



**Testimony to the New York City Council
Joint Oversight Hearing on Broadband and the Digital Divide
Committee on Technology and the Subcommittee on Zoning and Franchises
October 13, 2020**

Good afternoon Chairpersons Moya and Holden, and members of the Subcommittee on Zoning and Franchises and the Technology Committee. My name is Rodney Capel, and I am the Vice President for Government Affairs in New York City for Charter Communications (“Spectrum”). I am joined by my Directors of Government Affairs, Alex Camarda and Najay Roache. Thank you for the opportunity to testify today on the important subject of the digital divide.

We have submitted lengthier testimony for the record but, in the interest of time, we are going to present a shorter version to provide information about our company and our work bridging the digital divide.

Charter Communications (“Spectrum”) Nationwide and in NYC

Charter Communications is a technology company providing broadband, video, mobile, and voice services to over 30 million customers in 41 states under the brand name Spectrum. Our 95,000 employees – including over 4,000 in New York City – work to expand access to broadband to ensure our customers receive the information and entertainment to succeed in today’s hyper-connected world.

In New York City, Spectrum has franchises to provide services to all of Manhattan, Queens and Staten Island. We service the westernmost portions of Brooklyn, from Williamsburg to Bay Ridge and do not offer service in the Bronx.

Spectrum is a valued employer in New York City and State. We have about 12,000 employees in New York State, of which approximately 4,000 are in New York City. Shortly after COVID hit in March, Charter announced an increase in our minimum wage to \$20, phased in by 2022 with a \$1.50 immediate increase for certain front-line workers.¹ Seventy-seven percent of our New York City employees are African American, Hispanic, Asian or Native American.

We are also doing our part to support the communities we serve across the country during this challenging time, especially some of those economically challenged communities feeling the

¹ For more details please visit <https://policy.charter.com/blog/charter-raising-minimum-wage-20-hour/> and <https://corporate.charter.com/newsroom/charter-statement-regarding-plans-to-permanently-raise-minimum-wage-to-20-dollars-per-hour-over-next-two-years>.

greatest impact from the pandemic. We recently announced a \$10 million investment in partnership with the National Urban League (NUL) and National Action Network (NAN) to support Black and other minority-owned small businesses in underserved communities. In September, we inaugurated our first class of Spectrum Scholars, a financial scholarship and mentorship initiative for eligible rising college juniors with financial need who identify as Asian/Pacific Islander, Black/African American, Hispanic/Latino or Native American.

In addition to our community development initiatives, we have paid \$196 million in franchise fee payments to the City since 2016, provide free channels for public, educational and government use and spent tens of millions in capital investments for nearly all of the City's not-for-profit public access channel partners.

In recent months and years, Spectrum has attempted to address the digital divide with the City. We have formally and informally – through discussions and written submissions – sought to work with the City to provide discounted internet services to residents in public housing, in homeless shelters, to educators and students in schools, to low-income seniors, and to other communities in need. We stand ready to partner with the City and immediately deliver discounted services to tens of thousands of disadvantaged New Yorkers.

Here are 5 Ways Spectrum is Currently Bridging the Digital Divide:

- 1. Spectrum provided 4 months – two 60-day free offering periods - of free broadband internet service in 2020 to educator or student households without service.** In response to the pandemic, Charter announced a remote education offer (REO) which provides 60 days of free high-speed broadband service to K-12 and college students or educators without existing internet service from Spectrum. The first enrollment period ran from March 16th through June 30th and enrolled 448,000 households nationwide, including tens of thousands in New York State and New York City with free 200 Mbps service, in-home WiFi and a free self-installation. On September 21st, the offer was relaunched to provide additional connectivity relief for new subscribers without internet from Spectrum.
- 2. Spectrum maintained service for customers experiencing economic hardship because of COVID when they did not pay their bills. We did not charge late fees and forgave \$85 million in customer debt.** Spectrum signed the Keep Americans Connected Pledge with the Federal Communications Commission (FCC) which ensured customers who contacted us because of economic hardship due to COVID-19 would not be disconnected or charged late fees through June 30th. As the benefits of the Keep Americans Connected Pledge ended, we forgave a portion of customers' delinquent balances, made their accounts current, and put them in 12-month payment plans to pay their outstanding balances over time.

- 3. Spectrum offers [Spectrum Internet Assist \(SIA\)](#), high-speed discounted internet service for low-income students and seniors, which we launched with then Public Advocate Tish James and Councilmember Ben Kallos in 2017 in New York City.** This discounted service costs just \$14.99 per month in New York City (\$19.99 per month with WiFi service) while providing speeds of 30Mbps for downloading data and 4Mbps for uploads. Student households receiving free lunch at school through the National School Lunch Program (NSLP) are eligible to receive Spectrum Internet Assist, which includes all the students in the New York City public school system through the Community Eligibility Provision of the NSLP. Spectrum Internet Assist is also available for all seniors 65 or older receiving Supplemental Social Security Income.

- 4. Spectrum launched Stay Connected K-12, a product to facilitate remote learning during the COVID pandemic and beyond.** Charter recently launched a new product specifically for schools and school districts. It enables any school or district to purchase broadband internet delivered to student and educator households at a cost of \$29.99 per user. This enables schools or a school district to purchase service for students in need, and do so for a flexible time at low price point. The school or district maintains a business relationship with Spectrum. It handles billing and account management in conjunction with Spectrum, while Spectrum provides installation, technical and customer service directly to the student or educator households. We believe low cost price offerings like these can make virtual education easier to implement. We spoke twice during the summer to senior executives at the New York City Department of Education (DOE) regarding our Stay Connected offering which could serve all New York City schools in our footprint since every student in the New York City school system is eligible for NSLP.

- 5. Spectrum built 40 learning labs in New York City.** We partnered with nonprofits like the Police Athletic League, the Chinese-American Planning Council, the YWCA, Easter Seals of New York, the LGBT Center, the Hispanic Federation, National Action Network, Catholic Charities, Hudson Guild, and the Lower East Side Girls Club to build technology labs to reach economically challenged neighborhoods where not all families have in-home access to the internet. Each one of these learning labs costs roughly \$100,000 to equip and maintain with free broadband service for a total commitment of approximately \$4 million.

These are just a few of the things that we are doing to help students and families in need. I hope these many initiatives demonstrate that Spectrum cares deeply about closing the digital divide, and we are working diligently to do our part.

In closing, the City faces great challenges in the months and years ahead to overcome the COVID pandemic and its effects. History has shown the City can overcome this challenge, but

success requires that all stakeholders in the City come together to forge solutions. Spectrum wants to partner with the City to address these challenges and be part of the City's comeback. If the City will extend its hand, we will embrace a collaboration to face the formidable issues we collectively face.

We welcome any questions you may have.



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Good afternoon Chairpersons Moya and Holden, and members of the Subcommittee on Zoning and Franchises and the Technology Committee. My name is Rodney Capel, and I am the Vice President for Government Affairs in New York City for Charter Communications (“Spectrum”). I am joined by my Directors of Government Affairs, Alex Camarda and Najay Roache. We are part of a six-person Government Affairs team with extensive experience in New York City overseen by Camille Joseph, Group Vice President. Thank you for the opportunity to testify today on the important subject of the digital divide.

Charter Communications (“Spectrum”) Nationwide and in NYC

By way of background, Charter Communications is a technology company providing broadband, video, mobile, and voice services to over 30 million customers in 41 states under the brand name Spectrum. Our 95,000 employees – including over 4,000 in New York City – work to expand access to broadband to ensure our customers receive the information and entertainment to succeed in today’s hyper-connected world. Many of you know Spectrum best from our award-winning news channel, NY1 and NY1 Noticias, and their many distinguished journalists, that have provided essential information to the public during the COVID pandemic.

In New York City, Spectrum has franchises that enable our company to provide cable television, broadband and voice services to all of Manhattan, Queens and Staten Island. We service the westernmost portions of Brooklyn, from Williamsburg to Bay Ridge inclusive of Council districts 33-36, and 38, 39, 43 and 44. We do not have a franchise to service the Bronx.

Spectrum is a valued employer in New York City and State that contributes to the de Blasio’s Administration’s 10-year campaign to create 100,000 jobs that pay \$50,000 a year. We announced when the COVID pandemic began a 33% increase in our minimum wage to \$20, phased in by 2022 and including a \$1.50 immediate increase for certain front-line workers.¹ More importantly, Spectrum offers New Yorkers lifelong career opportunities in numerous fields including sales, marketing, advertising, engineering, customer service, operations and technology. The opportunities we offer are illustrated by the diversity of our workforce in New

¹ For more details please visit <https://policy.charter.com/blog/charter-raising-minimum-wage-20-hour/> and <https://corporate.charter.com/newsroom/charter-statement-regarding-plans-to-permanently-raise-minimum-wage-to-20-dollars-per-hour-over-next-two-years>.

York City. Seventy-seven percent of our New York City employees are African American, Hispanic, Asian or Native American.

We are also doing our part to support minority communities across the country during this challenging time. We recently announced a \$10 million investment in partnership with the National Urban League (NUL) and National Action Network (NAN) to support Black and other minority-owned small businesses in underserved communities. As part of the investment, Spectrum's Community Investment Loan Fund will invest \$3 million in the Urban League's Urban Empowerment Fund, which will make individual loans to minority-owned small businesses. In coordination with the National Action Network, Spectrum will invest an additional \$3 million in low-interest loans directly to community development financial institutions (CDFIs), which provide loans to small businesses. Charter has pledged more generally to invest an initial \$16 million in capital by the end of 2021 by making low-interest loans through CDFIs to small businesses whose goods and services help meet core needs in underserved communities within Charter's 41-state operating footprint. In September, we inaugurated our first class of Spectrum Scholars, a financial scholarship and mentorship initiative for eligible rising college juniors with financial need who identify as Asian/Pacific Islander, Black/African American, Hispanic/Latino or Native American. Charter is collaborating with national nonprofit organizations to provide a two-year mentorship and scholarship program to 20 students during their junior and senior years of college. Each student will receive a \$20,000 scholarship, a Charter professional mentor and the opportunity to explore an internship with the company. Kristalyn Bilips of Jamaica, New York is part of the inaugural class of Spectrum Scholars.

Spectrum also engages in local philanthropy in New York City. Most recently, we prepared children for schools reopening by giving away over two thousand backpacks to students at events with nonprofits and elected officials including Councilmembers Alicka Ampry-Samuel and Farah Louis, and Queens Borough President Donovan Richards. In addition to our community development initiatives, we have paid \$196 million in franchise fee payments to the City since 2016, supported the Economic Development Corporation's Digital Media Lab, provided free channels for public, educational and government use and spent tens of millions in capital investments for nearly all of the City's nonprofit public access channel partners – MNN, BRIC, QPTV, and Staten Island Access.

Charter is intensely focused on our customers – improving customer service and driving innovation with our investment in infrastructure. Our fiber rich, two-way, fully interactive and all-digital cable network in New York City offers the fastest base broadband speeds in the industry, the most HD TV channels, low-cost and unlimited voice service and thousands of On-Demand titles. Since merging with Time Warner Cable, we have already increased base broadband speeds, which are now offered to customers in New York City at download speeds of up to 200 Mbps, while continuing to offer premium tier broadband speeds of up to 940

Mbps. The Company is putting customers first with straightforward, nationally-uniform pricing, no data caps, no usage-based pricing and no early termination fees. And Charter provides its service without fees common in the industry such as modem rental charges and voice service taxes and surcharges added to the bill. For the convenience of our customers, we schedule one-hour appointment windows, a third of which are in the evenings and weekends to accommodate the customers we serve here in New York. As a result of our efforts, the online news publication *Multichannel News* named Charter the [Operator of the Year](#). Spectrum is also rapidly growing its mobile business it began in July 2018 and Spectrum Mobile now has 1.7 million customers. We offer plans at \$14 per gigabyte of data or up to \$55 for data plans featuring 30 gigabytes of full-speed data.

We are proud of the fact that every day, millions of customers are able to safely and securely access their Spectrum services from home even with increased demand due to the pandemic and stressors caused by more frequent extreme weather. Over the last five years, Charter has invested \$40 billion in new technology and network upgrades to strengthen our fiber backbone and ensure that customers can remain anchored to the communications services they rely on now more than ever. For many households, daytime internet traffic is two to three times higher than pre-pandemic levels. During the peak primetime TV-viewing hours of 8-9 p.m., downstream and upstream traffic have reached record levels. The durability of our network is a testament to the investments we have made to fortify our infrastructure, and to our tens of thousands of front-line employees who work to maintain over 750,000 miles of physical infrastructure that makes up Charter's network.

Closing the Digital Divide

Spectrum seeks to have a collaborative and productive partnership with New York City for all matters that intersect with our business, including bridging the digital divide. In recent months and years, Spectrum has attempted to address the digital divide with the City. We have formally and informally – through discussions and written submissions – sought to work with the City to provide discounted internet services to residents in public housing, in homeless shelters, to educators and students in schools, to low-income seniors, and to other communities in need. We stand ready to partner with the City and immediately deliver discounted services to tens of thousands of disadvantaged New Yorkers. Spectrum believes it can play a substantial role in helping the Administration quickly reach its goal of connecting 600,000 New Yorkers because we have an extensive reliable network in place to do so.

While Spectrum wants to work more closely with the City, we have been addressing the digital divide for years and have accelerated our efforts during the COVID pandemic. Here are 10 ways Spectrum is closing the digital divide on our own, in conjunction with government, and in response to recommendations from elected officials and advocates.

10 Ways Spectrum is Bridging the Digital Divide

- 1. Spectrum provided 4 months – two 60-day free offering periods - of free broadband internet service in 2020 to educator or student households without service.** In response to the pandemic, Charter announced a remote education offer (REO) which provides 60 days of free high-speed broadband service with WiFi at speeds of up to 200 Mbps for households with K-12 or college students or educators without existing internet service from Spectrum. The first enrollment period ran from March 16th through June 30th and during this time, 448,000 households nationwide were connected to home internet service, including tens of thousands in New York State and New York City with free 200 Mbps service, in-home WiFi and a free self-installation. On September 21st, the offer was relaunched to provide additional connectivity relief for new subscribers without internet from Spectrum for the beginning of the fall 2020 academic year. If students or educators in your district need free internet and do not currently have our service, have them call 844-310-1198.
- 2. Spectrum maintained service for customers experiencing economic hardship because of COVID when they did not pay their bills. We did not charge late fees and forgave \$85 million in customer debt.** Spectrum signed the Keep Americans Connected Pledge with the Federal Communications Commission (FCC) which ensured customers who contacted us because of economic hardship due to COVID-19 would not be disconnected or charged late fees through June 30th. As the benefits of the Keep Americans Connected Pledge ended, we forgave a portion of customers' delinquent balances, made their accounts current, and put them in 12-month payment plans to pay their outstanding balances over time (which effectively reduces the value of the debt owed). In total, the company forgave \$85 million in customer debt. Today, we continue to comply with New York State law that limits customer disconnects for critical services during the state of emergency.
- 3. Spectrum offers [Spectrum Internet Assist \(SIA\)](#), high-speed discounted internet service for low-income students and seniors, which we launched with then Public Advocate Tish James and Councilmember Ben Kallos in 2017 in New York City.** This discounted service costs just \$14.99 per month in New York City (\$19.99 per month with a WiFi service) while providing speeds of 30Mbps for downloading data and 4Mbps for uploads. Student households receiving free lunch at school through the National School Lunch Program (NSLP) are eligible to receive Spectrum Internet Assist, which includes all the students in the New York City public school system through the Community Eligibility Provision of the NSLP. Spectrum Internet Assist is also available for all seniors 65 or older receiving Supplemental Social Security Income. If New York City students or

low-income seniors in your district need discounted service, they can apply online through the link in this testimony or contact us for assistance.

