

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of	)	
	)	
Federal-State Joint Board on Universal Service	)	
	)	
Lifeline and Link Up	)	WC Docket No. 03-109

**COMMENTS OF THE NATIONAL HISPANIC MEDIA COALITION (“NHMC”)**

The National Hispanic Media Coalition (“NHMC”)<sup>1</sup> respectfully submits this comment in response to the *Public Notice* seeking input on the Federal Communication Commission’s (“FCC” or “Commission”) *Referral Order* to the Federal-State Joint Board (“Joint Board”) on Universal Service.<sup>2</sup> NHMC urges the Joint Board to recommend that implementation of current Lifeline and Link Up outreach initiatives be improved and that the Lifeline and Link Up programs be expanded to subsidize broadband Internet connections. These changes will ensure that the programs are actually serving their intended recipients and will help lower broadband access barriers for the poor and people of color, as envisioned in the National Broadband Plan:

Broadband is a platform for social and economic opportunity. It can lower the geographic barriers and help minimize socioeconomic disparities—connecting people from otherwise disconnected communities to job opportunities, avenues for educational advancement and channels for communication. Broadband is a particularly important platform for historically disadvantaged communities

---

<sup>1</sup> NHMC is a twenty-four year old non-profit organization that aims to (1) improve the image of American Latinos as portrayed by the media; (2) increase Latino employment in all facets of the media industry; and (3) advocate for media and telecommunication policies that benefit the Latino community. NHMC is online at [www.nhmc.org](http://www.nhmc.org).

<sup>2</sup> *Federal-State Joint Board on Universal Service Seeks Comment on Lifeline and Link Up Eligibility, Verification, and Outreach Issues Referred to Joint Board*, Public Notice, CC Dkt. No. 96-45, WC Dkt. No. 03-109 (rel. June 15, 2010) (*Public Notice*).

including racial and ethnic minorities, people with disabilities and recent immigrants.<sup>3</sup>

## **I. LIFELINE AND LINK UP OUTREACH INITIATIVES SHOULD BE ENHANCED**

The *Public Notice* seeks comment on the effectiveness of the current outreach requirements and “whether the existing guidelines are sufficient to promote consumer awareness of the low-income programs.”<sup>4</sup> NHMC commends the FCC for recognizing the importance of effectively publicizing the Lifeline and Link Up programs to low-income consumers. Unfortunately, the current outreach initiatives have not been entirely successful in reaching their target recipients.

The Telecommunications Act requires that all eligible telecommunications carriers (“ETC”) “advertise the availability of [Lifeline and Link Up] services and the charges therefore using media of general distribution.”<sup>5</sup> FCC rules state that all ETCs shall “publicize the availability of Lifeline service in a manner reasonably designed to reach those likely to qualify for the service.”<sup>6</sup> Additionally, in the 2004 *Lifeline and Link Up Order*, the FCC implemented guidelines “to assist states and carriers in performing outreach to potential Lifeline and Link Up customers.”<sup>7</sup>

---

<sup>3</sup> FEDERAL COMMUNICATIONS COMMISSION, CONNECTING AMERICA: THE NATIONAL BROADBAND PLAN 169 (rel. Mar. 16, 2010) (*National Broadband Plan*).

<sup>4</sup> See *Federal-State Joint Board on Universal Service, Lifeline and Link Up* at ¶34, Order, CC Dkt. No. 96-45, WC Dkt. No. 03-109 (rel. May 4, 2010) (*Referral Order*).

<sup>5</sup> 47 U.S.C. §214(3)(1)(B) (2010).

<sup>6</sup> 47 C.F.R. §54.405 (2010).

<sup>7</sup> *Lifeline and Link-Up*, Report and Order and Further Notice of Proposed Rulemaking, 19 FCC Rcd. 8302, ¶45 (2004) (*2004 Lifeline and Link Up Order*) (urging that “(1) states and carriers should utilize outreach materials and methods designed to reach households that do not currently have telephone service; (2) states and carriers should develop outreach advertising that can be read or accessed by any sizeable non-English speaking populations within a carrier's service area; and (3) states and carriers should coordinate their outreach efforts with governmental agencies/tribes that administer any of the relevant government assistance programs”).

