

---

---

# BROADBAND ACCESS AND DIGITAL DISCRIMINATION

---

---

Spring, 2023

By: John Melcher, Associate Director

---

Today we hear much about broadband and the significance it has in our lives. What was once thought of as an entertainment luxury is now an essential technology which touches every aspect of our personal and community lives. If there was some question as to the importance of internet access in our lives, it was brought into sharp focus with the COVID-19 pandemic. The rush to online service provisioning caused stress to the broadband infrastructure and amplified the weaknesses and disparities in that system. Without having any awareness of broadband and digital discrimination, it has become obvious to us all that disparity in internet availability restricts access to essential services and developmental opportunities, particularly for the very people and households who need them most.

The Federal Communications Commission (FCC) has at the prompting of Congress started to ask for examples of digital discrimination with the intention of developing programming to address issues related

to disparity in internet availability. But what does digital discrimination mean?

How do you prevent digital discrimination based on income level, race, ethnicity, color, religion, or national origin? What steps can be taken to eliminate discrimination? These are questions that the FCC is seeking input on.

A policy provision of the Infrastructure Investment and Jobs Act states that 1) subscribers should benefit from equal access to broadband internet access service within the service area of a provider of such services, 2) “equal access” means the equal opportunity to subscribe to an offered service that provides comparable speeds, capacities, latency, and other quality of service metrics in a given area, for comparable terms and conditions, and 3) the FCC should take steps to ensure that all people of the United States benefit from equal access to broadband internet access service.

Doug Dawson of CCG Consulting is an industry expert, working in the telecom industry since 1978. Dawson and CCG,

the largest telecom consulting firm in the United States in terms of clients, have been advising nationally on broadband deployment for many years. In a recent article he wrote, “The big cable companies and telcos are all going to swear they don’t discriminate against anybody for any reason, and every argument they make will be pure bosh. Big corporations, in general, favor more affluent neighborhoods over poor ones. Neighborhoods that don’t have the best broadband networks are likely going to be the same neighborhoods that don’t have grocery stores, gas stations, retail stores, restaurants, banks, hotels, and a wide variety of other kinds of infrastructure investment from big corporations.”

Dawson suggests that broadband discrimination related to income exists in two different ways—infrastructure discrimination and price discrimination. Infrastructure discrimination refers to differences ranging from the type of technology deployed (DSL, cable, fiber, ect.) to the installation method (above ground or underground) including the condition of the poles and attached equipment. Price discrimination takes on the form of charging different prices for the same service in different neighborhoods as well as charging the

same price but offering different levels of service to different neighborhoods. But perhaps the most regressive impact is when the price of service is rising faster than the rate of inflation. This disproportionately impacts individuals and families with lower incomes.

Equal access and the elimination of digital discrimination are top priorities of the FCC. “Equal access to broadband should be the lived reality for every person in the United States. Digital opportunity should be available to everyone. Who you are or where you live should not determine your digital destiny. This is why the FCC is working to create rules and policies to combat and prevent digital discrimination, and to promote equal access to broadband across the country, regardless of zip code, income level, ethnicity, race, religion, or national origin.”

(<https://www.fcc.gov/about-fcc/fcc-initiatives>)

To learn more about broadband access, digital discrimination and FCC initiatives go to <https://www.fcc.gov/>