- 4. Spectrum launched Stay Connected K-12, a product to facilitate remote learning during the COVID pandemic and beyond.** Charter recently launched a new product specifically for schools and school districts. It enables any school or district to purchase broadband internet delivered to student and educator households at a cost of \$29.99 per user provided the school or district. This enables schools or a school district to purchase service for students in need, and do so for a flexible time at a low price point. The school or district maintains a business relationship with Spectrum. It handles billing and account management in conjunction with Spectrum, while Spectrum provides installation, technical and customer service directly to the student or educator households. We believe low cost and below market price offerings like these can make virtual education easier to implement. We spoke twice during the summer to senior executives at the New York City Department of Education (DOE) regarding our Stay Connected offering which could serve all New York City schools in our footprint since every student in the New York City school system is eligible for NSLP. If there are schools in your districts that would be interested in this offering to supplement the existing DOE WiFi-enabled tablet loan program, please let us know.
- 5. Spectrum built 40 learning labs in New York City.** We partnered with nonprofits like the Police Athletic League, the Chinese-American Planning Council, the YWCA, Easter Seals of New York, the LGBT Center, the Hispanic Federation, National Action Network, Catholic Charities, Hudson Guild, and the Lower East Side Girls Club to build technology labs to reach economically challenged neighborhoods where not all families have in-home access to the internet. Each one of these learning labs costs roughly \$100,000 to equip and maintain with free broadband service for a total commitment of approximately \$4 million. These can be found in neighborhoods across the City in Spectrum service areas and is an initiative that is unique to Spectrum among all wireline and wireless broadband ISPs in New York City.
- 6. Charter maintains Spectrum Digital Education, a program that offers grants to nonprofits to expand digital opportunities.** We doubled our original 2020 commitment to digital education to a total of \$1 million in grants to organizations providing broadband education, technology and training. We have awarded 48 Spectrum Digital Education grants to nonprofit organizations for programs such as teaching seniors digital skills, setting up technology labs, providing online classes for families that need

homework and job support, and purchasing laptops for underserved groups. With this year's grants, Charter has surpassed its multiyear commitment to award \$6 million in cash and in-kind donations to support broadband education across the company's 41-state service area. From its launch in 2017 through July 2020, Spectrum Digital Education has benefitted 41,706 individuals in 17 states and Washington, D.C.

- 7. Spectrum provides discounted internet service as part of bulk purchases by residential buildings.** Spectrum dramatically lowers the price for New York City residents by offering discounted prices to residential buildings that purchase cable TV and broadband internet packages for every apartment unit. While we cannot discuss the specifics publicly, Spectrum recently offered a bulk rate program to serve every New York City Housing Authority (NYCHA) building in our footprint, approximately 93,000 households. We welcome referrals for buildings in your district where middle and lower-income residents may benefit from this offering. Bulk purchases are a win-win scenario because Spectrum can pass along lower costs achieved by maintaining fewer accounts.
- 8. Spectrum offers limited free WiFi in 66 parks in New York City.** Spectrum spent \$6 million providing WiFi access to 66 city parks since 2011 (including 28 in Manhattan, 18 in Queens, 12 in Brooklyn, 7 in Staten Island, and 1 in the Bronx) for both Charter customers and the general public. The general public receives 30 minutes of free internet per month and can purchase a WiFi pass for 99 cents a day. Spectrum has offered to the New York City Department of Information Technology and Telecommunications (DoITT) a more generous 1 hour per day of free service to the public as part of expansion of internet in the parks.
- 9. Spectrum opened its 26,000 hotspots in New York City as part of the Keep America Connected pledge, making access free to the general public and gave away free news content.** Through June 30, 2020 Charter opened Spectrum WiFi hotspots across the City to non-customers and made our award-winning NY1 and NY1 Noticias digital news programming content available to everyone, including those that do not subscribe to Spectrum service.
- 10. Spectrum provided free access to our NY1 and NY1 Noticias News App for our internet customers, and 30 days of free access to non-subscribers.** Making our award-winning news content available enabled our customers to stay abreast of the latest news during COVID-19 while on the move, and access video typically only made available to cable TV customers.

These are just a few of the things we are doing to help students and families in need. I hope these many initiatives demonstrate that Spectrum cares deeply about closing the digital divide, and we are working diligently to do our part.

In closing, the City faces great challenges in the months and years ahead to overcome the COVID pandemic and its effects. History has shown the City can overcome this challenge, but success requires that all stakeholders in the City come together to forge solutions. Spectrum wants to partner with the City to address these challenges and be part of the City's comeback. If the City will extend its hand, we will embrace a collaboration to face the formidable issues we collectively face.

We welcome any questions you may have.

**TESTIMONY OF LEECIA EVE,
VICE PRESIDENT — PUBLIC POLICY, VERIZON**

AT A
**JOINT OVERSIGHT HEARING ON
“BROADBAND AND THE DIGITAL DIVIDE”**

HELD BY THE
SUBCOMMITTEE ON ZONING AND FRANCHISES
AND THE
COMMITTEE ON TECHNOLOGY
OF THE
COUNCIL OF THE CITY OF NEW YORK
ON
OCTOBER 13, 2020

Good afternoon, Chairmen Moya and Holden, and Committee and Subcommittee members. My name is Leecia Eve and I serve as a Vice President for Public Policy for Verizon, focused on driving Verizon's deployment of 5G in New York City. I appreciate the opportunity to speak with you today concerning broadband and the digital divide. I am especially proud to do so because Verizon shares with New York City a common commitment toward bridging the digital divide, and a common history of effective action directed toward that goal.

Verizon has longstanding and deep-rooted connections with New York City, and for more than a hundred years has played a substantial role in the life of our great city. With the help of the many thousands of New Yorkers who work for the company, we have built and maintained the best-in-class wireline and wireless networks that are the backbone of the 21st century economy — truly a network built *by* New Yorkers, *for* New Yorkers. We work on an ongoing basis, day after day, to maintain and upgrade those networks in order to meet the ever-increasing communication needs of the City and its people and businesses.

That work constitutes a substantial investment in, and contribution to, the future of New York City. Indeed, over the years Verizon has invested billions in its wireline and wireless infrastructure in New York. It is also one of the City's biggest taxpayers and private employers, with one of the City's largest unionized work forces.

Verizon is one of the group of large employers in the New York area that launched the New York Jobs CEO Council. The Council collaborates with educational institutions, community organizations, and nonprofits to hire skilled workers, meet employer needs, and give New Yorkers the ability to acquire the skills that they need for today and tomorrow. The member organizations aim to hire 100,000 traditionally-underserved New Yorkers by 2030, a goal which includes job opportunities and apprenticeships for 25,000 CUNY students.

Verizon recognizes the obligation of businesses to support the economic, environmental, and social development of the communities in which they live and work. Fulfilling that obligation is sound morality, and sound business. To that end, we have created an initiative known as Citizen Verizon, which builds on the company's long-standing commitment to corporate responsibility. Citizen Verizon is organized around three key pillars — Digital Inclusion, Climate Protection, and Human Prosperity. In view of the subject of this Joint Hearing, I will focus here on the aspects of Citizen Verizon that relate to the digital divide. For more information on the overall initiative I would encourage interested individuals to visit www.verizon.com/about/responsibility.

Since 2012, the Verizon Innovative Learning program has provided resources with a market value of over \$535 million to support STEM education in under-resourced communities. VIL provides free technology, broadband access, and innovative learning programs that enable students to develop the skills, knowledge, and capabilities needed to thrive in the digital world. A key purpose of the program is to ignite students' interest in STEM careers, giving them the incentive and providing them with the opportunity to become lifelong learners, creators, and problem-solvers.

In New York City, Verizon Innovative Learning programs have already been implemented in eighteen middle schools in Manhattan, Queens, Brooklyn, and the Bronx, and have reached over 5,400 students and 500 teachers. Verizon invests \$1.8 million in each participating school, which includes:

- Technology (an iPad or Chromebook for every student and teacher) for both in-school and at home use;
- Up to four years of Internet access through LTE connectivity;
- Comprehensive, ongoing professional development programs for faculty members;

- A stipend for a dedicated, full-time instructional coach in each school; and
- STEM enrichment curricula.

As part of our commitment to transforming education and providing a path to a better future for students across the country, VIL will bring 5G technology to 100 schools by 2021. One of our Verizon Innovative Learning 5G labs is planned for Patrick Henry School (P.S. 171) here in the City.

In addition to the programs I have already discussed, Verizon has made a \$3 million commitment to providing STEM programs to elementary and middle school students in low-income, NYCHA, and/or other affordable housing locations in the City; and to providing, without cost, some 20,000 hotspots to New York City students, as determined by the Department of Education.

Verizon, through the AOL Foundation, was also an initial partner in the City's "Computer Science for All" program, and is a founding member of "Break Through New York" (formerly WiTNY). Launched in 2016 with Cornell Tech and the City University of New York, the program's goals are to propel more women into higher education and careers in technology.

Looking beyond specifically educational programs to broadband deployment generally, Verizon is of course actively engaged in establishing City-wide fiber-optic connectivity pursuant to our cable television franchise agreement with the City. NYCHA housing has been an important part of this roll-out. Verizon has so far made Fios service available to 91% of NYCHA households in the City. Verizon has also launched a low-cost broadband program under which it offers Fios Internet service to low-income (Lifeline-qualified) customers at prices as low as \$19.99 per month plus taxes and equipment charges, for blazing-fast speeds of 200 Mbps. New customers who sign up by the end of the year will receive the \$20 per month discount on any Fios Home Mix & Match Plan for as long as they remain eligible for the Lifeline

program. The current offers for new customers include not only a year of free Disney + and a waiver of router rental charges for two months, but also one year of Hulu. Other promotions may be available at the time of sign up.

Verizon believes that bridging the digital divide, and achieving the City's broadband goals, requires a sound private-public partnership. The rich infrastructure of wireline and wireless facilities that currently exists in the City was put in place through — and could not have been achieved without — billions of dollars in risky private investments reflecting the forward-looking vision of companies such as Verizon, and of their investors.

The City of New York can and should encourage and support such private investment in a number of ways. Verizon's roll-out of a fiber-optic network has made Fios services available to the City's residents, and has provided a City-wide competitive alternative to the geographically-restricted offerings of the historical cable incumbents Charter and Altice.

One of the challenges that the company has encountered in completing this monumental endeavor is resistance from building owners who will not allow Verizon to extend its fiber-optic network into their buildings in order to make Fios services available to their tenants. Landlords should not be permitted to maintain their buildings as single-provider fiefdoms, depriving their residents of the benefits of a competitive alternative. We believe that the City has a vital role to play in encouraging building owners and managers to offer access to *all* providers.

In its capacity as the owner of property in, under, or on which providers need to place their facilities, the City can put in place reasonable and streamlined policies for access to those facilities, enable providers to obtain permits in a timely and efficient manner, consolidate agency approval processes, and simplify the design approval process. Most important, it must resist the temptation to enhance revenues by putting in place excessive fees and charges — including

right-of-way access fees — that will only deter investment in and deployment of advanced network facilities, to the long-term detriment of the City and its residents and businesses.

* * *

Thank you for giving me the opportunity to share with you information about Verizon's commitment to New York in general, and about our broadband deployment and efforts to address the digital divide in particular. As we have shared on numerous occasions, we are more than happy to meet with you to discuss our plans and potential partnerships in greater detail.



10/13/20

To: The New York City Council Committee on Technology jointly with the Subcommittee on Zoning and Franchises

From: The New York Public Library

Re: Written Testimony submission for hearing on Broadband and the Digital Divide

Testimony

Good morning, my name is Tony Ageh. I am the Chief Digital Officer for the New York Public Library. I would like to thank City Council Speaker Corey Johnson, Committee Chairs Robert Holden and Francisco Moya, and the members of their respective committees for their support of libraries at a challenging time and the opportunity to testify today.

The Covid-19 crisis has laid bare what many of us have known or suspected: that while digital technology presents tremendous opportunities to help some people accomplish their goals and strengthen their lives, that opportunity is distributed unequally, and often along existing racial or socio-economic or generational lines.

For several decades public libraries have recognized the opportunity of digital transformation as we watched it revolutionize our business, enabling easier access and use of books and information. We have also been witness to the risks of technology as we assisted New Yorkers who lacked the connectivity, hardware, software and skills required for full participation in this digital society. When the digital revolution was young this could be passed off as normal, following the predictable path of technology adoption, where later joiners eventually 'catch up' and quickly recover from earlier lost opportunity or status. Being the last to own a camera or a refrigerator did not change the prospects of one's family for generations to come.

But now, as digital offerings supplant -- and in many important areas, completely replace -- analog systems and processes, digital equity is a growing challenge to social equity. The ability to possess the full spectrum of tools and resources necessary to use the internet is for many, in this moment, in our City, a barrier between employment and poverty and an obstacle to receiving a quality education for the young or life-preserving healthcare and wellbeing support for the old. And for those in between, caring for both, the impossibility, compounded by the indignity, of constantly foraging for the occasions of overspill to perform what for everyone else, are workaday tasks. For them all, of course, this is not new.

But it is now worse.

To be digitally capable requires an ever changing collection of technology tools, training, and applications. The FCC intentionally revises their definition of broadband, which shifts to reflect how changes in technology necessitate changes in connectivity. To be digitally connected in 1999 required different infrastructure than in 2019, and all that has transpired in 2020 has produced a multiplier effect -- both in people affected and scale of lasting impact -- that requires us to reassess everything we once thought we knew and consider a much greater challenge, and the corresponding opportunity, for our leadership.

Similarly, to continue to stay 'digitally literate' requires an ever-changing set of tools and expertise to succeed in work or school or participate in politics or society. While some can afford to keep up with these constant shifts, many cannot.

For two decades, the New York Public Library has fought this issue by strategically intervening in the lives of our patrons to support their ability to use technology with confidence. We offer our patrons:

- Technology to access and use the internet,
- Training and support for digital skills development, and
- Free technology tools to accomplish their goals.

I would like to walk through these areas of focus and briefly touch on what we are currently doing to support the needs of our patrons.

Access

The most basic and fundamental tier of digital equity is access to technology and connectivity. To support patrons lacking either, or both, the Library provides free public access to computers and internet in all 92 of our locations. This includes in-library WiFi and a wide range of devices such as laptops and tablets.