Notwithstanding these laws, regulations and guidelines, based on feedback from NHMC's constituents, the Commission is failing to effectively reach some of the communities the low-income programs are intended to serve, and specifically Latinos. NHMC staff received the following notes, among others, from its constituents:

- “[Hispanic print media] have never received information about these programs and this is a concern. My recommendation would be to utilize Hispanic media to communicate the existence of such programs in both English and Spanish, and to submit PSAs or press releases, so that we in turn share with our readers.” (Lubbock, TX)
- “I wish I knew more about this program. I work in a community that is very much in need and unfortunately sometimes the information does not get out to the community. I hope it could be better advertised to help our Hispanic low-income families.” (Langley Park, MD)
- “It does not appear that the providers are doing a very good job of outreach/advertising. I am not positive on the trends across the country, with the exception of TracFone. They, TracFone, roll out an aggressive marketing campaign. Please note there are concerns about the adequacy of Tracfone and other wireless products.” (Salt Lake City, Utah)
- “People do not know about these programs and more promotion should be done to the target population. The FCC should create state alliances with community groups to promote these programs.” (Boston, MA)

NHMC urges the Joint Board to embrace the FCC's recommendation in the National Broadband Plan that “state social service agencies should take a more active role in consumer outreach and in qualifying eligible end-users.”<sup>8</sup> Currently it is up to each ETC to provide consumer outreach, yet the National Broadband Plan illustrates that providers have difficulty in reaching low-income communities and others that are historically under-served.<sup>9</sup> ETCs should be required to collaborate with state social service agencies, community organizations and churches that operate in target communities. The Joint Board should also examine whether the guidelines set forth in the April 2004 *Lifeline and Link Up Order* are being properly followed, and if not, it

---

<sup>8</sup> *National Broadband Plan* at 172.

<sup>9</sup> *Id.*

should recommend ways in which to ensure ETC compliance with the guidelines. In particular, the Joint Board should examine whether states and carriers have developed outreach in languages other than English in places with sizeable non-English speaking populations.<sup>10</sup>

## **II. LIFELINE AND LINK UP PROGRAMS SHOULD BE EXPANDED TO SUBSIDIZE BROADBAND INTERNET CONNECTIONS**

The *Referral Order* asks the Joint Board to examine how and why “the potential expansion of the low-income program to broadband would affect any of its recommendations.”<sup>11</sup> As the Joint Board considers this question, NHMC requests that it bear in mind that integration of broadband into the Lifeline and Link Up programs is exceptionally important to low wealth communities and communities of color. Research indicates that the poorer one is the less likely that he or she will have home broadband access, and that people of color are far less likely to have home broadband access than Caucasians.<sup>12</sup> While 66% of Caucasians have broadband at home, African Americans, Native Americans and Latinos are trailing behind in connectivity with 46%, 43% and 40%, respectively.<sup>13</sup> “If broadband adoption follows the trajectory of telephone adoption, one in four African Americans and one in three [Latinos] could still be without broadband service at home even when an overwhelming majority of Americans overall have it.”<sup>14</sup>

This lack of access harms those that could most benefit from the opportunities that broadband provides in education, employment and health. For instance, some social services have moved to online only applications, leaving eligible applicants without Internet access

---

<sup>10</sup> *2004 Lifeline and Link Up Order*, 19 FCC Rcd. at 8326-28, ¶¶45-48.

<sup>11</sup> *Referral Order* at ¶24.

<sup>12</sup> U.S. DEPARTMENT OF COMMERCE, NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION, *DIGITAL NATION, 21ST CENTURY AMERICA’S PROGRESS TOWARD UNIVERSAL BROADBAND INTERNET ACCESS* 5, 6 (Feb. 2010).

<sup>13</sup> *Id.*

<sup>14</sup> *National Broadband Plan* at 167.

unable to apply. In addition, many financial aid applications for higher education encourage online applications, making it difficult for students without Internet access to meet strict deadlines. Travel deals and most world news outlets are now only available online. Access to everyday things many take for granted such as finding discounts, paying bills, searching for jobs or making doctor appointments are all migrating online and certain communities are being left behind. No amount of research can explain how individuals are truly affected by lack of home broadband access. Unfortunately, many of NHMC's constituents know these effects firsthand.

