

# Why Telecommunications Policies Matter



**T**he Central Appalachia Regional Network (CARN) believes access to broadband is essential to improving the economic prosperity and wellbeing of Appalachia. CARN advocates for policies that support affordable high-quality broadband services for all citizens of the Central Appalachia region. These include both policies that will support broadband deployment as well as policies to increase public awareness of the need for broadband and digital literacy.

In too many of our Appalachian communities, the opportunity to use the Internet to its full potential is limited by lack of network infrastructure, accessibility and affordability. There is no single answer for closing the digital divide and connecting all Appalachians, and all Americans. However, everyone – from regular citizens and local organizations to state and federal governments – can take action to support policies for a fast, affordable and open Internet for everyone.

**Telecommunications technology, the industry, and policies affecting it, are in a constant state of change. The National Rural Assembly's Broadband Working Group has developed a set of PRINCIPLES that offer guidelines for all broadband policy decisions:**

- 1) **Communication as a fundamental human right.** Lack of access to broadband denies rural areas the fundamental human right to communicate. Observing and protecting this right will provide more resources for rural areas to improve economic conditions and advance with the rest of the nation.
- 2) **Diversity of Appalachia, and rural America.** We are diverse in terrains, cultures, foods, peoples, and knowledge. There is no one-size-fits-all solution for all rural communities. Therefore, the diversity of rural America must be represented in national broadband policies and protected with policies that support locally produced content and adequate data collection methods that respect each locality.
- 3) **Local ownership, self-reliance, and investment in place.** Absentee-ownership of broadband infrastructure and service has failed to serve rural communities. National, state and local broadband policies must prioritize local ownership in rural communities, thus encouraging self-reliance, investment in place, and broadband availability to every community in the nation.
- 4) **Network neutrality.** The principle of unfiltered access to information and freedom of speech and commerce for all is vitally important for rural communities.

**Issues on the Horizon:** In the coming months and years, a wide range of telecommunication issues that impact us daily as consumers and as citizens will be under consideration by the Congress, Federal Communications Commission, and state and local governments.

The issue of **Network Neutrality** – an open Internet where every user has freedom of speech and commerce without gatekeepers or discrimination – is still under debate, as is the question of whether wireless broadband services used on mobile devices will be “open” and regulated in any manner.

The **Universal Service Fund**, formally established by the FCC in 1997, is a set of resources and policy dedicated to making sure everyone has equal access to the basic telecommunications services they need to stay connected. USF is based on a concept from the 1934 Telecommunications Act that stated that all people in the United States shall have access to “rapid, efficient, nationwide...communications service with adequate facilities at reasonable charges.” The increasing reliance on the Internet and new digital technologies--like mobile communications--require reforms to the Universal Service Fund. While the FCC is beginning reforms, consumer and citizen pressure is needed to ensure the changes address the need for full and affordable broadband and mobile communication access in rural areas and poor communities, while moving more support from wealthy telecommunications corporations to low income consumers.

Other issues include **Spectrum Auctions**, which will determine the shape of our mobile broadband future. The transition from copper-based landline services to an **Internet-based telephone system** will have a dire impact if all Americans do not have broadband available or it is unaffordable.

## Who Makes Internet & Telecommunications Policies?

The **United States Congress** is empowered to pass legislation relating to telecommunications (telephone, Internet, the media) and can vote to overturn rules made by the FCC. The **Judicial System** – the **Courts** – can declare Congressional or FCC rules unconstitutional or invalid.

The **Federal Communications Commission (FCC)** is an independent agency of the United States government, created by Congressional statute, and with the majority of its five commissioners appointed by the current President. Reporting to Congress, the FCC works towards six goals in the areas of broadband, competition, the spectrum, the media, public safety and homeland security. The FCC was formed by the Communications Act of 1934 and oversees and makes regulations for most communications in the United States today, including our wireline, wireless, broadband, Internet, cable, and satellite services, not to mention the media you see and hear.

The FCC serves a critical role as a government watchdog and is charged with the important task of protecting the public interest in the telecommunications industry. Rules and regulations proposed by the FCC are open for a comment period, and all individuals, organizations, businesses, etc. can submit comments.

In early 2009, Congress directed the FCC to develop a **National Broadband Plan** (<http://www.broadband.gov/plan/executive-summary/>) to ensure every American has “access to broadband capability.” Congress also required that this plan include a detailed strategy for achieving affordability and maximizing use of broadband to advance “consumer welfare, civic participation, public safety and homeland security, community development, health care delivery, energy independence and efficiency, education, employee training, private sector investment, entrepreneurial activity, job creation and economic growth, and other national purposes.” To fulfill Congress’s mandate, the plan seeks to ensure that the entire broadband ecosystem—networks, devices, content and applications—is healthy. It makes recommendations to the FCC, the Executive Branch, Congress and state and local governments. The FCC reports on plan progress annually. The most recent is <http://www.fcc.gov/reports/eighth-broadband-progress-report>.

The **National Telecommunications and Information Administration (NTIA)**, part of the U.S. Department of Commerce, is the Executive Branch agency that is principally responsible for advising the President on telecommunications and information policy issues. NTIA’s programs and policymaking focus largely on expanding broadband Internet access and adoption in America, expanding the use of spectrum by all users, and ensuring that the Internet remains an engine for continued innovation and economic growth. NTIA efforts include creating and maintaining the first public, searchable nationwide map of broadband availability – the **National Broadband Map**, <http://www.broadbandmap.gov/>.

Both **NTIA** and the **US Department of Agriculture Rural Utilities Service** operate funding partnerships that assist in the building and maintenance of broadband infrastructure in rural and other underserved communities.

Governors, Legislatures, Public Service Commissions and other **state agencies** propose, pass and/or oversee rules and regulations affecting telecommunications policies. **Local governments** in some places also are supporting municipal or community solutions to broadband access. CARN’s Broadband Policy Recommendations identify many of these policy making bodies in the region ([http://carnnet.org/docs/Policy%20recommendations\\_web.pdf](http://carnnet.org/docs/Policy%20recommendations_web.pdf)).