We currently make 5,501 public access devices available on-site to our patrons, 2,340 (43%) of which are desktops, 2,097 (39%) laptops, and 1,064 (18%) tablets and other devices. In Fiscal Year 2019, the Library used \$527,520 in City capital funds to upgrade networking equipment (\$317,613), active directory servers [Windows OS management system] (\$144, 807), and computers and laptops upgrades (\$89,096). In that same timeframe, we provided approximately 2.6 million user sessions, with 42% in the Bronx, 50% in Manhattan, and 8% on Staten Island. Continued investment in network access reflects high demand; our wireless sessions totaled 2.9 million for 2019 or 243k per month. A 5% increase in demand was recorded for the first two months of 2020, even before the start of the pandemic.

We have also gone beyond just the confines of our branches. We are currently partnering with the City on its Internet Master Plan, providing our branches as infrastructure that can be used for the expansion of internet access city-wide. In 2015, we launched our HotSpot program, and worked with our fellow libraries and the Department of Education to provide thousands of students living in homes without affordable internet with hotspot devices. But we know that when it comes to home internet the Library cannot meet the need at the scale of our City. That is why we lent our voice to support policy reforms

like the 2016 expansion of the federal Lifeline Program that would have allowed that subsidy to extend to broadband internet. However, access does little to address digital inequity if it doesn't come with the competencies, tools, and skill sets for application and confident usage.

Skills

To support the capacity of our patrons to use digital technology, the Library offers training to help develop and enhance technological and internet-specific competencies on an ongoing basis. Free NYPL TechConnect courses teach everything from coding, to website development, to photo-editing, to the Microsoft Office suite. These courses target patrons of all ages and benefit children, teens, and adults who come to the Library to develop new professional skills, complete homework assignments, or pursue their hobbies. When our patrons discover an inclination towards technology as a vocation we have referred them to high quality career training programs like Pursuit and Per Scholas.

Digital Tools

In addition to access and usage, the Library has prioritized equitable service within its digital offerings, which has become particularly valuable during the Covid-19 outbreak. We do so primarily by licensing software that our patrons would otherwise be unable to access. Since closure in March, we have expanded our online presence to ensure access to information, resources, and programs for all New Yorkers through webinars, classes, book clubs, live tutoring, and career/financial counseling that support schools, job-seekers, and communities, among others. For students, we partner with Brainfuse, an online tutoring company, to make free one-on-one tutoring in English and Spanish available to students of all ages. For job-seekers, we provide online job training courses, one-on-one career counseling and coaching for interviews, and templates for resumes, cover letters, and emails. We also maintain key virtual resources on health and wellness, food security, and housing/tenant rights to patrons and communities adversely affected by the pandemic. The impact of this swift adjustment to online platforms to our patrons is quantified by our data. We gained over 100,000 new e-readers through our SimplyE app during closure, with another 26,000 since we reopened. There were also close to 40,000 content interactions on Brainfuse during closure, with an additional 10,000 since reopening.

In addition to licensing software we also build specific technology solutions where the market fails to meet our needs. When we do so we incorporate a digital equity perspective to our work by default. That means, for example, ensuring parity between our development in iOS and Android. Some technology companies build primarily or solely for Apple devices, a choice that can deny patrons, often on less expensive devices, access to new technology tools. We also focus on the needs of all patrons including those with accessibility challenges.

Seeing the world through the prism of digital equity can also mean increasing physical, non-digital services, to meet the needs of those who cannot or do not use the internet. While our summer reading program provided eBook access to our younger patrons, we also distributed 40,000 summer reading book kits to students in underserved communities in the Bronx, Manhattan, and Staten Island. These books were distributed thanks to our cooperation and partnership with the Department of Education and elected officials across the City, including several members of the City Council. The same concern for

digital equity has informed our reopening plan. Today fifty branches are currently open for grab-and-go service and we are currently planning our next stage of reopening which will include additional branches and on-site services.

The nature of digital equity is a challenge that is ever evolving and changing, society must contemplate two types of solutions: near-term interventions based on how digital inequality manifests today, and systems changes to respond to digital inequality as it shifts and changes in coming years and decades. Today's digitally literate citizen may tomorrow fall behind and lack the skills to stay employed. Or someone with broadband connectivity today may not be able to afford it tomorrow.

When literacy and education became a necessary requirement for participation in society, cities built schools and libraries. This was not a one-time expenditure, but an ongoing investment in our communities. We must think of today's challenge in similar terms. The New York Public Library has been, and continues to be, committed to addressing digital equity in partnership with the City, our fellow libraries, the non-profit and business sectors and anyone else who shares our vision.

We greatly appreciate the leadership and support of this Committee and the Council and stand ready and eager to help our City meet the challenge that lies before us.



Statement by Jonathan Chung, Director of Government Affairs, Queens Public Library

**New York City Council
Subcommittee on Zoning and Franchises jointly with Committee on Technology**

Oversight - Broadband and the Digital Divide

October 13, 2020

Good afternoon. I am Jonathan Chung, Director of Government Affairs at Queens Public Library (QPL) and it is a pleasure to submit testimony today. On behalf of our President & CEO Dennis Walcott and everyone at QPL, thank you, Chairs Moya and Holden, and the members of this joint committee, for the opportunity to provide insight on this important subject matter.

As many of you know, libraries are the “great equalizers” in our democratic society. Anyone, regardless of their age, race, economic status, or self-identity, can visit our spaces or go on our website to obtain trustworthy information and resources without needing to be concerned if they can afford it. Our diverse and wide-ranging services, programs and content have always been, and will continue to be, free for everyone.

Queens Public Library works every day to try and bridge the digital divide because for far too many Queens’ residents, the digital divide presents barriers to education, job opportunities and the tasks of daily living. Approximately 30% of New York City residents do not have broadband access at home. In certain areas, such as Southeast Queens, approximately 43% of households are without broadband access. QPL serves as a critical lifeline for individuals who do not have these services and technology at home. For example, in Fiscal Year 2019, we hosted over 2.7 million computer sessions and nearly 460,000 Wi-Fi sessions throughout the borough. All of our 66 locations have Wi-Fi within the buildings, and in December of 2018, we eliminated the sign-in requirement to fulfill our mission of ensuring access to information for all and to improve the user experience.

Our customers have come to rely on our libraries not only for broadband and computer access, but also for our digital-focused programs. QPL continues to host introductory courses on popular programs, such as Microsoft Office Suite, Adobe Photoshop, and QuickBooks, as well more unique classes, such as the design software Scratch and Unity. Prior to the pandemic, QPL, in partnership with the Mayor’s Office of Data Analytics, conducted open data trainings at a community library in each community board in Queens. These workshops were designed to familiarize the public with the City’s open data portal and to empower residents to use these tools to better understand the needs of their communities. Our digital literacy programs are extremely popular. In Fiscal Year 2019, QPL hosted over 6,200 programs with over 37,700 participants ranging from the young to the elderly. In Fiscal Year 2020, which includes the time period our

buildings closed in mid-March due to the pandemic, we hosted nearly 4,500 digital literacy programs with nearly 43,000 attendees, a 13 percent increase from the previous year.

Queens Public Library has long understood the vital role technology plays in achieving a successful education. Our Queensbridge Tech Lab, located within NYCHA's Queensbridge Houses, serves as a hub of innovation in the community, hosting technology workshops to build critical skills for students. Staff teaches classes on myriad topics for all ages, including coding using Python, CSS and HTML, robotics, and 3D design and printing. In 2015, QPL, in partnership with the NYC Department of Education, Google, and the Brooklyn and New York public library systems, launched the ConnectED Library Hotspot initiative. This initiative allows eligible NYC public school students to borrow hotspots, at no cost, for the duration of the school year, making it easier for students to complete their assignments and to spark their educational and creative interests. Customers are able to borrow laptops to use in the library. Additionally, we also lend Samsung tablets to library cardholders, giving them an opportunity to enjoy the extensive resources QPL has to offer in the palm of their hands. At a time when our children are learning remotely, it is absolutely vital that government continues to support Queens Public Library and initiatives like these so that no child is left behind in the digital age.

As mentioned earlier, Queens Public Library had to close our physical locations mid-March in an effort to slow the spread of COVID-19. While our buildings were closed, we quickly moved to provide our customers with virtual programs and services. From April through July, QPL has hosted over 1,000 programs on various digital platforms, including WebEx, Facebook and Teleconference, with over 20,600 participants. Virtual programs included multi-lingual computer classes in Spanish and Bengali, contextualized digital literacy classes for job seekers such as Introduction to LinkedIn and virtual networking during a time where many people were isolated in their homes and needed social interaction. For adults, with support from Capital One, we hosted Ready, Set, Bank!, a workshop series in English and Spanish designed to teach financial and digital literacy. For our youth, we continued hosting our coding clubs virtually as part of the 2020 summer reading program and hosted numerous storytimes over Facebook and Instagram Live.

In another effort to address disparities in access in local communities, QPL installed external Wi-Fi devices at twenty of our locations allowing anyone, whether they have a library card or not, to access our internet using their personal device – up to 150 yards from our buildings. This extended Wi-Fi is available 24 hours a day, seven days a week. In Fiscal Year 2020, our Wi-Fi sessions were nearly 510,000, an 11 percent increase when compared to the previous fiscal year. In July and August of 2020, our combined Wi-Fi sessions were nearly 80,000. This service is critical for many to remain connected during the pandemic.

As we gradually reopen our libraries, we are implementing innovative practices to help our customers. Recently, we began a pilot at our Long Island City library that allows a customer to securely submit documents to be printed at the location and picked up by the customer when available. In the upcoming weeks, we plan to expand this service to other open libraries with the goal of offering this capability at all of our to-go sites by mid- to late-November.

While we are committed to continuing these vital programs, a major issue we encounter is that the purchasing of many devices, such as laptops, Wi-Fi hardware and tablets, are not capitolly eligible.

This forces QPL to use limited expense funds, funds that could go to other areas such as collections and programming, to purchase them. Over time, devices experience wear and tear, begin to break down, are not returned, or they exceed their useful life. Of the original 2,500 hotspots loaned to families, only 400 remain due to the aforementioned causes. For our customers to stay up to date on new technology and remain digitally literate, supplemental expense funding or amending capital eligibility requirements of these technologies is of the highest importance.

Libraries are trusted entities that people turn to when in need. As we strive towards building a more vibrant, informed, cohesive, and empowered society, it starts with making sure that people receive the care and services they need. In the digital and information age we live in today, broadband access has become an essential tool in daily life.

Thank you again for the opportunity to testify today on this important topic. QPL's Government and Community Affairs Department is available to address any matters the committee may want to follow-up with us on in relation to this testimony.



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**Testimony of Allie Bohm
On Behalf of the New York Civil Liberties Union
Before the New York City Council Committee on Technology and
Subcommittee on Zoning and Franchises
Regarding Oversight: Broadband and the Digital Divide**

October 13, 2020

The New York Civil Liberties Union (NYCLU) is grateful for the opportunity to submit the following testimony regarding broadband and the digital divide. The NYCLU, the New York State affiliate of the American Civil Liberties Union, is a not-for-profit, nonpartisan organization with eight offices across the state and over 180,000 members and supporters. The NYCLU defends and promotes the fundamental principles and values embodied in the Bill of Rights, the U.S. Constitution, and the New York Constitution through an integrated program of litigation, legislative advocacy, public education, and community organizing.

Due to COVID-19, for the last seven months, New Yorkers have been living much of our lives online. Even as New York City slowly re-opens, many continue to rely on the internet to work, attend school, go to the doctor, seek entertainment, and visit with loved ones. Unfortunately, New Yorkers do not all have access to the high-speed internet that would allow us to participate in a hearing like this. Against this backdrop, the Committee and Subcommittee's focus on broadband and the digital divide is particularly timely.

Digital Redlining

Across the five boroughs, between 17 and 20 percent of New Yorkers lack internet access.¹ Predictably, the brunt of the digital divide falls on particular communities. As the map below illustrates (Fig. 1),² according to the 2018 American Community Survey, more than 40 percent of residents in swaths of Sunset Park, Borough Park, Brownsville, Bushwick, and Coney Island in Brooklyn; Flushing, Far Rockaway, Corona, Laurelton, Springfield Gardens, St. Albans, Linden Hill, Cedar Manor, and Locust Manor in Queens; Harlem, Washington

¹ *Table B28011: Internet Subscriptions in Household*, AMERICAN COMMUNITY SURVEY, 2018, <https://data.census.gov/cedsci/table?q=B28011&g=0400000US36.140000&tid=ACSDT5Y2018.B28011&hidePreview=false>.

² For an interactive version of this map, see *NYC Broadband Map*, NYCLU, <https://new-york-civil-liberties-union.github.io/NYC-Broadband-Map/> (last visited Oct. 14, 2020).

Heights, Inwood, Alphabet City, the Lower East Side, Chinatown, and Two Bridges in Manhattan; and Fox Hills, Clifton, and New Brighton Hamilton Park in Staten Island lack broadband access.³ In the Bronx, there is hardly a census tract east of Riverdale where more than 70 percent of the population has broadband connectivity, and in the vast majority of the Bronx, more than 40 percent of the population goes without access.⁴

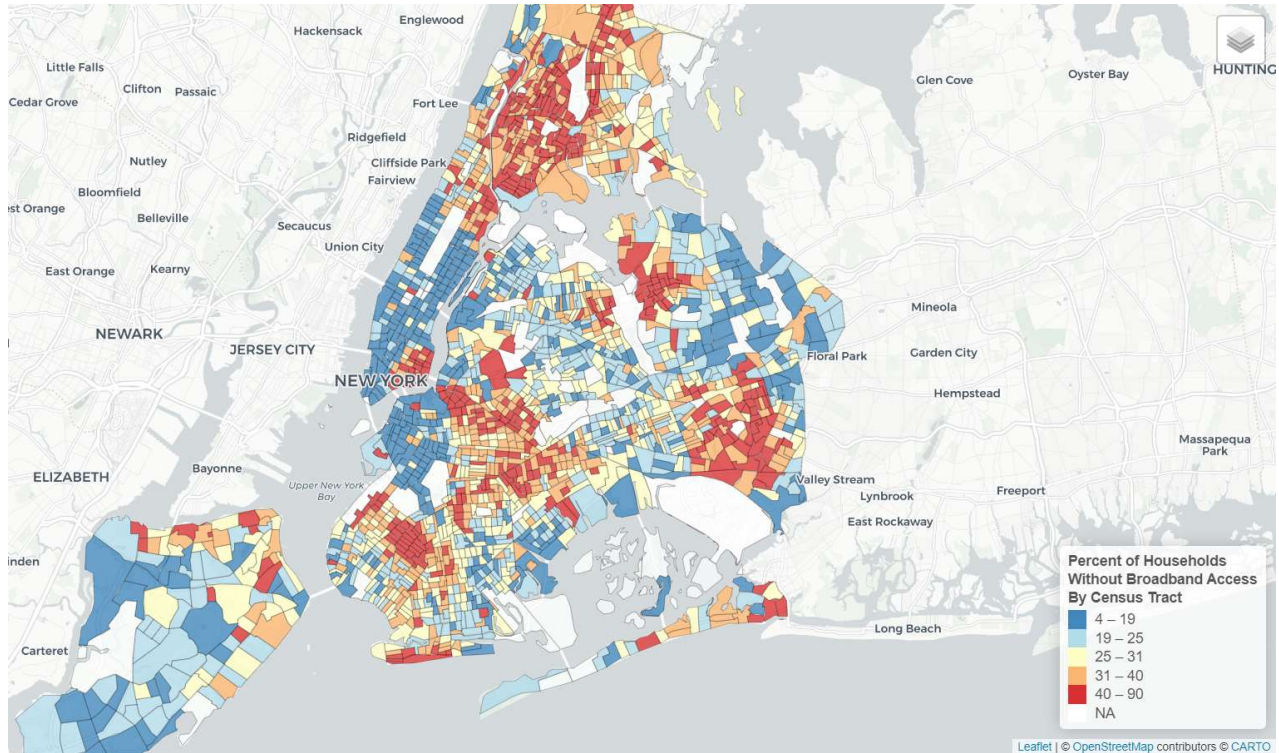


Figure 1: Map showing the percent of households without broadband access by census tract.

