Executive Order encourages independent agencies like the FCC to assess whether “their programs and policies perpetuate systemic barriers to opportunities and benefits for people of color and other underserved groups.” At the FCC we have taken these words to heart and recognize this kind of assessment is critical to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. To this end, across the board the FCC is reviewing programs and policies to identify potential barriers that underserved communities may face in enrolling for or accessing benefits, or engaging with FCC programs, policies, or staff. As part of this review, the agency also is considering whether new policies, regulations or guidance may be necessary, including with respect to its media policies.

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Jessica Rosenworcel



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
ACTING CHAIRWOMAN

August 31, 2021

The Honorable Jim McGovern
U.S. House of Representatives
370 Cannon House Office Building
Washington, DC 20515

Dear Congressman McGovern:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

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Jessica Rosenworcel



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
ACTING CHAIRWOMAN

August 31, 2021

The Honorable Ilhan Omar
U.S. House of Representatives
1730 Longworth House Office Building
Washington, DC 20515

Dear Congresswoman Omar:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
ACTING CHAIRWOMAN

August 31, 2021

The Honorable Mark Takano
U.S. House of Representatives
420 Cannon House Office Building
Washington, DC 20515

Dear Congressman Takano:

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August 31, 2021

The Honorable Bennie Thompson
U.S. House of Representatives
2466 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Thompson:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

This is a vitally important task. I believe it needs to inform our thinking at the Federal Communications Commission with everything we do. In your letter you point out that this duty is especially critical with respect to the media marketplace. I agree. The number of broadcast stations owned by women and people of color is far too low. The figures you cite demonstrate this truth with chilling clarity. The last publicly-reported numbers from the FCC, which date to 2017, show that people of color own and control just 6 percent of our nation's full-power television stations, 7 percent of commercial FM radio stations, and 12 percent of commercial AM radio stations despite making up more than 40 percent of our population. Likewise, women own or control just 5 percent of our nation's full-power television stations, 7 percent of commercial FM radio stations, and 9 percent of commercial AM radio stations, despite making up half of our population.

I believe this lack of diversity in ownership has consequences. After all, what we see, hear, and read in the media says so much about who we are as individuals, as communities, and as a Nation. Moreover, stories about those who are often unserved and overlooked may go untold, which may prevent us from having a full accounting of what is happening both where we live and across the country.

Although we've made some progress over the years, led by advocates like Reverend Everett Parker and others who fought to elevate the public's voice in broadcasting and make it more inclusive and previous policies like the Minority Media Tax Certificate, ownership still does not reflect the full composition of our country. Moreover, legislative changes to broadcast ownership policies in the Telecommunications Act of 1996 and more recent judicial opinions, including this year's Supreme Court decision in *FCC v. Prometheus Radio Project*, make addressing this lack of equity in ownership more challenging.

As you know, against this background, Section 5 of the Executive Order encourages independent agencies like the FCC to assess whether “their programs and policies perpetuate systemic barriers to opportunities and benefits for people of color and other underserved groups.” At the FCC we have taken these words to heart and recognize this kind of assessment is critical to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. To this end, across the board the FCC is reviewing programs and policies to identify potential barriers that underserved communities may face in enrolling for or accessing benefits, or engaging with FCC programs, policies, or staff. As part of this review, the agency also is considering whether new policies, regulations or guidance may be necessary, including with respect to its media policies.

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In addition, the FCC has re-chartered its advisory committee on diversity and expanded its focus. The new Communications Equity and Diversity Council will review equity issues across the communications sector more broadly than in the past and will provide recommendations to ensure that underserved communities are not denied the wide range of opportunities made possible by next-generation networks. To this end, the charter for the new Council specifically directs it to make recommendations “to accelerate the entry of small businesses, including those owned by women and minorities, into the media, digital news and information, and audio and video programming industries, including as owners, suppliers, and employees.” Work is presently underway to establish the membership of this new group and I look forward to their findings.

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To address this problem, the FCC has set up our nation's largest-ever broadband affordability program. The \$3.2 billion Emergency Broadband Benefit Program provides substantial monthly discounts for broadband service for households that qualify. Those include households that rely on Medicaid, SNAP, Lifeline, Pell grants, or free and reduced school lunches, or have had a substantial loss of income during the past year. Though this program has only been up and running for a short time, we have already enrolled more than five million households. We recently released nationwide zip code enrollment data and hope to use this to better understand what underserved communities are represented in this program and just as importantly, identify those we have yet to reach.

