

May 1, 2023,

Alan Davidson
Assistant Secretary for Communications and Information
National Telecommunications and Information Administration
1401 Constitution Ave NW
Washington, DC 20230

**Re: Digital Equity Act of 2021; Request for Comments
Docket No. 230224–0051**

Dear Assistant Secretary Davidson:

On behalf of Common Cause, we write today in response to the National Telecommunications and Information Administration’s (“NTIA”) Request for Comment (“RFC”).¹ NTIA has requested input on three Digital Equity Act programs to promote digital inclusion and equity to ensure that all individuals and communities have the skills, technology, and capacity needed to reap the full benefits of our digital economy. We submit these comments on behalf of and in collaboration with our 1.5 million members across the nation who believe that an open, accessible, and affordable internet for everyone is vital for a functional democracy.

Our recommendations include:

- Supporting trusted community institutions and leaders to improve digital literacy and improve connectivity, using the Capacity Grants.
- Centering the quality and degree of community engagement and education as benchmarks for recipients of both the Capacity and Competitive grants program effectiveness.
- Prioritizing funding for recruiting staff and paid volunteers from under-connected communities.
- Collecting stories and testimony from marginalized communities to supplement incomplete data and involve them in the implementation process.
- Allocate Competitive grant funding to community organizations that provide intermediate/ advanced level digital literacy training.

Broadband has not only fundamentally changed how people are civically engaged but has also become a crucial necessity for participating in modern society. Without reliable broadband

¹ *Digital Equity Act*, Request for Comments, 88. Fed. Reg. 2023-04242 (March 2 2023)
<https://www.federalregister.gov/documents/2023/0>.

access, Americans go without access to education, health care, connection to loved ones, and more. Over 76% of Americans “agree” or “strongly agree” that internet service is as essential as electricity or water². However, over 4 million households report that they are not online due to cost barriers³ While 80 percent of white adults have broadband access, only 71 percent of Black adults and 65 percent of adults in the Latino community are connected at home. Another barrier is the ability to afford a device to access the internet. 80% of white adults report owning a desktop or laptop computer, compared with 69% of Black adults and 67% of Hispanic adults.⁴ Further, the American Indian Policy Institute (AIPI) found that 18 percent of Tribal reservation residents have no Internet access, while 33 percent rely on smartphones for Internet service.⁵ The Affordable Connectivity Program (ACP) provides 17.6 million American households with the aid they need to remain connected, however, only 33.7% of eligible households have been able to successfully enroll⁶. We point to the results of ACP implementation, as a national broadband affordability program, to demonstrate that the implementation of the Digital Equity Act must be centered on community outreach and engagement to meaningfully bridge the digital divide. This divide has only been compounded by the ongoing effects of the Covid-19 pandemic that have largely left rural, tribal, low-income disabled, and elderly individuals disconnected and isolated from society at large.

The following testimony comes from Common Cause members who have elected to share their stories in the hopes that their experiences will inform the push for a more equitable and fair digital ecosystem and democracy.

Internet access is a lifeline for those who are experiencing isolation and for those looking to engage in democracy, economy, and society.

Katherine K, Ohio

“I dread what will happen when the [ACP] ends, cutting me off from the outside world and restricting my access not just to family and friends but to reliable information about

² *Consumer Reports* “American Experiences Survey” (Feb, 2021), <https://advocacy.consumerreports.org/wp-content/uploads/2021/03/2021-Feb-Broadband-Survey.pdf>.

³ *National Telecommunications and Information Administration*, “Switched Off: Why Are One in Five U.S. Households Not Online?” (2022), <https://ntia.gov/blog/2022/switched-why-are-one-five-us-households-not-online>.

⁴ *Pew Research Center*, “Home Broadband Adoption, Computer Ownership Vary by Race, Ethnicity in the U.S.,” (July 16, 2021), <https://www.pewresearch.org/fact-tank/2021/07/16/home-broadbandadoption-computer-ownership-vary-by-race-ethnicity-in-the-u-s/>.

⁵ *American Indian Policy Institute*, “Affordable Connectivity Program (ACP)” (Feb, 22, 2022), <https://aiipi.asu.edu/content/tribal-broadband>.