These communities are home to individuals who disproportionately live at the intersection of poverty and structural racism. Forty-six percent of New York City households living below the poverty line do not have home internet access.⁵ About 30 percent of Latinx and Black New Yorkers lack broadband internet access, compared with 20 percent of white New Yorkers.⁶ Some of these neighborhoods are the same areas that have been devastated by the coronavirus pandemic, including Far Rockaway, Coney Island, Borough Park, and Flushing, as well as Fordham, Kingsbridge, and Morrisania in the Bronx.⁷

³ Table B28011, *supra* note 1.

⁴ *Id.*

⁵ Mayor de Blasio and Taskforce on Racial Inclusion and Equity Announce Accelerated Internet Master Plan to Support Communities Hardest-Hit by COVID-19, NYC, July 7, 2020, <https://www1.nyc.gov/office-of-the-mayor/news/499-20/mayor-de-blasio-taskforce-racial-inclusion-equity-accelerated-internet-master>.

⁶ SCOTT M. STRINGER, CENSUS AND THE CITY: OVERCOMING NYC’S DIGITAL DIVIDE IN THE 2020 CENSUS 5 (July 2019).

⁷ NEW YORK DOCTORS COALITION T3 EQUITY SUBCOMMITTEE, TESTIMONY FOR THE NEW YORK CITY COUNCIL COMMITTEES ON HEALTH AND HOSPITALS ON THE SEPTEMBER 30TH CONTACT TRACING EQUITY HEARING 1 (2020).

Moreover, many of the communities lacking connectivity – from Brownsville, Bushwick, and Coney Island in Brooklyn to Flushing, Corona, Cedar Manor, and Laurelton in Queens, to Harlem, Alphabet City, the Lower East Side, Chinatown, and Two Bridges in Manhattan, to Fox Hills, Clifton, and New Brighton in Staten Island, to the entire South Bronx – were graded as “Hazardous” by the federal government’s Home Owner’s Loan Corporation between 1935 and 1940,⁸ as indicated on the map below (Fig. 2).⁹ This meant that lenders would “refuse to make loans in these areas.”¹⁰ This discriminatory application of housing credit, known as “redlining,” was an explicitly race-based policy designed to keep racial and ethnic minorities in poverty. Today’s digital redlining – the dearth of internet access in these neighborhoods – serves the same function.

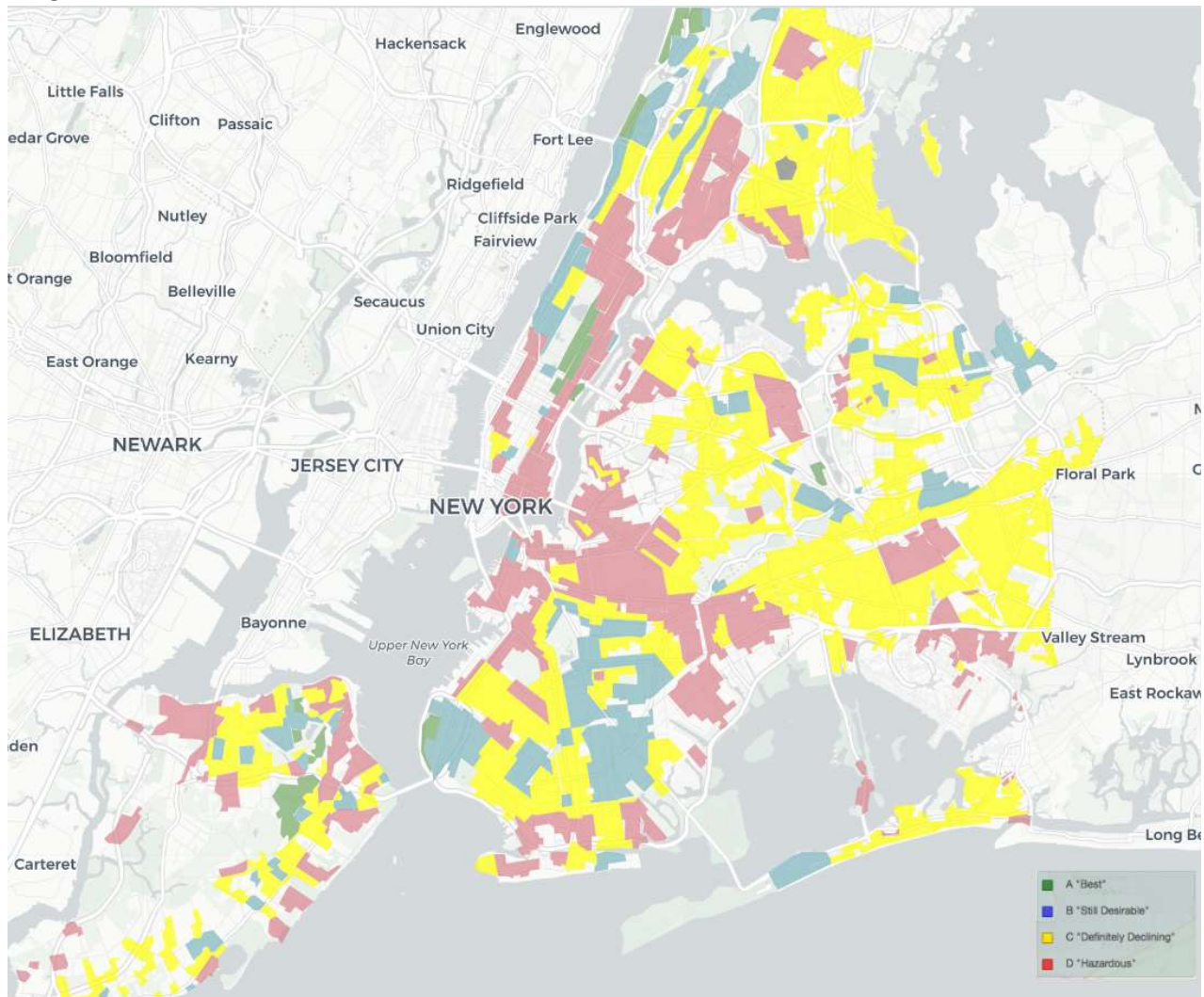


Figure 2: Map showing the Home Owner’s Loan Corporation federal lending guidelines (1935-1940).

⁸ *Mapping Inequality*, UNIVERSITY OF RICHMOND, <https://dsl.richmond.edu/panorama/redlining/#loc=9/40.594/-74.187&maps=0> (last visited Oct. 14, 2020).

⁹ For an interactive version of this map, see *NYC Broadband Map*, NYCLU, <https://new-york-civil-liberties-union.github.io/NYC-Broadband-Map/> (last visited Oct. 14, 2020).

¹⁰ *About Mapping Inequality*, UNIVERSITY OF RICHMOND, <https://dsl.richmond.edu/panorama/redlining/#loc=9/40.594/-74.187&maps=0&text=about> (last visited Oct. 14, 2020).

At the same time, the New Yorkers who do have internet access are paying too much for it. On average, New Yorkers pay nearly \$65 per month for internet in comparison to the \$46.30 per month individuals in Tokyo pay and the roughly \$31 per month Parisians pay¹¹ – even though Tokyo and Paris, like New York City, have more than 10,000 residents per square kilometer.¹²

The Consequences of the Digital Divide

Lack of internet access has consequences in every area of life. As the 2020 – 2021 academic year begins in a hybrid format, the digital divide’s impact on education is front of mind for many New Yorkers. When schools moved online in the spring, the NYCLU surveyed families across the state to gather information about how schools are handling education during the pandemic.¹³ Two-hundred and thirty responses came from New York City. Across the state, 18 percent of families reported inadequate internet access – and this is likely an undercount, because the study was conducted online.¹⁴ The lack of reliable internet detrimentally impacts students’ ability to learn remotely, especially if students live in homes without internet or without enough devices for all school-age children. The students who will be disproportionately impacted are Black and Latinx students as well as students living in low-income households.¹⁵

The digital divide effects other fundamental rights as well. In the darkest days of the pandemic, when public spaces were closed and New Yorkers were discouraged from taking the subway and visiting with anyone outside of their immediate households, divorced and separated parents were forced to choose between spending time with their children (and complying with their custody and visitation orders) and minimizing their families’ exposure to COVID-19. Those without reliable internet access were unable to even have video calls with their children, interfering with their fundamental right to parent their children.¹⁶ For parents of children in the foster care system, inadequate internet access could mean permanent family separation as parents without internet access are unable to work toward reunification,¹⁷ both because they are unable to visit, even electronically, with their children during the pandemic and because they are unable to access the services, like addiction or mental health counseling, required for reunification¹⁸ because those services have moved exclusively online due to the coronavirus.

¹¹ BECKY CHAO & CLAIRE PARK, THE COST OF CONNECTIVITY 41 (New America Open Technology Institute, July 2020).

¹² *Id.* at 32.

¹³ NYCLU, EDUCATION AND SCHOOL SERVICES IN NEW YORK DURING COVID-19 (2020).

¹⁴ *Id.* at 2.

¹⁵ See generally NYCLU, LEARNING DURING A PANDEMIC: A BACK TO SCHOOL GUIDE FOR PARENTS, EDUCATORS, AND STUDENTS 8 (2020).

¹⁶ *Troxel v. Granville*, 530 U.S. 57, 65 (2000).

¹⁷ See *In Re Michael B.*, 80 N.Y.2d 299, 311 (1992).

¹⁸ See *In re Kenneth A.*, 206 A.D.2d 602, 604 (3d Dep’t 1994).

In addition, even as New York City's courts slowly re-open, some continue to require virtual appearances,¹⁹ which can be impossible for New Yorkers who do not have a reliable broadband connection. Some attorneys have resorted to logging into the virtual court room, calling their clients, and having their clients try to participate in the virtual hearing over speakerphone. Participating through speakerphone can create situations where it is difficult to hear or be heard and to understand or be understood by the court. This may have a detrimental effect on the outcome of the proceeding.

Even when the consequences of the digital divide do not rise to the level of a constitutional violation, they can have a profound impact on individuals' lives. By this point in the pandemic, nearly everyone who has internet access has experienced the frustration of a dropped video call or an internet outage right as an important meeting is set to begin. For those without internet access who rely on cell signal, this is every video call and every meeting. Deficient connectivity may impact their ability to maintain a job that requires remote work, their ability to access telehealth care, and their ability to connect with loved ones, among all other facets of life. Moreover, those who lack both internet and a cell signal are simply cut off from society.

Recommendations

The NYCLU appreciates that both the Mayor and the City Council are focusing on ways to expand broadband access and that the City is prioritizing NYC Housing Authority (NYCHA) housing. As the City looks for additional ways to increase access, we encourage Councilmembers to consider all possible options, including expanding franchise authority, distributing mobile hotspots to New York City students, ensuring internet access at City homeless shelters, and exploring City-run options like municipal broadband.

There is no single cure to the digital divide. The City must distribute devices to those with the most need, including students, the elderly, and the homeless. But distribution alone is insufficient. Devices are not worth much without cell signal or Wi-Fi access, too many shelters lack cell service and Wi-Fi connectivity,²⁰ and the City has its fair share of cell phone dead zones.²¹ Similarly, granting franchises to new players is insufficient when the majority of large buildings in New York City have exclusive contracts with an incumbent internet service provider (ISP), and incumbents refuse to share their wires and fiber with new entrants.²²

¹⁹ *Virtual Court Appearances for the Public*, NY COURTS, <https://portal.nycourts.gov/knowledgebase/article/KA-01070> (last visited Oct. 14, 2020).

²⁰ Sarah Part, Advocates for Children of New York, Oversight: Broadband and the Digital Divide, Testimony before the New York City Council Committee on Technology and Subcommittee on Zoning and Franchises (Oct. 13, 2020).

²¹ *See generally Cellphone Dead Zone? 3 Ways to Boost Reception at Home*, FORBES, Feb. 11, 2016, <https://www.forbes.com/sites/trulia/2016/02/11/cellphone-dead-zone-3-ways-to-boost-reception-at-home/#5395616d628a>.

²² Virginia Lam Abrams, Starry, Oversight: Broadband and the Digital Divide, Testimony before the New York City Council Committee on Technology and Subcommittee on Zoning and Franchises (Oct. 13, 2020); Leecia Eve, Verizon, Oversight: Broadband and the Digital Divide, Testimony before the New

Whichever approaches the City selects, it must ensure that those with the most acute need are prioritized – starting with wiring homeless shelters and making sure that all New York City students have reliable internet access. The City must also guarantee that any new broadband is affordable and that any new broadband comes equipped with privacy and net neutrality protections, because ISPs – which already reap handsome profits from their customers – should not be using, disclosing, selling, or permitting access to their customers’ personal information without their customers’ informed consent,²³ and because individuals, not their ISPs, should be choosing which websites and services they access on the internet.²⁴

Unfortunately, New York City has not always honored these priorities when deploying internet. For example, LinkNYC, the public Wi-Fi kiosks the City deployed in 2014, are mostly located in more affluent neighborhoods²⁵ and do not offer the speed and reliability of a broadband connection. In addition, they are privacy-invasive, collecting personal information about both the individuals who use them and passersby. They are also opaque; to date New Yorkers have not seen a detailed list of the sensors included in the kiosks nor how LinkNYC uses the personal information it collects in its ad-driven business model.²⁶ In short, LinkNYC did not make a meaningful dent in the digital divide, and any solutions the City selects this time must do better.

The NYCLU thanks the Committee and Subcommittee for the opportunity to provide testimony today and for their consideration of this critically important issue.

York City Council Committee on Technology and Subcommittee on Zoning and Franchises (Oct. 13, 2020).