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Jessica Rosenworcel



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
ACTING CHAIRWOMAN

August 31, 2021

The Honorable Rashida Tlaib
U.S. House of Representatives
1628 Longworth House Office Building
Washington, DC 20515

Dear Congresswoman Tlaib:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

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Jessica Rosenworcel



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
ACTING CHAIRWOMAN

August 31, 2021

The Honorable Marie Newman
U.S. House of Representatives
1022 Longworth House Office Building
Washington, DC 20515

Dear Congresswoman Newman:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

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Jessica Rosenworcel



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
ACTING CHAIRWOMAN

August 31, 2021

The Honorable Bonnie Watson Coleman
U.S. House of Representatives
168 Cannon House Office Building
Washington, DC 20515

Dear Congresswoman Watson Coleman:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

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August 31, 2021

The Honorable Frederica S. Wilson
U.S. House of Representatives
2445 Rayburn House Office Building
Washington, DC 20515

Dear Congresswoman Wilson:

Thank you for your letter regarding the Commission's efforts in response to President Biden's January 20, 2021, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As you note, the Executive Order provides our country with an opportunity to identify the harms that federal policies have caused and an opportunity to remedy them for the future.

This is a vitally important task. I believe it needs to inform our thinking at the Federal Communications Commission with everything we do. In your letter you point out that this duty is especially critical with respect to the media marketplace. I agree. The number of broadcast stations owned by women and people of color is far too low. The figures you cite demonstrate this truth with chilling clarity. The last publicly-reported numbers from the FCC, which date to 2017, show that people of color own and control just 6 percent of our nation's full-power television stations, 7 percent of commercial FM radio stations, and 12 percent of commercial AM radio stations despite making up more than 40 percent of our population. Likewise, women own or control just 5 percent of our nation's full-power television stations, 7 percent of commercial FM radio stations, and 9 percent of commercial AM radio stations, despite making up half of our population.

I believe this lack of diversity in ownership has consequences. After all, what we see, hear, and read in the media says so much about who we are as individuals, as communities, and as a Nation. Moreover, stories about those who are often unserved and overlooked may go untold, which may prevent us from having a full accounting of what is happening both where we live and across the country.

Although we've made some progress over the years, led by advocates like Reverend Everett Parker and others who fought to elevate the public's voice in broadcasting and make it more inclusive and previous policies like the Minority Media Tax Certificate, ownership still does not reflect the full composition of our country. Moreover, legislative changes to broadcast ownership policies in the Telecommunications Act of 1996 and more recent judicial opinions, including this year's Supreme Court decision in *FCC v. Prometheus Radio Project*, make addressing this lack of equity in ownership more challenging.

As you know, against this background, Section 5 of the Executive Order encourages independent agencies like the FCC to assess whether “their programs and policies perpetuate systemic barriers to opportunities and benefits for people of color and other underserved groups.” At the FCC we have taken these words to heart and recognize this kind of assessment is critical to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. To this end, across the board the FCC is reviewing programs and policies to identify potential barriers that underserved communities may face in enrolling for or accessing benefits, or engaging with FCC programs, policies, or staff. As part of this review, the agency also is considering whether new policies, regulations or guidance may be necessary, including with respect to its media policies.

At the start of this year, I articulated a new strategic goal for the agency of “Promoting Diversity, Equity, Inclusion and Accessibility.” In furtherance of this goal, the agency will focus on actions it can take to identify and eliminate historical, systemic, and structural barriers that perpetuate disadvantaged or underserved individuals and communities. By updating the agency’s strategic vision in this way, I’ve worked to ensure that advancing equity is core to all the agency’s management and policymaking processes.

Next, as Acting Chairwoman, I appointed two special advisors focused on equity-related issues in my office: D’wana Terry, Acting Director of our Office of Workplace Diversity, and Sanford Williams, Director of our Office of Communications Business Opportunities. Both have been advising my office on steps to identify and address inequities in the FCC’s policies and programs, as well as how we can expand opportunities for communities that have been historically underserved. These efforts involve both policymaking activities and agency management activities, ranging from efforts to improve affordable internet access, increase access to telemedicine, and diversify opportunities provided by the agency’s procurement program.