⁶ *Institute for Local Self Reliance*, “Affordable Connectivity Program”(2023), <https://acpdashboard.com/>.

the outside world. Disability is so isolating and I know that, eventually, I will have to choose again between the cost of staying reliably connected to the world and the cost of keeping a roof over my head and the heat on in the winter.”

Susan R, Colorado

“Without internet access, I would not have been able to work an online proofreading job that supplemented my social security and gave me the option of moving to Colorado. Besides that, it keeps me connected to my friends both near and far, helps me learn things I never knew, and has opened up a world of possibilities for me. Without it, I would be isolated and alone.”

Diane K, Wisconsin

“I live in an apartment complex for seniors & I have a tablet so I rely on the internet to keep in touch with all activities I do [as well as] helping people to get registered to VOTE. And other things to keep me connected to my community & family & friends.”

If our goal is to achieve the long-lasting impact of permanently bridging the digital divide, then our focus should be on direct community empowerment through networks of local stakeholders and sustained digital literacy programming. Community empowerment can be defined and measured by the ability of the community to get civically engaged: access information to participate in our democratic process, register to vote and be counted in the census. Digital equity programs should provide avenues for those who face barriers to digital inclusion to make their own determinations on how they would like to benefit from these programs. Directly empowering the marginalized communities that are historically left out of investments in America’s future builds community resilience and awareness. This community resilience is crucial in preventing the harm that comes from poor policy implementation, emerging digital threats, and industry greed. Too often, policymakers, political leaders, industry interests, and consultants decide how and if the needs of marginalized communities are met. Instead of relying on these parties to serve as spokespeople for marginalized communities, we must use our resources to provide opportunities for these communities to advocate for themselves.

I. Barriers to and Solutions for Meaningfully Connecting Marginalized Communities

To encourage the design and implementation of digital equity programs that are robust enough to support the inclusion of marginalized communities in our democracy, economy, and society, it is important to understand the possible negative effects of broadband access implementation on marginalized communities. To prevent further exploitation of marginalized individuals in the

implementation process, we must invest in trusted messengers who will uplift the voices of and directly support their communities.

A. Corporate profits have squeezed low-income and marginalized communities while delivering unequal service to affluent communities

Internet service providers at large are the perpetrators of the digital divide. A study by the Communications Workers of America and the National Digital Inclusion Alliance found that AT&T prioritized network upgrades to wealthier areas within its 21-state footprint, leaving lower-income communities with outdated technology.⁷ Broadband infrastructure upgrades are skewed against less affluent areas and communities of color. Broadband underinvestment is most severe in low-income Black communities.⁸ **While they appear to make substantial investments in broadband infrastructure improvement, the reality is that the implementation is often not equitably distributed. The result is that low-income, rural, and tribal communities are left without internet access or paying more for low-quality connections.**

Rising internet costs place a financial strain on fixed and low-income individuals who rely on internet connection to participate in civic engagement.

Pierrette K, California

“I’m retired and live on a small fixed income. I don’t have a TV bundle, only Internet. When I first got Spectrum, 8 years ago, the cost was over my budget but it was the only option. There is no viable internet competition. The monthly rate has crept up over the years and is now double what it was. When I see a price increase, I call to ask for a senior discount or a new reduced rate plan. The answer is the same NO. This is annoying because I’ve learned that corporate profits have increased. I rely on the internet to read newspapers, contact my representatives, watch streaming news programs, stay up to date with organizations advocating for human, voting, and women’s rights, to fact check questionable statements being disseminated online and participate with petitions and policy issues. I also rely on the internet to do everything having to do with my life, banking, taxes, medical, etc.”

Dana N, Ohio

⁷ *Communication Workers of America and the National Digital Inclusion Alliance*, “AT&T’s Digital Redlining Leaving Communities Behind for Profit” (Oct, 2020), <https://cwa-union.org/sites/default/files/20201005attdigitalredlining.pdf>.

⁸ *The Leadership Conference on Civil and Human Rights*, “Leadership Conference Comments on the Prevention and Elimination of Digital Discrimination” (May 16, 2022), <https://civilrightsdocs.info/pdf/discrimination/Leadership%20Conference%20Digital%20Discrimination%20Comments%20final%205-16-22.pdf>.