²³ See generally NYCLU, TESTIMONY OF THE NEW YORK CIVIL LIBERTIES UNION BEFORE THE NEW YORK STATE SENATE COMMITTEE ON CONSUMER PROTECTION AND THE NEW YORK STATE SENATE COMMITTEE ON INTERNET AND TECHNOLOGY REGARDING PROTECTING CONSUMER DATA AND PRIVACY ON ONLINE PLATFORMS (Nov. 22, 2019).

²⁴ See generally *Legislative Memo: Net Neutrality*, NYCLU, 2019 – 2020, <https://www.nyclu.org/en/legislation/legislative-memo-net-neutrality>.

²⁵ See *LinkNYC*, NYC DOITT, <https://www1.nyc.gov/site/doitt/initiatives/linknyc.page> (last visited Oct. 14, 2020); see also Annie McDonough, *DoITT head Jessica Tisch’s hard line against LinkNYC vendor*, CITY & STATE, Mar. 4, 2020, <https://www.cityandstateny.com/articles/policy/technology/doitt-head-jessica-tischs-hard-line-against-linknyc-vendor.html> (“CityBridge has failed to install 537 promised LinkNYC kiosks – many of which were set to be built in outer boroughs, which suffer[] from a dearth of the kiosks, which provide free WiFi, telephone and device charging services. CityBridge has not installed a single kiosk since the fall of 2018[.]”).

²⁶ Ava Kofman, *Are New York’s Free LinkNYC Internet Kiosks Tracking Your Movements?*, THE INTERCEPT, Sept. 8, 2018, <https://theintercept.com/2018/09/08/linknyc-free-wifi-kiosks/>.

Testimony by the New York Legal Assistance Group (NYLAG)
Oversight - Broadband and the Digital Divide
Before New York City Council Committee on Technology
and the Subcommittee on Zoning and Franchises
October 13, 2020

Chairs Holden and Moya, Council Members, and staff, good afternoon and thank you for the opportunity to testify to the Committee on Technology and the Subcommittee on Zoning and Franchises on internet access in the Department of Homeless Services (DHS) shelter system. My name is Deborah Berkman, and I am a Coordinating Attorney in the Public Benefits Unit and Shelter Advocacy Initiative at the New York Legal Assistance Group (NYLAG). NYLAG uses the power of the law to help New Yorkers in need combat social and economic injustice. We address emerging and urgent legal needs with comprehensive, free civil legal services, impact litigation, policy advocacy, and community education. NYLAG serves immigrants, seniors, the homebound, families facing foreclosure, renters facing eviction, low-income consumers, those in need of government assistance, children in need of special education, survivors of intimate partner violence, people with disabilities, patients with chronic illness or disease, low-wage workers, veterans, low-income members of the LGBTQ community, Holocaust survivors, as well as others in need of free civil legal services.

The Shelter Advocacy Initiative at NYLAG provides legal services and advocacy to low-income people in the shelter system. We work to ensure that every New Yorker

has a safe place to sleep by offering legal advice and representation throughout each step of the shelter application process. Additionally, we assist and advocate for clients who are already in shelter as they navigate the transfer process, seek adequate facility conditions and resources for their needs, and offer representation at fair hearings.

NYLAG clients are dramatically impacted by the lack of Internet access in shelter.

I- Clients Without Internet Access Are Effectively Barred from Transitioning to Permanent Housing

The goal for every person and family in the DHS shelter system is to obtain permanent housing, and not having internet access is a major barrier to reaching that goal. NYLAG clients experiencing homelessness without internet access lack the ability to search for any housing online and, as a result, are totally dependent on their housing specialists. Rarely, however, does one of my clients obtain an apartment from a lead provided by their housing specialist. Rather, most clients who have successfully transitioned out of shelter have done so by looking for housing opportunities on their own. And the primary way they do so is to search for an apartment online. Moreover, many apartment lessors will only accept applications online, and depend on email to deliver documents and information. Clients experiencing homelessness who don't have access to internet are at an extreme disadvantage in this regard. While there is tremendous push from the City to get its citizens out of city shelters and into permanent housing, the City has not given the

homeless the tools they need to leave the shelter system, resulting in longer stays in shelter prior to finding permanent housing.

II- Clients Experiencing Homelessness Who Do Not Have Access to Internet Cannot Access Physical and Mental Healthcare

Lack of internet access also prevents my clients from accessing life-saving medical care and critical mental health treatments during the pandemic. Without online access, clients have not been able to participate in telehealth appointments and have had to let preventative, acute, and mental health care go by the wayside. As important as internet access was prior to the pandemic, now it is even more vital. One study published in the *Journal of the American Medical Informatics Association* found that the biggest obstacle to providing high-quality telehealth services during COVID-19 has been the inability of many patients' to access high-speed internet.¹ The authors cited research showing that areas with limited broadband access also had higher rates of chronic diseases such as obesity and diabetes, resulting in "a double burden where those with the lowest connectivity have the highest need."² They also suggested that limited internet access could prevent individuals from connecting online with family and friends, which could contribute to other adverse health outcomes.³ This is consistent with my clients' experiences. Clients who have not been able to harness telehealth opportunities have been receiving the majority of their health care from emergency room visits. Moreover, without internet access, my clients with mental health challenges who are dependent on counseling have not

¹ <https://academic.oup.com/jamia/advance-article/doi/10.1093/jamia/ocaa156/5863253>.

² *Id.*

³ *Id.*

been able to access their therapists because sessions were moved to Zoom or other online platforms. The inability to connect with family and friends online has only exacerbated the mental health struggles my clients experience. Now more than ever, the inability to access the internet has been caused untold suffering and been extremely destabilizing for some of my clients.

III- Clients Need Internet Access to Apply for and Maintain Public Benefits

Many of my clients who are experiencing homelessness rely on public benefits for survival. Internet access is vital to apply for and maintain public benefits, particularly during the current pandemic. At the outset of the COVID-19 pandemic, HRA closed almost all of its Job and SNAP Centers. Most centers still remain closed with no plans to reopen, and HRA has indicated that it will keep many of these centers closed permanently.⁴ Thus, the primary way to apply for, maintain, and recertify public benefits is through AccessHRA, the online public benefits management portal. Unfortunately, AccessHRA can only be accessed via the internet or via a smart phone, so many clients who would have formerly walked over to their local center now have no choice but to rely on an internet-based service. Further, given the economic downturn and resultant job losses, the need for new public benefit applications has increased exponentially. NYLAG clients experiencing homelessness who are placed in shelters without internet access constantly struggle

⁴ HRA's reliance on ACCESSHRA is causing too many clients to fall through the cracks. Clients without internet are not able not able to utilize these platforms, and need centers in their neighborhoods in order to apply for and recertify their benefits.

to understand and maintain their public benefit cases and often do not receive the benefits they need and are entitled to receive.

IV- Clients Without Internet Access Struggle to Find Employment.

NYLAG clients assigned to shelter without internet access have an almost insurmountable struggle to search for and obtain employment. In 2020, the vast majority of job openings are published online. And finding a job opening is only the first step; beyond the posting, those without internet face tremendous challenges engaging in a number of digital job-seeking activities. For example, people may need to create a professional resume, contact a potential employer via email, or fill out an online job application. NYLAG clients report relying on public library computers to engage in these activities, but during the current pandemic, access to public libraries is severely restricted. This leaves people without internet access at a distinct disadvantage in obtaining employment.

V- Children Need Internet Access to Participate in School

Finally, and perhaps most importantly, are the hurdles homeless families face in educating their children without internet access. Currently, most children attending New York City Public Schools do so in person at most 50% of the time. The rest of their schooling is to be done virtually. Not only must they participate in their classes virtually, they must also use the internet for homework and for research assignments. Children cannot participate in the vast majority of their educational opportunities if they do not have access to online learning.

Children who are homeless or in poverty are more likely than their peers to have developmental delays, learning disabilities, and reduced academic

achievement.⁵ In fact, in a normal school year, students experiencing homelessness are already 20% less likely to graduate high school than students who are housed.⁶ Reducing access to school instruction can only exacerbate this already vast divide.

The inability of our city's most vulnerable populations to access the internet is not a new problem, but one that has become catastrophic for our homeless population since the advent of the COVID-19 pandemic. Our clients find themselves stranded in the shelter system, unable to apply for apartments and jobs, and unable to access critical benefits while their children are unable to participate in online education. Our clients cannot access medical care short of a visit to the emergency room and our mentally ill clients have no access to vital mental health services during one of the most trying times in our nation's history. Now, more than ever, New York City's homeless population needs reliable access to the internet in their shelters.

We thank the Committee on Technology and the Subcommittee on Zoning and Franchises for the work it has done to assist vulnerable New Yorkers and we hope we can be a resource for you going forward.

Respectfully submitted,

New York Legal Assistance Group

⁵ <http://firesteelwa.org/2014/09/homelessness-and-academic-achievement-the-impact-of-childhood-stress-on-school-performance/#:~:text=Children%20who%20are%20homeless%20or,advanced%20stages%20of%20skill%20development.>

⁶ <https://homelessvoice.org/pandemic-heightens-homeless-students-hurdles-with-remote-learning/>



Testimony of the Partnership for New York City

New York City Council Committee on Technology and Subcommittee on Zoning and Franchises

Broadband and the Digital Divide

October 13, 2020

Thank you for the opportunity to testify on broadband in New York City. The Partnership for New York City represents private sector employers of more than 1 million New Yorkers. We work together with government, labor and the nonprofit sector to maintain the city's position as the preeminent global center of commerce, innovation and economic opportunity.

The pandemic has dramatically increased dependence of all households on internet access for education, health care and employment as well as shopping for basic needs. New York City's broadband infrastructure is technically accessible on a universal basis throughout the city, but it is not state of the art nor is access to services and equipment affordable to all residents.

The approval process for infrastructure installation and upgrading is long and difficult, involving a half dozen different city agencies and authorities and easement and access approvals from private property owners. The complicated approval process adds to costs of service and slows the rollout of new technology, such as 5G. For more than a year, the Partnership has worked with the Administration, including the Department of Information Technology and Telecommunications, and broadband and telecommunications providers to identify and overcome obstacles to upgrading and expanding telecommunications and broadband services across the five boroughs. There has been progress, only slightly interrupted by the pandemic, and we are hopeful that a more efficient and cost-effective system for granting of franchises and infrastructure improvements will be one positive outcome of the urgency created by the pandemic experience.

Broadband and cellular providers responded to the challenge of the digital divide with discounted pricing and contributed equipment and services. They have found, however, that even offers of free service have not resulted in substantial increase in adoption among the 37% of low-income households that do not have fast internet service. There is a need for greater outreach and education to ensure that families with school age children and the elderly have a better understanding of the importance of internet access and that industry and government work together more aggressively to close the digital divide.

Thank you.

TESTIMONY REGARDING BROADBAND & THE DIGITAL DIVIDE

BEFORE THE NEW YORK CITY COUNCIL’S
COMMITTEE ON TECHNOLOGY
AND
SUBCOMMITTEE ON ZONING & FRANCHISES

By **Michael J. Santorelli, Director**
The Advanced Communications Law & Policy Institute
New York Law School

October 13, 2020

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1. INTRODUCTION

Thank you for the opportunity to offer testimony.

The focus of today’s hearing – the digital divide – impacts everyone in New York City. Ensuring that as many people as possible are online and able to harness the transformative power of broadband in meaningful ways is essential to fostering economic opportunity, enhancing social justice, and assuring digital equity across every neighborhood and socioeconomic group.

The pandemic, ensuing lockdown, and subsequent economic fallout shined a bright light on those who, for an array of reasons, remain offline. The rapid shift to remote everything – work, schooling, healthcare, commerce – increased the chances that those on the wrong side of the digital divide would be left further behind. However, as so often happens in New York City during a crisis, the City rose to meet these challenges. In partnership with companies like Apple and T-Mobile, the City helped provide hundreds of thousands of previously unconnected students with devices and Internet connectivity so they could continue seamlessly with their schoolwork. Their teachers went above and beyond to offer a semblance of normalcy in the rush to remote education. Healthcare providers shifted to telehealth consultations to lower the chances of exposing their patients and themselves to the deadly pathogen. Businesses required millions of employees to work from home for the same reason. Restaurants and other small businesses leveraged delivery apps and similar digital tools to help keep their doors open.

Now, as the City considers what comes next, there is an opportunity to build on these *ad hoc* gains and entrench a culture of connectivity across every neighborhood. As these pandemic responses underscore, New York City is not lacking in broadband access options. When needed, a broadband connection of some kind – via a cable provider, a telephone company, a mobile carrier, a Wi-Fi hotspot, etc. – is available to just about every person across the five boroughs. The critical issues facing the City going forward are on the “demand side” – ensuring that those who are now online stay online and working to bring any remaining unconnected community members to broadband. Respectfully, this is where the Council, the Mayor, and the City as a whole need to focus their attention and the scarce resources that might be available.

2. COVID’S ECONOMIC TSUNAMI & THE LONG ROAD BACK

The Council is well aware of the profound economic headwinds facing the City in the wake of the pandemic:

- A \$9B budget shortfall this year and expected shortfalls in the billions for years to come.¹
- An unemployment rate of 16% in August 2020 (in August 2019, it was 3.8%).²

¹ See, e.g., *Comments on New York City’s Fiscal Year 2021 Adopted Budget*, New York City Comptroller, Aug. 3, 2020, <https://comptroller.nyc.gov/reports/comments-on-new-york-citys-fiscal-year-2021-adopted-budget/> (“Comptroller Comments”).

² See Press Release, *NYS Economy Added 96,300 Private Sector Jobs in August 2020*, NYS Dept. of Labor, Sept. 17, 2020, <https://labor.ny.gov/stats/pressreleases/pruistat.shtm>.

- Thousands of small business closures, with many more expected to come.³
- Ongoing residential flight, another strain on the City’s tax base.⁴
- A dramatic decrease in tourism, an important segment of the City’s economy.⁵
- Major “anchor” businesses are thinking of relocating now that working from home has proven to be possible and popular.⁶

These are on top of the myriad of baseline priorities that require the constant attention of policymakers:

- Shoring up an overtaxed public health infrastructure;
- Addressing the City’s crumbling stock of public housing;
- A continued lack of affordable housing;
- Increased crime;
- Increased homelessness;
- Inconsistent trash collection; and
- Ongoing upkeep of the City’s vast public infrastructure – *i.e.*, its roads, bridges, tunnels, water system, etc.⁷

Adequately addressing these issues will require billions of dollars that the City will not have access to for a long time. Indeed, as noted by Moody’s in its recent downgrade of New York City’s credit rating, it will likely take many years for the City’s economy to return to its pre-COVID stature.⁸

³ See, e.g., *Comptroller Comments*; Matthew Haag, *One-Third of New York’s Small Businesses May Be Gone Forever*, N.Y. Times, Aug. 3, 2020, <https://www.nytimes.com/2020/08/03/nyregion/nyc-small-businesses-closing-coronavirus.html>.