In addition, the FCC has re-chartered its advisory committee on diversity and expanded its focus. The new Communications Equity and Diversity Council will review equity issues across the communications sector more broadly than in the past and will provide recommendations to ensure that underserved communities are not denied the wide range of opportunities made possible by next-generation networks. To this end, the charter for the new Council specifically directs it to make recommendations “to accelerate the entry of small businesses, including those owned by women and minorities, into the media, digital news and information, and audio and video programming industries, including as owners, suppliers, and employees.” Work is presently underway to establish the membership of this new group and I look forward to their findings.

I am also pleased to report that we are making progress on media policies. As noted above, improving the diversity of media ownership presents a challenge under existing law. However, there are media policies at the FCC that for far too long have been underutilized that could help inform equitable employment policies. Several weeks ago, the FCC unanimously approved a rulemaking to kickstart an effort to collect data from broadcasters about the race and gender composition of their workforce as part of the agency’s Equal Employment Opportunity

obligations. This was the very first Media Bureau initiative I shared with my colleagues after taking the reins as Acting Chairwoman. I am proud that the questions we ask here are the first full-fledged effort to address this issue in more than a decade and a half.

Moreover, our FY2022 Budget Request includes studies to assess the current state of competition, localism, and diversity, in order to assist the agency with its quadrennial duty to review its media ownership rules. As you know, these are the statutory values that for decades have been at the core of the agency's broadcast policies. In light of the Supreme Court's recent opinion in *FCC v. Prometheus Radio Project*, I believe we must build a thoughtful record on these matters before changes are made pursuant to Section 202(h) of the Communications Act. I also believe proceeding in this way is consistent with the January 20, 2021 Executive Order.

Finally, as you note, the pandemic has highlighted the challenges many Americans face due to a lack of affordable broadband. The Pew Research Center shows that almost one in three Americans have anxiety over being able to pay their internet bill during the pandemic. The same research demonstrates that number increases to 36 percent for Black internet users and 54 percent for Hispanic internet users. As with so much else during this pandemic, uneven access to broadband has exacerbated existing inequalities. Moreover, we have reached the point where internet access is not a luxury, but instead a necessity for every household, everywhere in this country to have full access to modern life. Without affordable, reliable, and consistent access to broadband it is increasingly difficult to go to work, to go to school, obtain healthcare, and seek out essential government services.

To address this problem, the FCC has set up our nation's largest-ever broadband affordability program. The \$3.2 billion Emergency Broadband Benefit Program provides substantial monthly discounts for broadband service for households that qualify. Those include households that rely on Medicaid, SNAP, Lifeline, Pell grants, or free and reduced school lunches, or have had a substantial loss of income during the past year. Though this program has only been up and running for a short time, we have already enrolled more than five million households. We recently released nationwide zip code enrollment data and hope to use this to better understand what underserved communities are represented in this program and just as importantly, identify those we have yet to reach.

The FCC is also currently administering the \$7.17 billion Emergency Connectivity Fund. This program is designed to help close the Homework Gap for students who lack internet access at home and as a result struggle with regular schoolwork and are locked out of the remote classroom. It offers schools and libraries the ability to purchase equipment they need to get their students and patrons connected at home. As you are undoubtedly aware, the pandemic has exposed real disparities with respect to the Homework Gap. Data from the Alliance for Excellent Education, the National Urban League, UnidosUS, and the National Indian Education Association suggest that one in three Black, Latinx, and American Indian or Native Alaskan households with students at home lack high-speed internet service. I am hopeful that this program will make a meaningful difference in many of those households and in doing so, increase equitable opportunities for education nationwide.

I welcome the opportunity to speak with you and your staff directly about these initiatives. In addition, I hope we can further discuss the restoration of the Minority Tax Certificate. This policy was repealed by Congress in 1994, but history demonstrates that it was an especially effective tool to enhance the diversity of media ownership. I also welcome further discussion about other legislative efforts to address diversity in media and equitable access to communications.

I hope this is helpful. Please let me know if you have any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica Rosenworcel", with a long horizontal flourish extending to the right.

Jessica Rosenworcel