“Without the ACP I will not be able to afford Internet. The price of everything has gone up so much, from the pandemic, that my Veterans Pension is no longer enough to live on. Because of the ACP I was able to get set up to be able to vote by mail. I really hope that the ACP can be saved. I just recently got my 78 year old aunt on the ACP so she could finally have internet. I have been able to make video calls with her now.

Rural and Tribal lands are forced to pay more for connection without a rise in internet quality due to ISP monopolizing and price gouging.

Milton W, Alaska

“I travel around the internet to conduct business, stay in contact with old friends and new friends. However, like many other Americans I'm tired of service providers continually jacking up rates for no increase in connectivity for myself and for those in more rural areas of my state, Alaska. Given the overarching importance of the internet today it must cost less to access, must expand its ability to cover rural areas with real high-speed internet.”

Roxanne P, Wisconsin *On Tribal Lands*

“We went from Frontier to Charter. The Menominee Tribal Casino went with Charter so we were able to switch because they put in our power stations (if you will). They started out charging us \$97.00 per month and said it was pretty much locked in. Then the bill kept getting bigger every month and they would tell me it was for Surcharges etc... Well we are now paying \$240.00 per month for the same service we started with. We live in the dead zone, so we are stuck with Spectrum.”

The above testimonies illustrate that without local options and competition, ISPs are free to price their internet at rates that marginalized communities struggle to and are unable to afford. As Pierrette and Dana highlighted in their testimonies, the internet is crucial for access to information and participation in civic engagement. Milton and Susan rely on the internet to stay connected with friends and participate in our economy. The implementation of digital equity programs must be informed by the lived experiences of the individuals struggling to remain connected as well as those who are not connected. The continued dominance of ISP's political and financial influence⁹ would leave Americans like Pierrette, Dana, Roxanne, and Milton without the connection they need.

B. Capacity grants should support the Capacity of Trusted Community Institutions and Leaders to Improve Digital Literacy and Improve Connectivity

⁹ *Common Cause*, “Broadband Gatekeepers” (July 2021), https://www.commoncause.org/wp-content/uploads/2021/07/CCBroadbandGatekeepers_WEB1.pdf.

State broadband offices and other local trusted community institutions and figures such as (libraries, assisted living facilities, churches, tribal leaders, and community organizations) must be given the capacity and funding to meaningfully engage marginalized communities, provide opportunities where communities can inform broadband access improvement projects, and conduct digital literacy programming and support. These institutions are understaffed and underfunded, meaning the communities they serve go without the level of support they need. For example, an understaffed state broadband office may only be able to provide opportunities for public comment during 9 am-6 pm hours, barring those who work and/or lack transportation access from sharing their broadband access experiences and recommendations. The Competitive grants must go to the community institutions and stakeholders who know the needs of their members and will use the funding to reach their community, assess their needs, and get them involved in the implementation process.

The local libraries as a free resource hub for low-income and rural communities to access internet connection.

Yve G, Washington

“ACP has been ABSOLUTELY crucial for me to remain able to afford to stay connected via the internet! If the program was not available to me I would have to go to the library for internet as I did for years prior to the implementation of this program. As we turn more and more to the digital realm for literally every aspect of our lives, we must make sure EVERYONE has access and that it is equitable.”

Linda H, Washington

“We have many rural areas where the internet access is still poor but is improving thanks to the ACP. Our area Rep has been pushing for more access, and trying to counter the negativity. I can't afford to buy newspapers or digital news access even on my computer, but thanks to the Guardian and CNN which ask but don't REQUIRE payment to get news, I am able to do that, as well as through my local library - but only when I'm able to get there.”

The testimony above highlights the role that trust and access to information via local institutions play in getting Americans connected to internet access programs such as the Affordable Connectivity Program. The ACP plays a crucial role in ensuring millions of low-income and fixed-income individuals can continue to access the Internet for work, school, telemedicine, and other purposes.

However, based on current trends, the ACP funding is projected to run out next year¹⁰ making it that much more crucial for the Capacity and Competitive grants to go to recipients rooted in these communities. Although Linda's community has poor internet access, the efforts of their local elected officials have kept them informed and connected. Both Linda's and Yve's stories demonstrate how critical community institutions like libraries have been for keeping communities connected. ACP funding must be renewed to ensure that we do not leave rural or poor communities or communities of color in digital deserts. Further, digital equity must be centered on making broadband access overall more affordable outside of these programs.