⁴ See, e.g., Jennifer A. Kingson, *The Abandonment of New York City*, Axios, Aug. 23, 2020, <https://www.axios.com/new-york-city-abandoned-378fc5d8-9af4-447b-8e7e-df1b27da50e5.html> (“*The Abandonment of New York City*”).

⁵ See Ceylan Yeginsu and Derek M. Norman, *‘If No Tourists Come, I Have No Business’: New York’s Tourism Crisis*, N.Y. Times, Oct. 9, 2020, <https://www.nytimes.com/2020/10/09/travel/nyc-tourism-travel-restrictions.html>.

⁶ *The Abandonment of New York City*.

⁷ See, e.g., *Caution Ahead: Five Years Later*, Center for an Urban Future (Aug. 2019), https://nycfuture.org/pdf/Caution_Ahead_5_Years_Later.pdf.

⁸ See *Moody’s Downgrades New York and Warns of Long Return to Normal*, Crain’s New York, Oct. 1, 2020, <https://www.craigslist.com/economy/moodys-downgrades-new-york-and-warns-long-return-normal>.

This revenue crunch is already being felt within city government – *e.g.*, furloughs and possible permanent job losses loom for tens of thousands;⁹ there has been uncertainty about making scheduled payments to teachers¹⁰ – and reverberating in the community – *e.g.*, quality of life complaints have soared.¹¹

Any discussion regarding broadband in New York City, and especially those that raise the possibility of the City expending public funds to build new broadband infrastructure, must take place against this unfortunate economic backdrop. At a time when the City is unsure of whether it can pay its teachers; when it is cutting back on core public services like policing and trash collection; when tax revenue will remain depressed for years to come; when businesses large and small are closing; and when such public intervention into the broadband market, especially a market as competitive as the one here, remains an incredibly risky endeavor, it is foolhardy to pursue any plan for “improving” broadband that would take away much-needed, scarce resources from other, more pressing priorities.

3. BROADBAND IN NEW YORK CITY

Within this context, addressing digital divide issues might seem bleak. However, as noted above and discussed in more detail below, there is considerable reason for optimism in light of (1) the wide availability of broadband across the City and (2) increasing broadband adoption rates across every demographic group. Work remains to be done, but the City is well positioned to continue closing the digital divide *provided* it takes a leadership position on key demand side issues and actively works with incumbent ISPs to address any remaining supply side (*i.e.*, availability) issues.

3.1 *Broadband Availability in New York City*

Multiple options for broadband Internet access exist across every part of New York City. According to FCC data, wireline broadband (*i.e.*, cable, DSL, fiber) is available to over 99.99% of households across the five boroughs, while mobile broadband is universally available.¹²

In terms of competition and consumer choice, households across the City have multiple options for going online. According to an analysis of broadband data released by the Mayor in January 2020, every neighborhood in New York City has more than one wireline option for broadband

⁹ See, *e.g.*, Katie Honan, *New York City Postpones Layoffs for 22,000 Workers*, Wall St. Journal, Aug. 31, 2020, <https://www.wsj.com/articles/new-york-city-postpones-layoffs-for-22-000-workers-11598882972>.

¹⁰ See, *e.g.*, *Arbitrator Orders New York City to Pay \$900M in Deferred Wages to Teachers Union*, ABC7NY.com, Oct. 10, 2020, <https://abc7ny.com/uft-nyc-teachers-wages-union-deferred/6903116/>.

¹¹ See, *e.g.*, Ben Chapman, *New York City Business Groups Add Private Security as Crime Rises*, Wall St. Journal, Sept. 14, 2020, <https://www.wsj.com/articles/new-york-city-business-groups-add-private-security-as-crime-rises-11600082947>.

¹² ACLP Analysis of FCC Form 477 Data – Fixed Broadband Deployment, June 2019, <https://www.fcc.gov/general/broadband-deployment-data-fcc-form-477>; ACLP Analysis of FCC Form 477 Data – Mobile Deployment, June 2019, <https://www.fcc.gov/mobile-deployment-form-477-data>.

available in it, with the average number of providers being two across all five boroughs.¹³ According to the FCC, almost 100% of the City’s population – some 99.94% – can choose from at least three mobile broadband providers.¹⁴

In terms of speeds and pricing, there is considerable evidence indicating that consumers across the board are paying less for faster service. According to one recent analysis, the price of wireline broadband service has dropped by between 20% and 37%, depending on the offerings, over the last five years.¹⁵ A similar dynamic is evident in the market for mobile broadband, a service that has fast become a viable substitute for a wireline connection. In recent years, average download speeds over the 4G networks of AT&T, T-Mobile, and Verizon have topped 25 Mbps.¹⁶ In addition, most carriers now offer unlimited data packages for those who do not wish to run afoul of monthly data caps.¹⁷ These trends reflect consumers’ embrace of wireless broadband as a critical (and often preferred) on-ramp to the Internet, a dynamic that will accelerate as 5G is deployed.¹⁸

There are numerous options for those who struggle to pay for an available broadband connection. Each of the City’s major ISPs offer discounted monthly service for qualifying low-income households: Altice Advantage offers 30 Mbps for \$14.99 per month;¹⁹ Spectrum Internet Assist offers the same speed and price;²⁰ and Verizon offers 200 Mbps for \$19.99 per month.²¹ Similar offerings are available from mobile broadband ISPs. T-Mobile’s Project 10Million, for example, is providing free mobile broadband access to 10 million low-income students.²² The FCC’s Lifeline program offers subsidies of \$9.25/month to help offset these costs.²³

In sum, residents across the City can choose from multiple options for affordable broadband service.

¹³ See *Internet Master Plan: Adoption and Infrastructure Data by Neighborhood*, NYC Open Data, <https://data.cityofnewyork.us/City-Government/Internet-Master-Plan-Adoption-and-Infrastructure-D/fg5j-q5nk/data> (“Adoption and Infrastructure Data by Neighborhood”).

¹⁴ ACLP Analysis of FCC Form 477 Data – Mobile Deployment, June 2019, <https://www.fcc.gov/mobile-deployment-form-477-data>.

¹⁵ See Arthur Menko, *2020 Broadband Pricing Index*, U.S. Telecom – The Broadband Association (Sept. 2020), <https://ustelecom.org/wp-content/uploads/2020/09/USTelecom-2020-Broadband-Pricing-Index.pdf>.

¹⁶ See *Mobile Network Experience Report – USA*, January 2020, OpenSignal, <https://www.opensignal.com/reports/2020/01/usa/mobile-network-experience>.

¹⁷ See, e.g., Jeffrey Van Camp and Matt Jancer, *What’s the Best Unlimited Data Plan?*, July 10, 2020, Wired, <https://www.wired.com/story/best-unlimited-data-plans/>.

¹⁸ See *Internet/Broadband Fact Sheet*, June 12, 2019, Pew Research Center, <https://www.pewresearch.org/internet/fact-sheet/internet-broadband/>.

¹⁹ Altice Advantage, <https://www.alticeadvantageinternet.com/>.

²⁰ See Rebecca Lee Armstrong, *Are There Programs Available to Make Internet Service More Affordable?*, HighSpeedInternet.com, Oct. 1, 2020, <https://www.highspeedinternet.com/resources/are-there-government-programs-to-help-me-get-internet-service>.

²¹ Verizon, Low Income Internet, <https://www.verizon.com/info/low-income-internet/>.

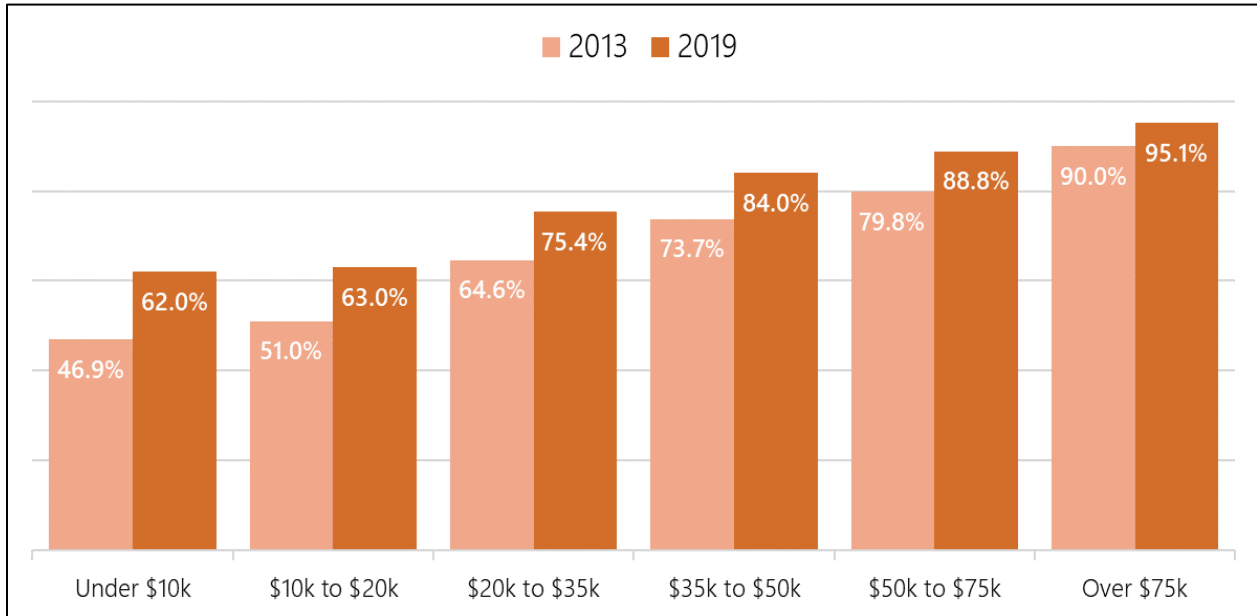
²² T-Mobile, Project 10Million, <https://www.t-mobile.com/business/education/project-10-million>.

²³ USAC, Lifeline Support, <https://www.lifelinesupport.org/>.

3.2 *Broadband Adoption in New York City*

Broadband adoption in New York City continues to improve. In 2019, 85% of households had adopted broadband, up from 74% in 2013.²⁴ As the following charts make clear, similarly robust gains are evident across every socioeconomic group:

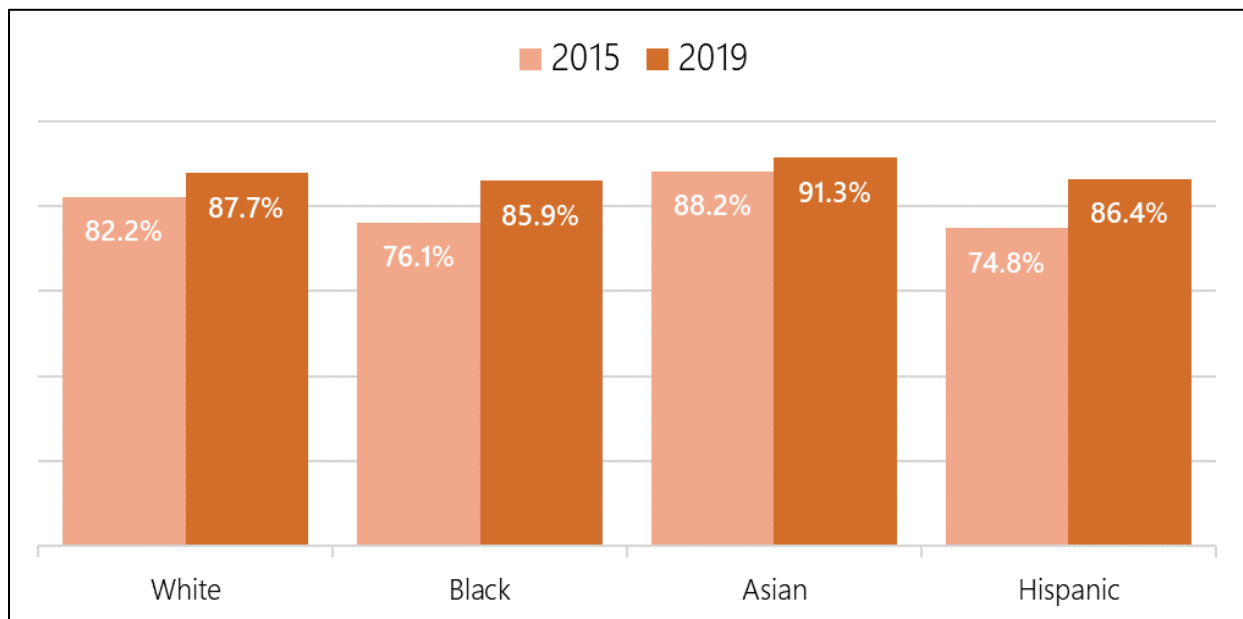
NYC Broadband Adoption by Household Income Category, 2013 & 2019²⁵



²⁴ See *Presence and Types of Internet Subscriptions In Household*, American Community Survey 1-Year Estimates, U.S. Census Bureau, 2013 & 2019, <https://data.census.gov/cedsci/table?q=internet&g=1600000US3651000&tid=ACSDT1Y2019.B28002>.

²⁵ See *Household Income in the Last 12 Months By Presence and Type of Internet Subscription in Household*, U.S. Census Bureau, 2013 & 2019, <https://data.census.gov/cedsci/table?q=internet&g=1600000US3651000&tid=ACSDT1Y2018.B28004&hidePreview=true>.

NYC Broadband Adoption by Race, 2015 & 2019²⁶



Notwithstanding these impressive gains, gaps in connectivity remain. However, a close look at the data reveals that these gaps are discrete and identifiable. For example, an analysis of Census data by the Mayor’s office has identified pockets of under-adoption in neighborhoods across the City.²⁷ Under-adopting neighborhoods dot the map and are oftentimes in close proximity to high-adopting neighborhoods. The charts above, based on the most recent Census data, identify additional aspects of the digital divide, in particular that broadband adoption positively correlates with household income. In addition, Census data also indicates that broadband adoption negatively correlates with age: the adoption rate by those over the age of 65 in New York City is 71.3%, compared to the overall rate of 85%.²⁸ In short, the contours of the City’s digital divide are clear and mirror trends evident in other cities and at the national level.²⁹

That the City’s digital divide is characterized by low levels of adoption in specific communities (low-income households and senior citizens) and not by a lack of available broadband – *i.e.*, that the digital divide is a demand issue and not a supply issue – has long been known to New York

²⁶ See *Types of Internet Subscriptions By Selected Characteristics*, American Community Survey 1-Year Estimates, U.S. Census Bureau, 2013 & 2019, <https://data.census.gov/cedsci/table?q=s2802&g=1600000US3651000&tid=ACSST1Y2019.S2802>.

²⁷ *Adoption and Infrastructure Data by Neighborhood*. It should be noted that the Mayor’s analysis uses 2017 ACS 5-year data, which aggregates ACS surveys collected between 2013 and 2017. Thanks to the continual increase in broadband adoption citywide that is observable in more recent ACS 1-Year data, adoption rates are likely currently higher than indicated in this analysis.