Here is one of their stories:

Mary<sup>15</sup> is a thirty-year-old college graduate, wife and mother of an infant. She used to be a social worker but was recently laid off. Mary is very involved in local and national politics and in the past has volunteered to canvas neighborhoods for various candidates and causes. Mary, who has been connected to the Internet for almost half of her life, recently had to cancel her broadband connection in an effort save money. She does not have a car and cannot take public transportation to the local library because of the distance and difficulty in traveling with her infant. Mary is seeking employment but it is very difficult for her to find anything without home Internet access. Many job postings and applications are only available online. Last week Mary took her infant to the doctor, who recommended a number of web sites that she should examine to bolster her understanding of the cognitive development of her infant; Mary was too embarrassed to tell the doctor that she does not have Internet access. Mary is also no longer able to participate in local or national politics because her connections to that world were all online.

Affordable and accessible broadband access is important to everyone, but particularly so for the Latino community. Latinos are the largest minority group in the United States, with 47.4 million people, comprising 15.8% of the U.S. population.<sup>16</sup> It is estimated that if current trends continue, the Latino population in the U.S. will be close to 30% in 2050, becoming the largest

---

<sup>15</sup> Interviewee's name has been concealed for privacy purposes.

<sup>16</sup> Pew Hispanic Center, Publications, *Statistical Portrait of Hispanics in the United States, 2008*, Table 1, available at <http://pewhispanic.org/factsheets/factsheet.php?FactsheetID=58>.

minority group.<sup>17</sup> Young Latinos are generally “satisfied with their lives, optimistic about their futures and place a high value on education, hard work and career success.”<sup>18</sup> 72% of Latino youth expect to be better off financially than their parents,<sup>19</sup> and 89% believe that a college degree is important to getting ahead in life.<sup>20</sup> Yet they are much more likely than other American youths to drop out of school, and to live in poverty.<sup>21</sup> 75% of Latinos who cut off their education prior to college cite financial pressure to support a family as the main reason.<sup>22</sup> In today’s world, unrestricted broadband Internet access can play a huge role in enabling these youth to pursue their dreams through online education and vocational training, even as they face high drop-out rates and poverty. The Lifeline and Link Up programs should be expanded to ensure that people young and old to follow their educational, occupational and civil aspirations.

In this day and age, access to everything the Internet provides is not just a luxury, but rather a necessity. Those without open Internet access cannot survive and succeed because they are foreclosed from financial aid and job applications, online learning experiences, information about health and transportation, research for homework assignments, and countless other important opportunities. NHMC supports expanding the Lifeline and Link Up programs to subsidize broadband because of the opportunity it presents for communities of color, low-income communities and other historically disadvantaged groups to exercise their rights to fully participate in this country’s democracy and for upward mobility for current and future generations. NHMC insists, however, that the integration of broadband into the Lifeline and Link

---

<sup>17</sup> JEFFREY S. PASSEL AND D’VERA COHN, U.S. POPULATION PROJECTIONS: 2005 – 2050 1 (2008), available at <http://pewhispanic.org/reports/report.php?ReportID=85>.

<sup>18</sup> PEW HISPANIC CENTER, BETWEEN TWO WORLDS: HOW YOUNG LATINOS COME OF AGE IN AMERICA 1 (2009).

<sup>19</sup>*Id.* at 9.

<sup>20</sup>*Id.* at 10.

<sup>21</sup>*Id.* at 1.

<sup>22</sup>*Id.* at 10.

Up programs not be done at the expense of the current voice programs, which remain of great value.

### CONCLUSION

For the foregoing reasons, NHMC urges the Joint Board to examine the effectiveness of current low-income program outreach efforts and to expand the low-income program to include broadband.

Respectfully Submitted,

/s/ Jessica J. Gonzalez

Jessica J. Gonzalez, Esq.  
National Hispanic Media Coalition  
55 South Grand Avenue  
Pasadena, CA 91105

Monica S. Guzman  
Law Student  
Santa Clara University School of Law

July 15, 2010

Counsel for National Hispanic Media  
Coalition (NHMC)