Digital literacy, lack of trust in internet providers, and ineffective customer support services leave Americans without the aid and connection that they need.

Ginny S, New Mexico Tribal lands

“I qualify for the affordable connectivity program at a \$75 monthly discount. Viasat has yet to provide it to me. I have spent hours trying to get the discount to which I have been approved for and to which I am entitled since I live on tribal land.”

Peter C, Nevada

“Federal government site approved my eligibility for Affordable Connectivity: twice. COX then refuses to accept this eligibility unless one fills out the IDme which includes giving [COX] my Social Security number which we can conclude is then added to their database. I do not trust them or their security of my information.”

T K, Wisconsin

“Customers have to go through hours of phone calls and emails to fix anything, with questionable results. Results only come if customers file complaints with the FCC. I have filed 3 in the last year. Also filed an FCC complaint when Spectrum as well as the Charter Communications Corporate Escalations department would not allow access to the ACP credit. They are aware that in my area most do not have other options for wifi.”

Stories like these are not uncommon. Besides trust, the biggest access barrier to enrolling for the ACP is the digital skill level of the applicant. Those reported to have high levels of digital skills were nearly twice as likely (26% vs. 14%) to have successfully signed up for the ACP program.¹¹ Rather than leave applicants at the mercy of unresponsive customer service lines and lengthy complaints processes, we must invest in one on one digital support rooted within and staffed by

¹⁰ *Digital Progress Institute*, “Broadband Affordability Program in Jeopardy But Has Overwhelming Bipartisan Support” (March 1, 2023), <https://digitalprogress.tech/joels-blog/>.

¹¹ *Benton Institute for Broadband and Society*, “Half of ACP-Eligible Households Still Unaware of the Program” (March 17, 2023), <https://www.benton.org/blog/half-acp-eligible-households-still-unaware-program>.

the community it serves. **Attempts to bridge the digital divide will be unsuccessful if the impacted community is not given the support, investment, and resources to confidently access the internet.**

II. Successful Models of Community Outreach and Involvement

As grantees seek to define success in their efforts to connect marginalized communities to reliable and accessible broadband, community involvement should be the focus of broadband implementation. To meaningfully serve the needs of these communities, their voices and experiences must guide the implementation strategy. **Benchmarks for program effectiveness should include the frequency and quality of community engagement and education. For larger and national organizations, success should be measured by the ability to subgrant and support local stakeholders in reaching their communities.**

A. Community Outreach and Involvement

Grantees should prioritize allocating their capacity funding to recruit staff and paid volunteers from the community. This method would overcome the barrier of trust and skepticism that keeps many communities from seeking out ways to participate in digital activities. The one-on-one support would build digital confidence and resilience in these communities. This staff would be able to conduct the deep discovery and story collection from their community members on their digital experiences, providing direction for future broadband investment while prioritizing the lived experiences of marginalized communities over the profits of ISPs.

The findings from the ongoing efforts to enroll under-connected communities in the Affordable Connectivity Program highlight the necessity of local and direct community support. Communities on the wrong side of the digital divide are more likely to trust community anchor institutions such as libraries or churches for information about benefit programs. Among eligible households currently unaware of the ACP, 77% say they would trust the information on this type of program if it came from a local community organization.¹² Local entities as trusted messengers are our best defense against the skepticism towards industry, political, and federal entities that define our current climate.

The Enterprise Center in Chattanooga Tennessee is a glowing example of a community-based organization conducting a community-level needs analysis to assess the needs of veteran and aging communities. The Enterprise Center's recent pilot program has distributed 1,000 free

¹² *Benton Institute for Broadband and Society*, “Half of ACP-Eligible Households Still Unaware of the Program” (March 17, 2023), <https://www.benton.org/blog/half-acp-eligible-households-still-unaware-program>.

telehealth accounts to people living in the most under-resourced area in the city. “With this [telehealth] project, there’ll be a large community conversation where people tell us they need from us. Too often I’ve watched people go into a neighborhood and try to make change. But change has to come from the people who live there.” Deb Socia President and CEO of The Enterprise Center.¹³