²⁸ See *Age by Presence of a Computer and Types of Internet Subscription In Household*, American Community Survey 1-Year Estimates, U.S. Census Bureau, 2019, <https://data.census.gov/cedsci/table?q=internet&g=1600000US3651000&tid=ACSDT1Y2019.B28005>.

²⁹ See, e.g., *Internet/Broadband Fact Sheet*, Pew Research Center, June 12, 2019, <https://www.pewresearch.org/internet/fact-sheet/internet-broadband/>.

City government. Indeed, surveys and analyses going back to at least 2005 have found similar trends,³⁰ and local nonprofits and other groups working to connect the unconnected have confirmed these findings.³¹

That the City has yet to address these issues head-on is unfortunate. Targeted interventions – *e.g.*, supporting established nonprofits and community groups in their work to bring more people online; providing subsidies directly to the unconnected – might have significantly narrowed these gaps.

4. ADDRESSING THE CITY’S DIGITAL DIVIDE

Fortunately, it is not too late for the City to address these long-lingering but well-defined issues. Recommendations for immediate action targeting the discrete demand side issues that define the City’s digital divide and leveraging private, nonprofit, and philanthropic partners follow.

4.1 *Establish As City Policy That All Broadband Actions Must Focus On Addressing Demand-Side Issues First and Foremost*

The data are clear: for the last 15 years, New York City’s digital divide has been characterized by well-defined pockets of under-adoption among low-income households and older adults. However, rather than accept this reality and act expeditiously to address these issues, the City has instead focused almost exclusively on supply-side issues. Most of those actions – *e.g.*, LinkNYC; free Wi-Fi in select NYCHA buildings – have failed to move the adoption needle in a significant way in under-adopting communities.

At the same time, the City’s rapidly growing tech sector has drawn attention to a growing skills gap that threatens the ability of residents to compete for and secure high-paying jobs in this increasingly important segment of the economy. In response, groups like Tech:NYC and the Partnership for New York City, among others, have called on the City to bolster digital skill development across every phase of a person’s educational and professional life.

As such, it is long past time for the City to establish a policy of addressing broadband adoption and digital literacy issues first and foremost.

4.2 *Endeavor to Understand the Many Factors Impacting Broadband Adoption Decisions*

Addressing demand-side issues in a meaningful way requires a better understanding of the many factors influencing broadband adoption decisions. As has been chronicled extensively elsewhere,

³⁰ See, *e.g.*, *New York City Broadband Landscape and Recommendations – Summary Overview*, Diamond Consultants (July 2008) (on file with the ACLP).

³¹ See, *e.g.*, Paula J. Gardner, *Older Adults and OATS Computer Training Programs – A Social Impact Analysis*, The New York Academy of Medicine (April 2010), <https://oats.org/older-adults-and-oats-computer-training-programs-a-social-impact-analysis-findings-report/> (“OATS Computer Training Programs”).

broadband adoption decisions are influenced by much more than just the cost of a broadband connection.³² Among the considerations impacting broadband adoption decisions are:

- A perception that broadband is relevant to one’s life and therefore a valuable investment of resources;³³
- The cost of a computing device to harness a broadband connection (e.g., laptop, desktop, tablet, etc.);³⁴
- A sense that being online is safe (i.e., lack of fear about security and privacy threats);³⁵ and
- Being digitally literate and “ready.”³⁶

For many years, the City has approached digital divide issues almost exclusively from the vantage that adoption levels in certain communities are low because broadband is too expensive. However, as previously noted, even the provision of free wireless Internet access in low-income areas hasn’t closed the digital divide. Introducing more nuance into its connectivity strategy by addressing the array of factors impacting adoption decisions will likely go a long way toward making up ground in the push to bring more people online.³⁷

4.3 *Require All Public Resources Made Available For Broadband Be Used to Support Targeted Demand-Side Solutions*

To the extent that public resources are made available for broadband purposes, it is respectfully submitted that such resources should be directed in support of targeted demand-side solutions. Even if such funding is understandably limited in size due to the enormous financial headwinds and myriad challenges facing the City over the next few years, those broadband-focused resources, if wisely invested, will have maximum impact on closing the digital divide if they are channeled toward boosting broadband adoption.

³² See, e.g., John B. Horrigan, *Reaching the Unconnected: Benefits for Kids and Schoolwork Drive Broadband Subscriptions, But Digital Skills Training Opens Doors to Household Internet Use for Jobs and Learning*, Technology Policy Institute (Aug. 2019), https://techpolicyinstitute.org/wp-content/uploads/2019/08/Horrigan_Reaching-the-Unconnected.pdf (“*Reaching the Unconnected*”).

³³ See Rafi Goldberg, *Unplugged: NTIA Survey Finds Some Americans Still Avoid Home Internet Use*, April 15, 2019, NTIA, <https://www.ntia.gov/blog/2019/unplugged-ntia-survey-finds-some-americans-still-avoid-home-internet-use>

³⁴ Like broadband, computer ownership tends to correlate with certain demographic and socioeconomic factors. See, e.g., Camille Ryan, *Computer and Internet Use in the United States: 2016*, at Table 4, U.S. Census Bureau (Aug. 2018), <https://www.census.gov/content/dam/Census/library/publications/2018/acs/ACS-39.pdf>.

³⁵ See, e.g., Rafi Goldberg, *Lack of Trust in Internet Privacy and Security May Deter Economic and Other Online Activities*, May 13, 2016, NTIA, <https://www.ntia.doc.gov/blog/2016/lack-trust-internet-privacy-and-security-may-deter-economic-and-other-online-activities>.

³⁶ *Reaching the Unconnected*. See also John B. Horrigan, *Digital Readiness: Nearly One-Third of Americans Lack the Skills to Use Next-Generation “Internet of Things” Applications*, June 2014, https://jbhorrigan.weebly.com/uploads/3/0/8/0/30809311/digital_readiness.horrigan.june2014.pdf.

³⁷ There is considerable evidence that such comprehensive strategies work in practice. See, e.g., *OATS Computer Training Programs; Reaching the Unconnected*.

Specifically, the bulk of available City funding should be used to support nonprofits working to bring more people online and to help new users develop essential digital literacy skills. New York City is home to a remarkable range of such organizations, many of which have impressive track-record of connectivity among low-income individuals and senior citizens. A coalition of these groups – formerly known as the Social Impact Technology Network (SITN) and currently known as the Digital Equity, Adoption and Literacy (DEAL) Coalition – has apprised the City Council and the Mayor’s office on numerous occasions about the value of directing more funding to support this critical work.³⁸ The City Council deserves credit for funding some of these initiatives via its Digital Inclusion and Literacy Initiative, but more resources are needed.

Some amount of available funding might also be used to seed a pilot program aimed at providing broadband subsidies directly to unconnected households. As previously noted, a range of discounted broadband offerings and subsidy programs already exist, so a City-led offering could help to offset the cost of an access device. Indeed, a qualifying unconnected household could avail itself of a discounted broadband offering from, say, Altice and pair that with a Lifeline subsidy, lowering the monthly cost of a 30 Mbps cable connection to less than \$6. An additional City subsidy – perhaps a one-time payment – could be used to help purchase a laptop or tablet.

Finally, the City should leverage its bully pulpit to supplement public resources with philanthropic and private sector funding. The City regularly engages in such partnerships via the Mayor’s Fund to Advance New York City and should establish and seek funding for an initiative focused specifically on enhancing digital literacy and closing the digital divide.

4.4 *Engage in Administrative Reforms to Streamline Access to Resources by Expert Nonprofits*

If and when additional resources are made available to nonprofits and others for the purpose of expanding outreach and digital literacy training, it will be essential for the City to review and revise its byzantine rules for accessing those funds. As has been noted by the DEAL Coalition, such rules greatly hamper the ability of small nonprofits – the heart of the City’s burgeoning community of digital literacy groups – to apply and successfully compete for funding, contracts, and related City-sponsored activities.³⁹ Streamlining those rules and otherwise making it easier for small nonprofits to access these kinds of opportunities will greatly benefit the communities these organizations serve.

³⁸ See, e.g., Michael J. Santorelli, *Testimony Regarding Broadband Access and the Digital Divide*, New York City Council’s Committee on Technology, April 23, 2012 (on file with the ACLP); *Response by the DEAL Coalition to City’s Broadband RFI*, Jan. 19, 2018, <http://comms.nyls.edu/ACLP/NYC-RFI-Submission-DEAL-Principles-January-19-2018.pdf>.

³⁹ See *Letter from the DEAL Coalition to the Mayor’s Office of the CTO*, June 29, 2018, <http://comms.nyls.edu/ACLP/DEAL-Coalition-Follow-Up-Letter-June-29-2018.pdf>.

4.5 Partner with ISPs to Address Any Remaining Gaps in Broadband Availability

To the extent certain parts of neighborhoods remain without access to a broadband connection, the City should, in the first instance, seek to partner with incumbent ISPs to address those issues. Instances of households without any access to a broadband connection are likely to be exceedingly rare in a City where, as previously noted, multiple options for broadband exist. However, there might be formerly commercial areas that have been rezoned for residential use that lie outside of an ISP's franchise territory, or a building's owner might, for whatever reason, refuse to let an ISP wire it. In those instances, working directly with ISPs as a first step will likely lead to a solution more quickly and more cost effectively than if the City attempted to fill those gaps in an alternative manner (e.g., by building its own network).

4.6 Appreciate that Expansive Government Intervention into the Broadband Market is Fraught with Unnecessary Risk

Over the years, it has been suggested that the only way to close New York City's digital divide is for the City to construct a public broadband network.⁴⁰ Such a network, it is argued, is the only way to deliver fast, cheap broadband to every resident in the City. Universal access to more "affordable" broadband, the reasoning goes, will appeal to the unconnected, convince them to go online, and thereby "solve" the divide.

For the many reasons discussed above in sections 3.1, 4.1, and 4.2, this reasoning is deeply flawed. Moreover, previous attempts by the City to deliver fast, cheap Internet access have fizzled vis-à-vis closing the digital divide.

Equally as important, efforts by other city governments to "solve" broadband issues by building their own networks often fail.⁴¹ Indeed, the history of municipal broadband in the United States is littered with failed systems, and those that do not fail rarely thrive. To the contrary, many end up becoming financial albatrosses for their city, leading to credit downgrades and similar negative outcomes for municipalities.

Some argue that, because New York City is unique in many ways, citing to examples of failed municipal broadband systems in places like Bristol, VA; Davidson, NC; Lake County, MN; Opelika, AL; and Salisbury, NC, are of little interest or relevance to local officials. But these and other examples of failed or struggling systems must be kept in mind by City officials because if a

⁴⁰ See, e.g., *The New York City Internet Master Plan*, NYC Mayor's Office of the CTO (Jan. 2020), https://tech.cityofnewyork.us/wp-content/uploads/2020/01/NYC_IMP_1.7.20_FINAL-2.pdf; Council Member Justin Brannan, *Give NYC Universal Broadband Now*, N.Y. Daily News, Sept. 21, 2020, <https://www.nydailynews.com/opinion/ny-oped-give-nyc-universal-broadband-now-20200921-xyt5mtpzzreblfpxgtmltbot5i-story.html>.

⁴¹ See, e.g., Charles M. Davidson & Michael J. Santorelli, *Understanding the Debate over Government-Owned Broadband Networks: Context, Lessons Learned, and a Way Forward for Policy Makers*, ACLP at New York Law School (June 2014), <http://comms.nyls.edu/ACLP/ACLP-Government-Owned-Broadband-Networks-FINAL-June-2014.pdf>; Michael J. Santorelli & Alexander Karras, *The Value of Context & Rigor: A Review of OTI's Cost of Connectivity 2020 Report*, ACLP at New York Law School (July 2020), <http://comms.nyls.edu/ACLP/ACLP-Review-of-OTI-COC-2020-Report-July-2020.pdf>.

municipal system cannot sustain itself in a city like Opelika, AL, which is home to about as many people as Maspeth, then the chances of a public broadband network working in New York City are likely very low.

5. CONCLUSION: THE CITY MUST SEIZE THIS OPPORTUNITY TO CLOSE ITS DIGITAL DIVIDE ONCE AND FOR ALL

For as much damage as the pandemic caused, it has presented the City with an opportunity to rethink how it approaches certain issues. Among these is broadband connectivity. As discussed at length in these comments, the City must prioritize any available resources to addressing demand side issues if it is truly serious about closing its digital divide once and for all. Continuing to focus on supply side issues distracts from what are difficult but ultimately solvable broadband adoption issues.

**New York City Council Hearing on “Broadband and Digital Equity”
Before the Council Committee on Technology jointly with the Council
Subcommittee on Zoning and Franchises
Tuesday, October 13, 2020
2:00 PM**

*Testimony of Virginia Lam Abrams
Senior Vice President, Government Affairs and Strategic Advancement
Starry, Inc.*

Good afternoon, Chairman Holden, Chairman Moya and distinguished members of the Committee on Technology and Subcommittee on Zoning and Franchises.

My name is Virginia Lam Abrams and I am senior vice president of government affairs, strategic advancement and digital equity for Starry.

Starry is a wideband, hybrid fiber wireless internet service provider and over the last year and half we've expanded our affordable, high-quality broadband services to New York City.

Starry's core mission is to expand affordable, high-quality broadband access to as many people as possible. We do that via our innovative last-mile wireless technology that enables us to connect a household to a gigabit-quality internet connection at one-hundredth the cost of fiber to the home. And, because our last-mile connection is wireless, we can build our network with little-to-no disruption to the communities we serve. We don't have to tear up sidewalks and streets to lay fiber in order to serve a neighborhood with affordable, competitive broadband service.

To date, we've successfully deployed our internet service in five major metro areas, including New York, Boston, Los Angeles, Denver and Washington, DC and we have a national roadmap to cover 30 million households over the next five years.

When you hear about the digital divide or digital gap, most people think it's only a rural challenge. And, while it's true that many rural areas today lack adequate broadband connectivity, it's equally true that many families living in neighborhoods in our densest cities - including our own five boroughs - lack access to that same broadband connection.

In New York City, the Mayor's Office of Technology and Innovation estimates that nearly 29% of NYC households and 1-in-5 city households with school-aged children, go without home broadband access, while 1.5 million residents lack both home and mobile broadband access.

That's nearly four million New Yorkers without the broadband access they need to thrive. A digital gap? It's more like a digital chasm.

Let me be clear, the digital gap in New York City is not about access. It's about affordability. Super-fast broadband is available, but it remains frustratingly out of reach for millions of families due to costs - the consequences of digital redlining and an uncompetitive broadband market.

In the United States, standalone broadband costs average more than \$80 per month and are among the highest in the developed world, another consequence of a broadband market that is largely uncompetitive across large swaths of our country. In fact, the Federal Communications Commission estimates that nearly 60% of American households only have one choice when it comes to broadband providers.

The impact on low-income New Yorkers cannot be ignored. New York City households living in poverty can spend as much as 10% of their monthly budget on a home broadband and mobile wireless connection. That's money that competes with rent, buying food, transit costs and basic healthcare.

