

**STATEMENT OF
CHAIRWOMAN JESSICA ROSENWORCEL**

Re: *Implementing the Infrastructure Investment and Jobs Act: Prevention and Elimination of Digital Discrimination*, GN Docket No. 22-69, Notice of Inquiry (March 16, 2022).

In the very first sentence of the Communications Act, Congress directs the Federal Communications Commission to help make communications services available to “all the people of the United States . . . without discrimination on the basis of race, color, religion, national origin, or sex.” This language is not new. But it is time to address it with new urgency.

That’s because we are in the end days of a pandemic that has demonstrated that the digital divide in this country is very real. There are too many places where high-speed communications networks do not reach. There are too many people who don’t have the connections they need to fully participate in modern civic and commercial life. There are too many of us that have for too long been underserved and overlooked.

We can fix this. We need to. It’s about equity, opportunity, and making it possible for everyone to have a fair shot at 21st century success. It is also about the law. Because in addition to the very first sentence in the Communications Act, we now have new directives in the Infrastructure Investment and Jobs Act. The headline here is the \$65 billion investment we’re making in broadband nationwide. That includes the \$14.2 billion Affordable Connectivity Program that is now helping more than 10 million low-income households across the country get online. But there’s more. That’s because section 60506 of the Infrastructure Investment and Jobs Act directs us “to ensure that all people of the United States benefit from equal access” to broadband. It requires us to issue rules that facilitate this equal access, by preventing and eliminating digital discrimination, on the basis of “income level, race, ethnicity, color, religion, or national origin.”

That is a tall task. But we’re going to do it. Because we need connections—physical and digital—that strengthen our mutual bonds.

So with this proceeding we seek to identify the policies and practices that can lead to digital discrimination. Recognizing that this won’t be easy, we are going to do it in a thoughtful way—starting with today’s Notice of Inquiry. We ask how we should define digital discrimination and seek data and analytics to help inform our understanding of when, where, and why it happens. To do this, we need input from stakeholders far and wide: from the public; from state, local, and Tribal governments; from public interest advocates; from academics; from the private sector; and from anyone else with information and ideas.

The law also charges us with creating model policies and best practices for states and localities to help them take action to prevent digital discrimination in their communities. In addition, it directs us to coordinate with the Attorney General to make sure that federal policies support equal access to broadband. The questions we ask about these elements of the law will shape our work going forward.

This proceeding is a priority for the FCC. And it is led by three dynamos from our staff—D’wana Terry, Sanford Williams, and Alejandro Roark—who run the Task Force to Prevent Digital Discrimination. But our efforts do not stop here. We rechartered the Communications Equity and Diversity Council and expanded its mission beyond media to include diversity and equity issues across the technology sector. This group is also helping us develop the model policies for states and localities required under the law. Plus, we have made it a regular practice to seek comment on how the rulemakings we initiate impact diversity, equity, inclusion, and accessibility. These actions are consistent with the principles in Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, which we have used to guide and inform our work.

John Lewis said “Every generation leaves behind a legacy. What that legacy will be is determined by the people of that generation. What legacy do you want to leave behind?”

I'm the first woman ever confirmed as Chair of the FCC. Here's what I want to leave behind: A diverse agency that is more committed than ever before to realizing the power of broadband for all. I believe this goal is within reach. Now let's use this proceeding to help make it happen.

Thank you to the team responsible for this effort, including as I just noted, D'wana Terry, Sanford Williams, and Alejandro Roark of the Task Force to Prevent Digital Discrimination; Pam Arluk, Emily Caditz, Matt Collins, Adam Copeland, Rashann Duvall, CJ Ferraro, Trent Harkrader, Aurélie Mathieu, and Kris Monteith of the Wireline Competition Bureau; Eduard Bartholme, Diane Burstein, Emmitt Carlton, Matthew Duchesne, Barbara Esbin, Aaron Garza, Keyla Hernandez-Ulloa, Theodore Marcus, Sayuri Rajapakse, Suzy Rosen Singleton, and Kimberly Wild of the Consumer and Governmental Affairs Bureau; Cara Grayer, Maura McGowan, Joy Ragsdale, and Carolyn Williams of the Office of Communications Business Opportunities; Amy Brett, Garnet Hanly, Kari Hicks, and Susannah Larson of the Wireless Telecommunications Bureau; Jamila-Bess Johnson, Hillary DeNigro, and Brendan Holland of the Media Bureau; Michael Carowitz, Pamela Gallant, Jeffrey Gee, Kalun Lee, Janet Moran, and Ashley Tyson of the Enforcement Bureau; Nese Guendelsberger of the International Bureau; David Furth, Lauren Kravetz, and Nicole McGinnis of the Public Safety and Homeland Security Bureau; Eugene Kiselev, Eric Ralph, and Steven Rosenberg of the Office of Economics and Analytics; Thomas Buckley, Daniel Daly, Jae Seong, and Mark Stephens of the Office of the Managing Director; and Malena Barzilai, Michele Ellison, Rick Mallen, Linda Oliver, and Bill Richardson of the Office of General Counsel.