May 1, 2023

Alan Davidson
Assistant Secretary of Commerce for Communications and Information
Angela Thi Bennett
Digital Equity Director
National Telecommunications and Information Administration
1401 Constitution Avenue NW
Washington, DC 20230

Re. Digital Equity Act of 2021 (Docket No. 230224-0051)

Dear Assistant Secretary Davidson and Director Bennett:

On behalf of Asian Americans Advancing Justice | AAJC; Japanese American Citizens League
(JACL); and the National Council of Asian Pacific Americans (NCAPA), we submit our views
on NTIA's Digital Equity Act request for comments.

Asian Americans Advancing Justice | AAJC ("Advancing Justice | AAJC") is dedicated to
civil and human rights for Asian Americans and to promoting a fair and equitable society for all.
We provide the growing Asian American community with multilingual resources, culturally
appropriate community education, and public policy and civil rights advocacy. In the
communications field, Advancing Justice | AAJC works to promote access to critical technology,
services, and media for our consumers.

The **National Council of Asian Pacific Americans (NCAPA)** is a coalition of 38 national Asian
American Pacific Islander (AAPI) organizations. Based in Washington D.C., NCAPA represents
interests of the greater Asian American, Native Hawaiian, and Pacific Islander (AANHPI)
communities, which comprise the fastest growing racial group in the nation.

The **Japanese American Citizen League (JACL)** monitors and responds to issues that enhance or threaten the civil and human rights of all Americans and implements strategies to effect positive social change, particularly to the Asian Pacific American community. JACL strives to promote a world that honors diversity by respecting values of fairness, equality and social justice.

Our organizations are members of the **Asian American Tech Table,** which was created to facilitate a more unified voice and presence in national tech and telecom policy debates. The Table convenes regularly with its members to discuss relevant policy concerns, while also engaging with industry and other stakeholders to raise the visibility of the Asian American community in tech policy and digital civil rights issues. Members of the Asian American Tech Table include The Center for Asian Pacific American Women, Filipina Women's Network, Japanese American Citizens League, Asian Pacific American Institute for Congressional Studies, Council of Korean Americans, Asian/Pacific Islander American Chamber of Commerce and Entrepreneurship, South Asian Americans Leading Together, and National Queer Asian Pacific Islander Alliance**.**

Question 8: How should NTIA define success in the Competitive Grant Program?

In defining the metrics of success for engagement for the Digital Equity Competitive Grant Program, the NTIA should include the percentage of people who participated in digital equity programs from an organizations' base membership or audience, rather than just the raw number of people who participated.

Many Asian American, Native Hawaiian, and Pacific Islander (AANHPI) community organizations that work directly with individuals and communities affected by the digital divide are local, grassroots organizations that have a smaller but closely connected community base. Local organizations often have a deep understanding of the specific challenges faced by their communities, which means they are in a better position to tailor their digital interventions to meet those specific needs of the AANHPI community. They are more likely to have established relationships with community members, which can help in building trust and ensuring that the community is fully engaged in the process of closing the digital divide.

Due to these close relationship ties, these types of organizations are often well-equipped to conduct effective outreach to close the digital divide, through ACP enrollment, distributing digital devices, or teaching digital literacy skills. These steps, which can be inaccessible to many communities, are best executed by trusted messengers, which are individuals and organizations who community members feel comfortable going to for assistance regularly. By incorporating the consideration of a percentage as a metric of success, local organizations are better able to advocate for and share the impact of their interventions.

Question 9: Activities: What kind of activities or projects should the Assistant Secretary consider for inclusion in eligible projects and activities for the Competitive Grant Program?

High-quality and reliable broadband is necessary to keep immigrant families connected to their in-language communities both in the U.S and abroad, provide the elderly with more accessible health care, give students access to English as a Second Language homework assistance and other learning programs, and connect refugee populations with job training programs. Communities of color have long been disproportionately and negatively impacted by insufficient access to broadband. The NTIA must prioritize programs that specifically address racial barriers such as infrastructure issues that exist because of historical redlining and other profit-driven decisions, ensure that there is access in non-English languages for those who are not English proficient, work closely with trusted messengers and community groups, provide necessary equipment and trainings, and expand the benefits to immigrant populations, including those who may be differentially documented.