For a larger scale example, the California Broadband Council has a robust plan and tracker to measure their progress in bridging the digital divide between tribal, rural, and urban Californians.¹⁴ Their “Broadband for All” Action Plan focuses on achieving three long-term goals for all Californians: 1) high-performance broadband available at home, schools, libraries, and businesses; 2) access to affordable broadband and the devices necessary to access the internet, and 3) access to training and support to enable digital inclusion. The plan involves convening broadband adoption practitioners, including libraries, non-profit organizations, and others semi-annually to share best practices and ongoing community needs to innovate and create new digital literacy tools and develop curriculum and training programs to meet the needs of the workforce, community, and students.¹⁵

B. Common Cause’s Methodology

Common Cause Education Fund coordinates the National Election Protection Coalition—the nation’s largest nonpartisan coalition of national and state grassroots, legal, and community organizations committed to ensuring that every eligible voter can vote.

Through our 30 state organizations, we help voters, including traditionally disenfranchised groups, gain access to the polls and overcome obstacles to voting. We do this through collaborative planning and technical support of election administration, volunteer recruitment and training, research and materials development, support for primary and election day protocols, coordination of the state and national command centers, litigation when necessary, and communications.

1. Story Collection Methodology

A solution to incomplete broadband maps and incomplete census data is to collect stories from impacted individuals about their access or lack thereof to the internet. NTIA and

¹³ *Benton Institute for Broadband and Society*, “Chattanooga Invests in 1,000 Telehealth Accounts for Low-Income Residents, Social Determinants of Health” (April 25, 2023), <https://www.benton.org/blog/chattanooga-invests-1000-telehealth-accounts-low-income-residents-social-determinants-health>.

¹⁴ *California Broadband Council*, “Action plan progress tracker” (2023), <https://broadbandforall.cdt.ca.gov/progress-tracker/>.

¹⁵ *California Broadband Council*, “Broadband Action Plan 2020” (2020), <https://broadbandcouncil.ca.gov/wp-content/uploads/sites/68/2020/12/BB4All-Action-Plan-Final.pdf>.

recipients of the Capacity and Competitive grants should use a portion of the funding to collect stories from impacted communities. The story collection program of Common Cause Media and Democracy successfully collected stories from our members across the nation, some of those stories appearing here in this comment. Common Cause members are routinely informed and engaged on Media and Democracy related topics such as election disinformation, media consolidation, and barriers to accessing the digital tools and information needed to participate in our democracy. We collect their stories and share them with stakeholders to ensure that the voices of impacted individuals are at the forefront of public policy decisions. In addition to these stories illustrating our members' access/lack thereof to a meaningful broadband connection, these stories also allow us to determine the other barriers to broadband adoption: lack of access to devices, lack of digital skills training, and lack of access to technical support.

These stories were collected using a form that was emailed out to our member base asking them to share their media and democracy story based on the following prompt questions:

- Do you or someone you know use the Affordable Connectivity Program for Internet access?
- Have you experienced digital discrimination in your neighborhood – where you might have significantly better or worse Internet speeds or services compared to neighbors just a few blocks away?

While email is an effective method for us to reach our member base, the same is not the case for other impacted individuals: those without internet access, individuals with disabilities requiring assistance to respond, low digital proficiency individuals, and individuals with low English proficiency. We encourage states to use their Capacity grants to employ their resources to survey these individuals and their access to broadband.

Over 2,500 members responded, sharing with us their lived experiences of connectivity. Our members trust us with these personal experiences because we have consistently shown them whether it is an election year or an off year that we are dedicated to advocating for a more inclusive democracy for all. However, this story collection program is only possible because of the investment in staff capacity made by Common Cause to collect, categorize, package, and share these stories with decision-makers and stakeholders. Collecting stories and involving impacted communities in implementation requires multi-staff capacity sustained over the course of years. Engaging in story collection without proper staff capacity to conduct follow-up and community engagement has the possibility of resulting in the tokenization of the experiences shared by marginalized individuals. Extractive story collection may jeopardize the collector's status as a trusted messenger within marginalized communities causing future attempts at story collection to be less fruitful.

To be respectful of our members who elected to share their stories with us, we take precautions to ensure that our story collection and use are nonextractive in nature.¹⁶ We have ensured that respondents knew what to expect when sharing their stories. We only utilize stories from

¹⁶ *Center for Journalism Ethics*, “Why Should I Tell You?: A Guide to Less-Extractive Reporting” (May 2019), <https://ethics.journalism.wisc.edu/files/2019/05/Less-extractive-reporting-4.pdf>.

respondents who checked a box that says “Yes! I agree you can share my story with allies, journalists, decision-makers, and my fellow Common Cause members.”

