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January 21, 2009

Hon. John D. Rockefeller, IV  
Chairman  
Senate Committee on Commerce, Science and Transportation  
253 Russell Senate Office Building  
Washington, D.C. 20510

Hon. Henry A. Waxman  
Chairman  
House Committee on Energy and Commerce  
2125 Rayburn House Office Building  
Washington, D.C. 20515

Hon. Rick Boucher  
Chairman  
Subcommittee on Communications, Technology and the Internet  
House Committee on Energy and Commerce  
2125 Rayburn House Office Building  
Washington, D.C. 20515

**David Honig, Executive Director**  
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Dear Senator Rockefeller, Congressman Waxman and Congressman Boucher:

RE: Legislative Recommendations to Advance Diversity  
In the Media and Telecommunications Industries

Since 1986, the Minority Media and Telecommunications Council (“MMTC”) has worked tirelessly to promote and preserve equal opportunity and civil rights in the mass media and telecommunications industries. Still, we have miles to go.

The MMTC Road Map for Telecommunications Policy (July 2008) sets out a host of recommendations for new legislation to advance civil rights principles in telecom regulation. Congressional oversight is also particularly vital, especially in light of the FCC’s failure, during the past administration, to take action on most of the dozens of pending recommendations placed before it by MMTC and by the Commission’s own Advisory Committee on Diversity for Communications in the Digital Age.

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I am enclosing the Road Map as well as letters being transmitted today to President Obama and FCC Interim Chairman Copps setting out our recommendations for procedural, structural and substantive reforms at the FCC and NTIA.

The most immediate priority is the inclusion of minority business enterprises (MBEs) and disadvantaged business enterprises (DBEs) in the broadband portion of the economic stimulus package. Over the past three weeks, a team of experts assembled by the National Urban League and MMTC has labored to arrive at a thorough set of recommendations entitled A Broadband Stimulus Plan To Benefit All Americans. I am enclosing a letter of endorsement from National Urban League President Marc Morial and myself.

Please also find enclosed a summary of all of MMTC's legislative recommendations, including those related to the economic stimulus. We recommend that Congress:

- Design the Broadband Stimulus so that broadband is built out TO all Americans, BY all Americans, and to BENEFIT all Americans. Congress can achieve these objectives by:
  - Ensuring very substantial participation of MBEs and DBEs in the entire Economic Stimulus Package
  - Creating a direct loan program to support broadband infrastructure buildout
  - Adopting tax incentives to stimulate MBE and DBE participation in telecommunications
  - Providing substantial support for broadband innovation and training
- Adopt Targeted Telecom-Related Appropriations and Tax Legislation that would;
  - Restore and expand the Tax Certificate Policy
  - Reinstate and expand the Telecommunications Opportunity Program
  - Finance the Telecommunications Development Fund with auction proceeds
  - Authorize an annual Media and Telecom Diversity and Digital Divide Census
  - Provide for Universal K-12 education in media, telecom, and Internet literacy, including skills, proficiency and policy

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- Reform the Universal Service Fund by authorizing sufficient Lifeline/Linkup and Rural Telemedicine support attendant to applying USF to broadband services, and by expanding the E-Rate Program to underwrite computer training for teachers and computer distribution to low income families' children
- Extend the DTV Converter Box Program to underserved multilingual communities
- Eliminate language barriers to public safety
- Clarify or revise these sections of the Communications Act:
  - Section 307(b) (Localism)
  - Section 309(j) (Spectrum Auctions)
  - Section 310(b)(4) (Foreign Investment in Broadcasting)
  - Section 334 and 634 (Equal Employment Opportunity)
- Amend the Federal Trade Commission Act to Prohibit Racial Discrimination in Advertising Placement and Terms
- Provide Comprehensive Oversight of the FCC and Executive Branch to Ensure that Civil Rights Objectives are Achieved

With Congress' renewed attention to civil rights priorities, we hope to witness complete eradication of racial discrimination and its present effects from the nation's most influential and important industries – mass media and telecommunications. Toward that end, we encourage your respective committees to schedule oversight hearings on the FCC's and NTIA's civil rights jurisprudence and stewardship, and on market entry barriers contained in the Communications Act. MMTC would be privileged to be of any assistance you might need in considering how to frame such hearings.

Sincerely,

*David Honig*

David Honig  
Executive Director

Enclosures