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November 8, 2021

Hon. Jessica Rosenworcel  
Acting Chairwoman  
Federal Communications Commission  
45 L St. NE  
Washington, DC 20554

Dear Chairwoman Rosenworcel:

RE: Equity in the Deployment of 6G Wireless Technology

Thank you for your eloquent address on October 12, 2021 at the 20<sup>th</sup> Americas Spectrum Management Conference,<sup>1</sup> in which you emphasized the urgent need for advance planning for 6G, stating in part:

“[If] we’ve learned anything from our experience in rolling out 5G, it’s that wireless policy is really important for our economic and national security. Yet in many ways, when it came to those early days in 5G, there were signals that needed our attention, from the need for mid-band spectrum to the vulnerabilities of supply chains to the changing dynamics of global standards development.

So let’s learn from what came before. Let’s acknowledge here and now that it is time to start thinking seriously about how we can better position ourselves for success with 6G. After all, in the age of ever-faster technical development, maintaining our leadership in high-priority emerging technology requires careful planning and execution.<sup>2</sup>”

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<sup>1</sup> Remarks of Acting Chairwoman Jessica Rosenworcel to the 10<sup>th</sup> Americas Spectrum Management Conference, October 12, 2021.

<sup>2</sup> *Id.*

Indeed, much of 5G equity planning started late: planning the deployment to rural communities,<sup>3</sup> addressing the homework gap,<sup>4</sup> and ensuring both access and affordability of the new technology for low-income consumers.<sup>5</sup>

Considering the fact that minority procurement is now federal policy<sup>6</sup>, and as it contemplates the delivery of 6G, MMTC is joining with the organizations listed below, to urge the FCC to take these five steps to ensure the delivery of affordable and accessible services to communities of color, and the robust inclusion of MBEs and WBEs in building the 6G infrastructure:

1. Include a diverse contingent of engineers and demographers on the Technological Advisory Committee (TAC).<sup>7</sup>
2. Direct the Communications Equity and Diversity Council (CEDC) to develop a plan for the training and inclusion of small, minority, and women-owned contractors in the 6G rollout.<sup>8</sup>

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<sup>3</sup> See Homework Gap and Connectivity Divide, FCC, available at <https://www.fcc.gov/about-fcc/initiatives/homework-gap-and-connectivity-divide> (last visited Oct. 19, 2021).

<sup>4</sup> See *Establishing a 5G Fund for Rural America* (Report and Order), 35 FCC Rcd 12174 (15) (2020).

<sup>5</sup> *Id.*

<sup>6</sup> *Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, White House (Jan. 20, 2021), available at <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/> (last visited Oct. 19, 2021) (emphasizing “Government contracting and procurement opportunities should be available on an equal basis to all eligible providers of goods and services.”)

<sup>7</sup> The FCC’s Technological Advisory Council (TAC) provides technical advice to the FCC. The TAC has been organized under the authority of the Federal Advisory Committee Act. The current TAC, which is the FCC’s 5th Technological Advisory Council, was formed on October 21, 2010. The TAC is comprised of a diverse array of leading experts that assists the FCC in identifying important areas of innovation and developing informed technology policies supporting America’s competitiveness and job creation in the global economy.

<sup>8</sup> On June 24, 2021, Acting Chairwoman Jessica Rosenworcel announced that the Commission would re-charter the Advisory Committee on Diversity and Digital Empowerment (ACDDE) under a new name – the Communications Equity and Diversity Council (CEDC). The CEDC’s mission will expand from the ACDDE’s initial focus on the media ecosystem to review more broadly critical diversity and equity issues across the tech sector.

3. Provide the Office of Communications Business Opportunities (OCBO)<sup>9</sup> with the personnel and resources it will need in order to conduct technical and entrepreneurial training for the 6G opportunity.
4. Set a specific benchmark for 6G's deployment contracting for MBEs and WBE such as was done in Atlanta, which set a goal of 25% for airport contracts.<sup>10</sup>
5. Grant MMTC's proposal<sup>11</sup> to extend the highly successful Cable Procurement Rule to all FCC-regulated technologies. Adopted in 1993 in the wake of the 1992 Cable Act, the Rule requires cable operators to "encourage minority and female entrepreneurs to conduct business with all parts of its operation; and . . . analyze the results of its efforts to recruit, hire, promote, and use the services of minorities and women and explain any difficulties encountered in implementing its equal employment opportunity program."<sup>12</sup> The regulation has yielded solid results and, as an outreach initiative, it is constitutionally non-controversial.<sup>13</sup>

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<sup>9</sup> The Office of Communications Business Opportunities (OCBO) develops, coordinates, evaluates, and recommends to the Commission policies, programs, and practices that promote participation by small entities, women, and minorities in the communications industry. A principal function of OCBO is to lead, advise, and assist the Commission, including its component Bureau/Office managers, supervisors, and staff on ways to ensure that the competitive concerns of small entities, women, and minorities are fully considered by the agency in notice and comment rulemakings.

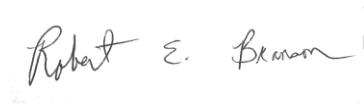
<sup>10</sup> See Stephen Deere, *Corruption Scandal Taints Diversity Program That Shaped Atlanta's Image*, Atlanta Journal-Constitution, (Sep.27, 2019), available at <https://www.ajc.com/news/local-govt--politics/corruption-scandal-taints-diversity-program-that-shaped-atlanta-image/ydxsXN2zIYJ2UHtRyfDdzI/> (last visited Oct. 19, 2021) (stating "[a]t the time, less than 1 percent of [Atlanta] city business went to minority-owned firms, and [the Mayor] believed that the only way to ensure the participation of businesses owned by minority and women was to make it a legal requirement. So his administration pushed through a controversial mandate that 25 percent of the airport contracts would go to minority firms.")

<sup>11</sup> See *Recommendation on Procurement Issues, Emerging Technologies Subcommittee, Advisory Committee on Diversity for Communications in the Digital Age (adopted by the full Committee)*, (June 10, 2008), <https://transition.fcc.gov/DiversityFAC/adopted-recommendations/procurement-061008.pdf> (recommending that the Commission extend the cable procurement requirement to all platforms).

<sup>12</sup> See 47 U.S.C. §554(d)(2)(E) (stating that FCC must develop rules to ensure that an MVPD shall "encourage minority and female entrepreneurs to conduct business with all parts of its operation.") The rule (with the same language) is found at 47 C.F.R. §76.75(e).

<sup>13</sup> *Recommendation on Procurement Issues, Emerging Technologies Subcommittee, Advisory Committee on Diversity for Communications in the Digital Age (adopted by the full Committee)*, (June 10, 2008), <https://transition.fcc.gov/DiversityFAC/adopted-recommendations/procurement-061008.pdf> (recommending that the Commission examine extending the procurement requirements to all platforms). MMTC has sought this relief since 2010.

Respectfully,



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For:

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Asian Americans Advancing Justice | AAJC  
Hispanic Federation  
League of United Latin American Citizens (LULAC)  
National Association for the Advancement of Colored People (NAACP)  
National Association of Black Owned Broadcasters (NABOB)  
National Council of Negro Women (NCNW)  
National Diversity Coalition  
National Newspaper Publishers Association (NNPA)  
National Urban League  
OCA – Asian Pacific American Advocates  
Rainbow PUSH Coalition  
The National Coalition on Black Civic Participation (NCBCP)