After a story is shared we reach out to the member with the finished product and then encourage them to take action: register someone for ACP, monitor election disinformation, and get civically engaged in other election and media and democracy actions. This program is currently in the process of conducting follow-up interviews to get a deeper understanding of the nationwide impacts of the digital divide, while providing opportunities and programming that empower the storyteller to use their voice to advocate for digital access for all.

2. Digital Literacy Training

Intermediate/advanced level digital literacy training empowers marginalized communities with resilience against digital bad actors as well as opening them up to digital civic engagement opportunities. While basic-level digital literacy is a fundamental starting place for individuals with low digital proficiency, more is needed to prepare an individual to meaningfully participate online. Intermediate-level digital training prepares an individual to be digitally autonomous: sign up for a bank account, apply for a job, sign up for healthcare, and register to vote. Competitive grants should also go to organizations that provide intermediate/ advanced level digital literacy training. Marginalized communities deserve access to programming that empowers them to confidently and safely navigate more complex digital spaces, like social media platforms. 77% across 19 economically advanced countries say social media effectively raises public awareness about sociopolitical issues. However, the internet and social media give access to bad actors who spread disinformation and employ algorithms that amplify false information.¹⁷ Our version of intermediate/advanced level digital literacy is geared towards providing digital training and involvement opportunities that connect voters to accurate voting information and support.

Through the Common Cause Stopping Cyber Suppression program, members and partners receive intermediate to advanced-level digital literacy training in order to monitor and correct harmful election disinformation while connecting voters to the non-partisan Election Protection hotline during election cycles. This program operates in response and opposition to attempts to influence the outcome of our elections by targeting marginalized communities with incorrect election information. Election disinformation makes it difficult for individuals to confidently access information about participating in our elections. Further, disinformation empowers partisan actors to participate in voter intimidation and political violence¹⁸.

¹⁷ *Pew Research*, “In advanced and emerging economies, similar views on how social media affects democracy and society” (Dec 6, 2022), <https://www.pewresearch.org/short-reads/2022/12/06/in-advanced-and-emerging-economies-similar-views-on-how-social-media-affects-democracy-and-society/>.

¹⁸ *Common Cause*, “As a Matter of Fact: The Harms Caused by Election Disinformation” (Oct 2021), https://www.commoncause.org/wp-content/uploads/2021/10/CC_AsaMatterofFact_FINAL_10.27.21.pdf.

This program subgranted organizations that were trusted messengers within their communities. Using this model we were able to supply and exchange best practices, information, and resources to foster community resistance to election disinformation in non-English languages: Mandarin, Spanish, Bangla, Arabic, Tagalog, Urdu, Vietnamese, Hindi, and Chinese. Last year, the accessibility and flexibility of this direct action attracted over 2,300 volunteers from across the country. Our program promises that all a person needs to make a difference online is a device with an internet connection and tech support from staff and fellow monitors. Over the span of 6 months, volunteers with the Social Media Monitoring program monitored primary elections in 22 different states and the 2022 November midterm elections. Instead of passively watching as election lies spread to their community members, monitors were empowered with information and tools from trusted sources to protect their communities from harmful election lies.¹⁹

Conclusion

The use and allocation of the Capacity and Competitive grants should prioritize those who are/ have direct access to support organizations rooted in communities that are disproportionately underserved when it comes to broadband access. A focus on building community resilience and empowerment is crucial to bridging the digital divide in a way that keeps up with the rapidly evolving modern digital ecosystem. Direct community-level needs assessment, story collection, and digital empowerment will prevent broadband access implementation that further harms or marginalizes impacted communities. Successful programs should be defined by the ability to involve a robust network of trusted local and state-level community institutions that have the ability to engage and serve their communities.

Respectfully submitted,
/s/ Raelyn Roberson
rroberson@commoncause.org
Common Cause
805 15th Street
Washington DC 20005

¹⁹ *Common Cause*, “How We The People Stood Up to Online Election Lies” (April 13, 2023), <https://www.commoncause.org/democracy-wire/how-we-the-people-stood-up-to-online-election-lies/>.