Historical redlining continues to pose a structural barrier for communities that face the digital divide. In San Francisco's Chinatown for example, racial, economic, and environmental inequalities contribute to digital inequality and redlining for the largely working class and immigrant population. 2015 data found that only 56% of San Francisco Chinatown residents had Internet access at home, compared to the city-wide average of 88%. Historic Chinatowns and other ethnic enclaves all over the United States were born out of housing and labor discrimination and racially motivated exclusionary policies. This history of neglect, disinvestment, and displacement make its mark on the very physical landscape and infrastructure of areas like Chinatown, impacting residents to this day.[1] Even in neighborhoods where low-income communities are able to access the internet, the quality and consistency of the connections vary, making them unreliable and disruptive for essentials like logging into school, working, or applying for government assistance programs.

Even in neighborhoods where low-income communities are able to access the internet, the quality and consistency of the connections vary, making them unreliable and disruptive for essential uses like logging in to school, working, or applying for government assistance programs. For example, in Boston's Chinatown, immigrant neighborhoods and public housing, digital connections are spotty, and users are kicked off several times a day which makes the internet unusable.[2] Without adequate access to broadband, communities are unable to apply for or benefit from important government services.

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[1] https://firstmonday.org/ojs/index.php/fm/article/view/6196/5187
[2] https://www.bostonglobe.com/2021/01/24/metro/digital-divide-remains-wide-some/

The NTIA should prioritize projects that use funding for digital literacy, devices and tools, and investments infrastructure projects that directly serve and prioritize neighborhoods and communities that have been and continue to face historical, structural, inequalities that have exacerbated the digital divide's effects on communities of color, immigrants, Limited English Proficient (LEP) individuals, and other historically marginalized groups. These projects must work closely with trusted messengers and community groups that will not only accurately publicize opportunities, but also work to bridge trust and communication with the NTIA. Where some entities lack pre-existing relationships with certain communities and stakeholders, the NTIA should provide a process for applicants to begin building such relationships before launching their projects.

Many local community organizations work directly with national networks such as NCAPA, JACL, and Advancing Justice | AAJC. Each of our organizations consults, convenes, provides resources and briefings to, and supports local organizations and communities directly. Our community partner networks provide local groups with necessary information about federal programs and policies, organize nationally, and provide infrastructure to launch programs with the necessary cultural competency, language skills, and trust. The NITA should work with national organizations, which will allow these programs to become scalable and for the learnings to be shared across the broadband advocacy community.

Question 10: What group or groups that are not already listed should the Assistant Secretary consider to be eligible to apply for the Competitive Grant Program?

Solutions must be localized and tailored to the precise populations they seek to target. Even amongst AAPI and immigrant populations, cultures and lifestyles vary significantly. Online training and digital literacy programs need to be facilitated with community groups to make sure they are customized to be the most useful for communities. Local organizations are already trusted by communities, have the necessary language skills, and can more effectively promote messages and important information. At every step, the NTIA should convene stakeholders, set guidelines for state and other entities to conduct outreach and research with community leaders, require projects to document engagement with community groups, and directly fund community projects and anchor institutions like schools and libraries. Projects should not be approved without applicants thoroughly demonstrating that they have consulted and incorporated the input and expertise of local leaders and communities.

Question 16: How should the NTIA measure the access to, adoption of, and meaningful use of the internet for covered populations?

When defining digital equity and measuring the success of digital equity programs, it is important for the NTIA to evaluate what different communities might need in order to fully

participate in an increasingly digital society. The online needs of incarcerated individuals will likely differ greatly than those of, for example, aging individuals, and thus "success" metrics for each of the distinct Covered Populations should not look the same. With regards to (6) individuals with a language barrier and (7) racial and ethnic minorities, high quality and reliable broadband is necessary to keep immigrant families connected to their in-language communities both in the U.S and abroad, provide elders with more accessible healthcare, give students access to English as Second Language homework assistance, and connect refugee populations to job training programs. The NTIA's measurement of outcomes should include questions that ask participants about their ability to perform the above-referenced functions online before and after the digital equity programs in question. Such results will help to inform future programs in the future.

Furthermore, for Asian Americans, disaggregating data will be crucial to understand trends and patterns within the larger community, as historical studies failing to do so paint a misrepresentative picture of Asian American digital access. There are few digital divide studies that include AAPIs in their analysis, and the few that do exclude lower income and non-English speaking groups from the data altogether. Some existing studies have suggested English-speaking Asian Americans use the internet proficiently and at a high rate; these studies are limited in scope and obscure key inequities within the AAPI community.

