



Federal Communications Commission
Washington, D.C. 20554

Office of Native Affairs and Policy

From: Native <Native@fcc.gov>

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Subject: FCC Adopts Notice of Proposed Rulemaking to Combat Digital Discrimination

Greetings from the Federal Communications Commission's Office of Native Affairs and Policy.

On December 21, 2022, the Commission adopted a Notice of Proposed Rulemaking (NPRM) seeking comment on proposals to facilitate equitable access to broadband internet services, as directed by Congress in section 60506 of the Infrastructure Investment and Jobs Act (IIJA). The goal of this proceeding is to create a framework for combating discrimination of access to broadband internet services based on income level, race, ethnicity, color, religion, or national origin to ensure equal access for historically excluded and marginalized communities, including rural and Tribal areas. In addition to seeking comment on the IIJA's statutory language, the NPRM also seeks comment on various proposals set forth in the record following the Commission's March 2022 Notice of Inquiry (found [here](#)).

Particularly, the NPRM seeks comment on:

- A proposed definition of "equal access" and "digital discrimination of access" as used in the IIJA
- Proposed revisions to the FCC's informal consumer complaint process to accept complaints alleging digital discrimination
- Further details of the rules the Commission should adopt to facilitate equal access to broadband internet service and prevent "digital discrimination of access," including any unique considerations the Commission should take into account regarding members of Tribal Nations, as well as identification of necessary steps for the elimination of such discrimination.

Earlier this year, and in addition to forming the cross-agency Task Force to Prevent Digital Discrimination, Chairwoman Rosenworcel charged the Communications Equity and Diversity Council (CECD) with issuing a report recommending model policies and best practices for states and localities to combat digital discrimination. The NPRM seeks also comment on the proposed adoption of these model policies and best practices for states and localities to combat digital discrimination based on CECD recommendations.

State, local and Tribal governmental entities and other Tribal stakeholders are encouraged to review the NPRM, and to consider filing comments. The comment deadline will be 30 days after publication of the NPRM in the Federal Register. Reply comments will be due 60 days after publication. The Commission will announce the specific comment dates by Public Notice following Federal Register publication. The Commission must implement its digital non-discrimination rules by November 15, 2023.

The NPRM can be found at <https://www.fcc.gov/document/fcc-takes-next-steps-combat-digital-discrimination-0>.

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