

5-1999

Equality in the Information Age

William E. Kennard

Federal Communications Commission

Follow this and additional works at: <https://www.repository.law.indiana.edu/fclj>



Part of the [Civil Rights and Discrimination Commons](#), [Communications Law Commons](#), and the [First Amendment Commons](#)

Recommended Citation

Kennard, William E. (1999) "Equality in the Information Age," *Federal Communications Law Journal*: Vol. 51 : Iss. 3 , Article 2.

Available at: <https://www.repository.law.indiana.edu/fclj/vol51/iss3/2>

This Special Feature is brought to you for free and open access by the Law School Journals at Digital Repository @ Maurer Law. It has been accepted for inclusion in Federal Communications Law Journal by an authorized editor of Digital Repository @ Maurer Law. For more information, please contact rvaughan@indiana.edu.



JEROME HALL LAW LIBRARY

INDIANA UNIVERSITY
Maurer School of Law
Bloomington

FOREWORD

Equality in the Information Age

William E. Kennard*

I. ACCESS TO THE TOOLS OF LEARNING	554
II. ACCESS TO THE TOOLS OF PROSPERITY	555
III. CONCLUSION.....	556

Anatole France once observed “the law, in its majestic equality, forbids all men to sleep under bridges . . . the rich as well as the poor.” Such a stunted idea of equality neither served those who slept under bridges in the early twentieth century nor will it serve those children and communities stranded on the roadside of the Information Highway in the next century. Just as the railroads and interstates were the backbone of commerce, job growth, and prosperity in this century, the networks of information form the backbone of the next. We are enjoying the longest peacetime expansion of our economy, and this prosperity is directly linked to the rise of the information technology sector. Indeed, it is estimated that one-quarter of our economic growth has come from this sector of our economy.

Yet the technologies, skills, and infrastructure underpinning this growth have not yet reached all Americans. There exists a “digital divide,” separating the technological haves and have-nots, dividing those with on-ramps onto the Information Highway from those forced to live in its shadows.

This digital divide is defined not only by inequality in access to technology but also unequal access to opportunities to participate in the owner-

* Chairman, Federal Communications Commission. Prior to being confirmed as Chairman, Mr. Kennard served as the General Counsel of the FCC from 1993 to 1998.

ship and management of these vital companies. As technology restructures our economy for the Information Age, we must find ways to ensure that technology is a force that unites and uplifts us as a nation, rather than a force that divides. That is why I believe that the contributions in this issue of the *Federal Communications Law Journal* are so important and timely.

I. ACCESS TO THE TOOLS OF LEARNING

The issues discussed on the pages of this journal principally concern the lives of those not yet old enough to read it: children—the first citizens of the new millennium. The issue of access to new technology will also determine the steps of every worker on each rung of the socioeconomic ladder. It is clear that in the next century, those who are literate in computer languages and familiar with new technologies will succeed, and those who are not, will not.

The high-skilled, well-paid jobs of tomorrow demand the ability to use computers and telecommunications. By next year, it is estimated that 60 percent of all jobs will require technical skills that most Americans do not have, and the workers in these jobs earn wages that are on average 10 to 15 percent more than those of other workers. In the New Economy, every child without access to the Internet and without technology skills inherits a lifetime of missed opportunity.

Yet a lack of basic access to these technologies persists. Recently, the National Telecommunications and Information Administration at the Department of Commerce issued a report, entitled *Falling Through the Net II*, which found that many more people own computers and have access to online services than three years ago, but there is still disparity by race and income. For instance, the number of home PCs has increased by more than 50 percent since 1994, and the number of households using e-mail has nearly quadrupled. However, the study also found that families in households earning more than \$75,000 a year were seven times more likely to own a computer than those in households earning \$5,000 to \$10,000. White households were twice as likely to own a computer as Black households.

Other studies show that 78 percent of the schools in affluent communities have Internet access—but only half the schools in low-income areas have access. Children from low-income households and neighborhoods do not have Internet access at home or at school, and as many as three-quarters of Black high school and college students do not have a PC. Finally, in terms of their practical ability to get services, inner city areas are as technologically isolated as most parts of rural America. Clearly the digital divide is both a rural and an urban problem.

To bridge this gap, Congress gave the Federal Communications Commission (FCC or Commission) an important way to ensure that all of America's children have access to the learning tools they will need in the Information Age. The Telecommunications Act of 1996 directed the Commission to implement a funding mechanism to bring advanced technology to our nation's schools and libraries, a project known as the E-rate. After one year, this initiative has invested over \$1.7 billion to bring technology to over 80,000 schools and libraries across the country. According to a recent study by Forrester Research, the E-rate has had a significant impact on bridging the digital divide. This year, it is estimated that African-American access to the Internet will rise 42 percent, and Hispanic access will increase by 20 percent. The gap is closing, and if we continue our commitment, I am confident that we can close it.

II. ACCESS TO THE TOOLS OF PROSPERITY

The communications and information sectors are creating unprecedented economic growth and wealth in our country. The phenomenal growth of Internet-based businesses offers tremendous potential for entrepreneurship in an exciting growth industry where entry barriers still remain relatively low.

Information technology has not only created exciting entrepreneurial opportunities, but also important new outlets for expression. Chat rooms and online campaigns hold the promise of vastly expanding the town hall of yesteryear to include a far greater number of voices and views.

But in our excitement for new technologies, we should not forget that most Americans still rely on broadcasting as their principal source of news and information. Given the power of this medium, it is striking that less than 3 percent of broadcast stations are owned by minorities. I therefore welcome the discussion in this Issue of ways to remedy the severe underrepresentation of minorities as owners of broadcast stations in our country.

There are at least three steps that should be taken to increase minority ownership in broadcasting. First, Congress should restore the tax certificate. The tax certificate was the most effective means of promoting minority ownership in broadcasting. I am looking forward to working with industry, members of Congress, and my colleagues to bring back a new and improved tax incentive program.

Second, the FCC recently adopted rules to auction broadcast licenses. The new rules allow the use of "new entrant bidding credits." To fulfill our statutory duty to ensure participation by small businesses, and businesses owned by minorities and women, the Commission adopted a bidding credit for applicants with no, or very few, media interests.

Third, there is truth to the adage that the best way to deal with a business problem is to develop a business solution. Since becoming Chairman, I have called on industry leaders to create employee training and managerial development programs that will open opportunities for more women and minorities and others who have not yet been positioned to reap the benefits of the New Economy. I have also encouraged industry leaders to join together to create venture capital funds that will further stimulate the economic growth of small, minority and woman-owned businesses. By using the full breadth and depth of our human resources and potential, we can meet private needs in a way that delivers public benefits.

In the final analysis, ensuring that all Americans have access to the Information Highway and that there is greater diversity in broadcast ownership is not a minority issue or even a majority problem, but rather a profound expression of American democratic values. Our society is not represented by a chat among a homogenous few, but rather a democratic chorus of many different voices and divergent views. Achieving broadcast diversity by every constitutionally permissible means is an aspiration that calls for precisely the kind of sober analysis and critical thinking that is regularly recorded on these pages.

III. CONCLUSION

The *Federal Communications Law Journal* is to be commended for its leadership in promoting a vigorous discussion of these issues. In providing such a forum for debate, the *Journal* continues a sixty-year tradition of addressing the most challenging and complex issues before the communications bar. I hope that the debate advanced in these pages will help us close the digital divide and ensure that the technologies of tomorrow are open to all.