



March 30, 2023

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Media/Telecommunications Task Force Legislative Priorities for the 118th Congress

Dear Senator,

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 230 national organizations to promote and protect the civil and human rights of all persons in the United States, we write to share with you the Media/Telecommunications Task Force's legislative priorities for the 118th Congress.

The Media/Telecommunications Task Force focuses on ensuring that civil and human rights, equal opportunity, and democratic participation are front and center in communications and technology policy debates. The task force works to ensure that all people in the United States have access to advanced communications technology and full participation and fair representation in electronic media.

The following priorities reflect areas where the task force believes urgent attention and action from Congress is needed to advance civil rights and equity in media, telecommunications, and technology. We are eager to engage with you to advance these priorities during the 118th Congress:

- **Confirm a fifth commissioner to the Federal Communications Commission (FCC) without delay.**
 - Our civil rights are dependent upon a fair, affordable, open, and accountable media and communications ecosystem. A fifth commissioner is needed to ensure the FCC carries out a pro-civil rights agenda — one that includes universal broadband access, strong rules addressing digital discrimination, and more — that can help make the promise of advanced communications a reality for more people in the United States.
 - Ensure other FCC commissioner vacancies are filled this year.
- **Provide long-term and short-term funding for low-income broadband and telecommunications programs.**
 - Affordable broadband and communications is a 21st century civil and human right. Congress should protect the future of affordable broadband for all households by providing stable, short-term, and long-term funding for the Affordable Connectivity Program (ACP). More than 16 million households have benefited from ACP, but experts predict program funding may expire sooner than mid-2024.
 - Short-term funding would ensure households currently on ACP do not abruptly lose service, and long-term funding would create a permanent,

- sustainable funding source to support affordable connectivity in urban, rural, and tribal areas.
- Congress should ensure continuation of Universal Service Fund programs (particularly Lifeline and E-rate) and ensure continuation of funding for devices and digital inclusion programs.
 - **Pass comprehensive and bipartisan federal consumer privacy legislation that provides protections for personal data and civil rights.**
 - Privacy rights are civil rights. Processing of personal data should protect privacy and promote equity and justice as it enhances safety, economic opportunity, and convenience for all. We support legislation that creates real and lasting protections for the personal data of hundreds of millions of consumers in America. Such legislation will significantly expand equal opportunity online through strong anti-discrimination provisions, algorithmic bias assessments, and heightened protections for data that reveal sensitive information about a person.
 - **Promote media diversity.**
 - An accurate, diverse, and independent media is critical to protecting civil rights. Better data collection is a necessary first step toward achieving this goal. Congress should reintroduce and pass the Enhancing Diversity Data Act, which will ensure equal employment opportunity (EEO) and broadcast ownership data are collected and publicly available and should provide funding for these data to be studied.
 - **Increase appropriations for the Federal Trade Commission (FTC) so it can protect privacy and civil rights online.**
 - The FTC has been chronically underfunded for decades. As the primary enforcement agency for online harms and data privacy, it needs significantly more appropriations to keep up with a large and rapidly evolving digital economy.
 - Congress should fund a civil rights office at the FTC that would allow for the integration of more comprehensive civil rights analysis throughout the commission, engender more transparency across government and the private sector, and improve partnerships with other agencies, stakeholders, and civil rights experts.
 - **Work with federal agencies to advance, strengthen, and implement the Biden administration Blueprint for an Artificial Intelligence (AI) Bill of Rights, which:**
 - Situates algorithmic bias within a larger commitment to advance equity and civil rights throughout the federal government;
 - Centers equity and recognizes automated systems that often impose more severe and frequent harms on historically marginalized groups; and
 - Presents a critical, guiding roadmap, highlighting that swift and effective implementation and enforcement are necessary to realize the blueprint's promise.

- **Actively ensure administrative policies and programs are centering the needs of marginalized communities and not causing them harm.** Congress can hold hearings and conduct inquiries to:
 - Ensure IJJA and CHIPS and Science Act funding programs are equitably implemented and reach marginalized communities who have not fully benefited from the tech ecosystem as consumers, workers, and business owners.
 - Promote diversity in ownership of, and employment in, media outlets in our country and to ensure that the FCC complies with its EEO data collection obligations.
 - Examine the implementation of President Biden’s February 2023 Executive Order on Racial Equity, which focuses on appropriating staffing on equity issues, addressing bias in algorithms and artificial intelligence, promoting data equity and transparency, and ensuring the government’s own use of technology complies with the principles announced in both of President Biden’s racial equity executive orders and the AI Bill of Rights. The use and development of AI must advance equity, comply with civil and human rights law, and take steps to eliminate algorithmic bias.
- **Conduct robust oversight of social media platforms and companies that use automated decision-making systems for credit, housing, employment, education, public accommodations, and other critical sectors of the economy.**
 - Online platforms should protect all users against hateful activities and algorithmic bias. Congress should investigate the role of online platforms and algorithmic prioritization in electoral disinformation and voter suppression, hate, white supremacy, and violence and discrimination on the basis of protected characteristics with respect to access to credit, housing, employment, education, public accommodations, etc.
 - Congress should investigate how automated decision-making systems are used by companies with respect to access to credit, housing, employment, education, public accommodations, etc., and work to remedy the harms caused by these systems.

We appreciate your consideration and would welcome the opportunity to connect further on our legislative priorities. If you have any questions, please contact Anita Banerji at The Leadership Conference on Civil and Human Rights (banerji@civilrights.org), or the co-chairs of the Media/Telecommunications Task Force, Cheryl Leanza at the United Church of Christ Media Justice Ministry (cleanza@alhmail.com) or Yosef Getachew at Common Cause (ygetachew@commoncause.org).

Sincerely,

The Leadership Conference on Civil and Human Rights
United Church of Christ Media Justice Ministry
Common Cause