Despite the lack of existing disaggregated and inclusive data, digital divide indicators like educational attainment, income levels, and English proficiency suggest a gap in access exists among different ethnic groups in the AAPI community:

- In 2021 3.6% of Japanese Americans have less than a high school diploma, compared with 46.8% of Burmese Americans.[3]
- In 2021, The median household income of Indian Americans is $1,575,893 that of Samoan Americans and Sri Lankan Americans is $55,278 and $28,959, respectively.[4]
- In 2016, 26% of Asian Americans and 37% of Pacific Islanders were enrolled in Medicaid or some other public insurance program.[5]
- In 2021, 9.4% of the AAPI community was enrolled in SNAP benefits. However, the divide between certain ethnic groups was stark: 3.4% of Taiwanese Americans were enrolled in SNAP, compared with 20.5% of Native Hawaiians, and 33.6% of Burmese Americans.[6]

These statistics highlight the stark disparities across the AAPI community. When measuring outcomes of programs targeting AAPI organizations, the NTIA should require grantees to

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[3] https://data.census.gov/table?t=-04:-05:012:031
[4] https://data.census.gov/table?t=-04:-05:012:031
[5] https://www.advancingjustice-aajc.org/sites/default/files/2020-02/Lifeline%20Backgrounder.pdf
[6] https://data.census.gov/table?t=-04:-05:012:031

disaggregate data by ethnic groups; certain programs might result in very disparate outcomes between Chinese- and, for example, Laotian-Americans. More research must be conducted to better understand the unique needs and challenges that each distinct group within the community broadly labeled as AAPI faces in achieving digital literacy and empowerment. Without these additional efforts, the most vulnerable among AAPI communities will continue to suffer consequences of the digital divide.

When determining how to measure access to, adoption of, and meaningful use of the internet, the NTIA should pursue opportunities to engage in data collection with states and territories to gain a better assessment of the unique needs of the AAPI community. These studies should be comprehensive and intentionally designed to include historically marginalized and underserved communities. This will entail oversampling underrepresented populations as necessary, providing in-language means to engage in and participate in studies, and working directly with trusted messengers.

The NTIA should also use data reporting as an accountability tool for funding recipients. Recipients should be required to provide quantifiable information about how their projects successfully engaged input and feedback from unserved and underserved community representatives, prioritizing the needs of those communities and providing meaningful impact to them. Making this a reporting requirement will ensure all entities who receive funding from the NTIA will include and prioritize historically excluded populations.

While the NTIA should use its engagements with states and other entities to improve data and understanding of digital divide needs, it must also prioritize data privacy. Sensitive data can be especially harmful to vulnerable groups such as communities of color. All data should be limited to authorized stakeholders who have demonstrated their commitment to serving such communities, and subjects should have meaningful and exercisable rights to abstain from data collection or opt-out retroactively. Subjects should also be notified in-language about what kinds of data will be collected, how it will be used, who will have access to it, and how it will be de-identified and stored.

Question 20: Investment in Youth and Young Adults

The NTIA should work with trusted community organizations to seek opportunities to train and employ workers who can provide essential services for women, people of color, elders, and other underrepresented and marginalized communities. In the AANHPI community, youth and young adults may have greater digital literacy skills than their elderly family members. During the pandemic, many communities reported that their youth and young adults played pivotal roles in getting their parents, grandparents, and elderly family members online. For elderly members of the AANHPI community who may have fears or misgivings about getting online, younger family

members can provide assistance in developing digital literacy skills to help alleviate these fears. Individuals and trusted members of the community, like youth and young adults, understand the digital divide needs of their communities, speak the language of underserved groups, and are the most qualified and effective in these roles.

Centering youth as trusted messengers of digital and media literacy and investing in training that youth can utilize to educate their communities and families will directly serve demographics like elders and children that suffer from the digital divide the most. These trainings should be conducted in the native languages of the relevant community group and furthermore be tailored to suit specific community needs. For example, younger Korean Americans could assist their older relatives and community members with creating Kakao accounts or looking up Korean recipes online. As information overload is a common problem for first-time users of the internet, youth can also help their older family members identify credible, trustworthy information across myriad potential news sources.

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Asian Americans Advancing Justice | AAJC, National Council of Asian Pacific Americans (NCAPA), and the Japanese American Citizens League (JACL) thank you for your attention and examination of this critical issue.

For more information, please contact Emily Chi, Director for Telecommunications, Technology and Media at Asian Americans Advancing Justice | AAJC at echi@advancingjustice-aajc.org.

Sincerely,
Asian Americans Advancing Justice | AAJC
National Council of Asian Pacific Americans (NCAPA)
Japanese American Citizens League (JACL)