So how do we solve this problem? It is our firm belief that a key driver to broadband affordability is healthy, robust market competition. But assessing market competition can't be done from a citywide, or as I like to call it, a 10,000-foot perspective. Broadband competition, in order for it effectively to drive affordability, must be measured block by block, and building by building, to truly understand the competitive landscape – and ultimately, the affordability landscape for consumers.

Today across the five boroughs, competitive residential broadband exists almost exclusively in high-density neighborhoods with high-income households. Neighborhoods with three or more residential broadband providers have an average household income 50% greater than households in areas with only two broadband providers. And many communities and individual apartment buildings today continue to only have one broadband provider present.

A key driver of that disparity is the lack of fiber optic infrastructure, which serves as the basic building block of internet connectivity. While Lower Manhattan has more options for commercial broadband service than almost anywhere else in the country, fiber infrastructure on the whole is sparsely available throughout the rest of the city. The most sizable gaps are in areas of Brooklyn and Queens, where a lack of accessible conduit or utility poles limits opportunities for new broadband providers.

This is where new wireless broadband technologies like Starry, play a critical role in helping drive competitive broadband availability.

Starry's licensed wireless 'last-mile' technology provides us with a unique ability to drive passing costs – the costs required to provide network coverage to a household – to less than \$10 per home passed in a City like New York. That technology efficiency allows us to offer affordable and ultra-low-cost broadband options across the communities we serve. And we do that without bundling in costly cable TV, adding extraneous equipment or installation fees and importantly, without data caps.

Our technology is also what allows us to offer programs like Starry Connect, our specialized partnership program for public and affordable housing. When we started our company, we recognized that even though our service, at \$50 per month, was priced at nearly 40% less than our competitors – it still remained out of financial reach for many families, especially those living in public and affordable housing.

So, in late 2018, we launched our Connect program to provide ultra-low-cost and free internet access options targeted to communities that have long been underserved by incumbent providers.

Starry Connect partners directly with owners of public and affordable housing to provide a \$15 high-speed, symmetrical broadband service option to residents without data caps, long-term contracts, equipment fees or installation fees and with the same white-glove customer care that is a hallmark of Starry's internet service. But the most important feature of Starry Connect is that we don't require credit checks or individual eligibility criteria to participate.

By partnering directly with the housing owner, we qualify entire housing communities for participation in our Connect program. We remove the burdensome paperwork requirements that often deter adoption. And because we don't require participation in other federal programs like SNAP, WIC or national school lunch, when eligibility criteria for those programs change or if a child ages out – it does not affect a resident's ability to access Starry Connect.

This feature has been praised by the U.S. Department of Housing and Urban Development (HUD) as a key driver to expanding broadband access and adoption in HUD-supported housing. And last year, Starry was designated as an official ConnectHomeUSA stakeholder through HUD.

We're proud to say that, in just two years' time, more than 23,000 units of public and affordable housing participate in our Starry Connect program. More than 15,000 of those units are located across New York City. And just last week, we announced an innovative public-private partnership between Starry, Microsoft, the LA Mayor's Office and the Housing Authority of the City of Los Angeles to bring Starry Connect to more than 9,000 public housing residents. Here in New York, we're actively working to bring a similar program to NYCHA.

We've also had tremendous success working with owners of affordable housing in New York City including Related Companies, who this past spring, partnered with us to provide free Starry Connect access to their affordable housing residents during the height of the COVID-19 pandemic. We're also working with community-based affordable housing owners such as Harlem Congregations for Community Improvement, and others.

One great example of why competition matters is our work in Starrett City, Spring Creek Towers. This past summer, we invested in and built connectivity to the more than 5,800 units of affordable housing at Spring Creek. When we launched, it was the first time in that community's 46-year history that residents had the option of a second broadband provider. Having choices matters. Since launching our service, more than 12% of the community is now subscribing to Starry. And this is critically important in a community like Spring Creek that has been hard hit by the pandemic.

Starry is a success because of our technology, but we also benefit from a growing awareness among lawmakers and community leaders that our neighborhoods cannot thrive without high-quality, affordable broadband options.

Starry is only one among a class of competitive broadband providers around the country challenging monopoly incumbents, helping to drive broadband affordability for consumers and meaningfully narrowing the digital gap.

But there is more work to do, and smart policies at the federal, state and local levels are key to advancing such efforts.

The broadband market continues to present unique opportunities and challenges. First, policymakers and competitive providers must work together to address a history of anti-competitive behavior, particularly as related to deployments in multi-tenant environments (MTEs) or multiple-dwelling units (MDUs). In Starry's experience, consumers and property owners continue to crave broadband choice. But many times, Starry's and other providers' ability to offer an affordable broadband alternative is impeded by outdated regulations and systemic obstacles that curb competitive offerings.

Specifically, deployments in apartment buildings are particularly difficult when exclusivity arrangements are in effect. For example, exclusive agreements, including for inside wiring or moldings, marketing and other service terms, block competition to an incumbents' benefit by creating a false sense of service exclusivity, that is backed by a threat of litigation to deter building owners and managers from adding new broadband providers. It is often the case that building owners do not understand that exclusive service agreements are prohibited by law under the Federal Communications Commission (FCC). However, the mere threat of litigation is an effective and easy deterrent to competition.

Tailored policies can address these barriers and further advance competition. Starry encourages state and local governments to work alongside federal policymakers, service providers, and building owners to further clarify that such exclusivity arrangements are prohibited by law. We also welcome the FCC's ongoing efforts to modernize existing rules for deployments on and within MDUs, to improve competition and clarity in these environments.

Second, in many municipalities, the permitting process can continue to extend well beyond 90 days, creating extended delays and increased costs in deploying competitive broadband networks. These delays are due, in part, to a lack of personnel to deal with the sheer volume of applications, combined with misinformation about new, innovative technologies with smaller footprints. Recognizing this delta in the market, Starry purpose-built our base stations and receivers to be compact in size, to reduce the barriers to siting that often plague larger wireless installations.

By shrinking our physical footprint, Starry has significantly reduced the friction associated with current permitting processes at the state and local levels. Despite these creative solutions, unnecessary and unplanned delays in the permitting process are inevitable. Education about existing regulations and streamlined processes to permit new, unfamiliar technologies different from traditional cellular installations can be particularly useful to addressing these remaining issues.

States and local governments also can continue to work alongside Congress and the FCC to facilitate smart, efficient permitting standards, and conclude longstanding deployment proceedings, especially those that respect local authority as a critical component to promoting further deployment of competitive broadband networks.

We welcome the adoption of modern policies to help overcome these challenges, and to ultimately avoid a scenario where a neighborhood – and its residents – go unserved. Recent current events, like the COVID-19 health crisis have brought into sharp focus the importance of affordable and reliable broadband connectivity.

But the digital gap has always been there. It's just been hiding in plain sight because public libraries, community centers, and even McDonald's filled that connectivity gap. But when those places closed because of the pandemic, it became crystal clear that the digital gap is an issue that lawmakers and communities - across our entire country - can no longer ignore.

Chairman Holden, Chairman Moya and distinguished members of the committee, I thank you for your time and am happy to answer any questions.



Dear Committee on Technology:

We would like to publically commend Charter Spectrum for their support of our program/platform entitled *The Code*, whose mission is to take students and the community from being consumers of technology to builders of technology. We have been selected to work with 20 schools throughout New York City, as well as community centers and housing communities.

While broadband is certainly a first step in conquering the digital divide, the next step is access to equipment (i.e. laptops, desktops), and then proper training on the use of equipment.

Charter Spectrum has donated laptops to “The Code”, which will be used to set up a computer lab in Vanderveer Estates or currently known as Flatbush Gardens, located at 1404 Brooklyn Ave, Brooklyn, NY 11210. Also, laptops will be donated to schools that work with *The Code*, all of which will be done as of the week of October 12th, 2020.

We stand by you, Charter Spectrum, other entities, and people who are working diligently to conquer the digital divide. Let’s keep our lines of communication open with the premise of implementing and executing plans of action.

Best,

David Jones

David Jones

The Code, Founder and President

October 11, 2014, 4:53 PM
HELP USA Single Adult Residents WiFi

Grievance HELP USA Organization
237 West 107th Street
New York, NY 10025
Stacey May, Shelter Director
Phone: 646-738-7700 x605
Fax: 212-866-0061
smay@helpusa.org

LET THE RECORD SHOW

Why is the HELP USA Shelter anti-learning and anti-job search? Open your WiFi access to your Homeless Residents. Provide passwords per room or floor. Use the \$4785.00 per month, which is \$57,420.00 per year, which HRA pays towards Residents Phone usage, and grant us access to WiFi. If the HELP USA Shelter actually pays for this service, it is a fraction of \$4785.00 per month. Additionally most Residents do not use the HELP USA Landline Phones because of lack of privacy and Staff discourages their Phone use.

Do you crave more money?

Commissioner Banks recoup HELP USA Shelter for the \$4785.00 from 10/11/14 until the 145 Residents have been granted access to the HELP USA Organization's WiFi. This is an essential tool for Residents' future development. Please apply this recoupment to all HELP USA Shelters.

HELP USA is greedy and ineffective.

Stop hindering progress.

Your dysfunction is on record.

Join us in 2014!



**Testimony of
Beth Finkel, AARP New York**

**New York City Council
Committee on Technology**

Oversight – Broadband and the Digital Divide

October 13, 2020

**Remote Hearing
New York, New York**

Contact: Kevin Jones (212) 407-3737 | kjones@aarp.org

Good afternoon, Chair Holden and members of the Committee on Technology. My name is Beth Finkel, and I am the State Director of AARP New York, which includes about 750,000 members age 50 and older in New York City. I want to thank you for the opportunity to testify today about high speed internet, also known as broadband, and the digital divide.

COVID-19 and social distancing have made reliable high-speed internet access even more of a necessity for working, staying connected with friends and family, accessing healthcare and any number of other activities that which are necessary for full participation in society.

However, according to a 2019 report by Comptroller Scott Stringer¹, 44% of low-income New Yorkers lack internet access, compared to just 22% of those living above the poverty line; 42% of New Yorkers age 65+ lack access, compared to 23% of 18 to 24-year-olds; and 30% of Black and Latino New Yorkers lack access compared to 20% of white New Yorkers.

The de Blasio administration has taken some important steps in addressing these disparities. In February, the Mayor announced an “Internet Master Plan” to expand coverage in public housing and other areas with large gaps. In July he announced that the City would expand high speed internet to another 600,000 New Yorkers to speed up the plan and close the divide in low-income communities of color.

But the problem still plagues the City today, and it is not surprising. AARP’s [Disrupting Racial and Ethnic Disparities](#): *Solutions for New Yorkers Age 50+* and *Disrupt Disparities 2.0: Solutions for New Yorkers Age 50+²* reports found that pocketbook issues are the greatest source of stress facing older residents, and that financial hardships are felt most acutely by our aging African American, Hispanic and Asian American residents.

While it is often seen as a rural concern, connectivity remains a challenge in some areas of New York City. Measuring the true extent of this problem has been impossible due to the data currently available. The FCC’s 477 data, which maps broadband access, is insufficiently granular. The Commission’s current Form 477 data collection process requires high speed internet providers to report deployment at the census block level. However, the FCC’s methodology considers an entire census block served if at least one household in that block has access to broadband, a flawed methodology that can dramatically overstate high speed internet deployment.

¹ <https://comptroller.nyc.gov/reports/census-and-the-city/>

² <https://states.aarp.org/new-york/disrupting-racial-ethnic-disparities>

More accurate data is necessary to identify what areas do and do not have access to true high speed internet in New York State - and if not, the reason why. That is why we are calling on Governor Cuomo to sign the Comprehensive Broadband Connectivity Act, ([S8805-Metzger/A6679C-Ryan](#))³ which passed unanimously in the State Assembly and 59-1 in the State Senate at the end of July. This legislation would require the Public Service Commission to collect more granular statewide data related to technology access, speed, reliability, and affordability. Armed with this data, the State would be better positioned to progress towards its goal of universal access to broadband.

When it comes to the pandemic, the devastating numbers have made it clear that older New Yorkers, particularly older New Yorkers of color, are among the most vulnerable to COVID-19. Social distancing is necessary to their safety, but without high-speed internet they may be forced to choose between physical health, or mental and economic wellbeing.

In this day and age, the internet isn't an amenity - it's a necessity for employment, health and learning. Many older New Yorkers are still in the workforce, and much work now requires a high speed online connection. Before COVID-19, medicine was increasingly moving toward telehealth; now, outside of emergency situations, it is often the only way to "see" a doctor. And for older adults caring for children or grandchildren, a lack of high-speed internet negatively impacts the entire household, as we've all seen how challenging remote learning can be for even affluent and tech-savvy families. Without reliable internet, it's practically impossible.

Additionally, even before the pandemic, older adults were more likely to experience loneliness and social isolation, a serious health concern which can be as damaging to one's health as smoking 15 cigarettes a day⁴.

But this isn't just a matter of internet access or affordability; older New Yorkers must be able to utilize the technology. For example, when lockdowns began in March, some older residents had access to high speed internet but no education or training on how to use it.

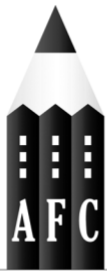
Thankfully there are organizations such OATS, the Older Adults Technology Services, and nonprofit senior service providers such as BronxWorks. One 73-year-old credits the training she received at their senior centers with everything she knows about the internet, which she uses to access email and stay connected. Another attendee, a 70-

³ <https://www.nysenate.gov/legislation/bills/2019/s8805>

⁴ <https://journals.sagepub.com/doi/abs/10.1177/1745691614568352>

year-old grandmother, says that she was taught how to use the internet in a way “that seniors understand” and it has allowed her to stay in touch with her daughter and granddaughters.

The digital divide in our city has been a problem for a long time, but the COVID-19 pandemic has raised the stakes significantly. Thank you for allowing me the opportunity to testify today. I am happy to provide additional information.



Advocates for Children of New York

Protecting every child's right to learn

Testimony to be delivered to the New York City Council Committee on Technology & Subcommittee on Zoning and Franchises

Re: Oversight: Broadband and the Digital Divide

October 13, 2020

Thank you for the opportunity to speak with you about the digital divide. My name is Sarah Part, and I am a Policy Analyst at Advocates for Children of New York (AFC). For nearly 50 years, Advocates for Children has worked to ensure a high-quality education for New York students who face barriers to academic success, focusing on students from low-income backgrounds. We speak out for students whose needs are often overlooked, such as students with disabilities, students from immigrant families, students who are homeless, students in foster care, students with mental health needs, and court-involved youth.

The digital divide has major consequences for public education—particularly at a time when nearly all students are expected to learn remotely between two and five days per week. While online learning is a poor substitute for the in-person classroom experience for the vast majority of students, for those who do not have broadband internet at home, the challenges of remote instruction are exponentially greater. And as low-income children, children of color, and children from immigrant families are among the least likely to have reliable high-speed internet access, we are deeply concerned that the digital divide will further exacerbate existing racial and socioeconomic disparities in the coming year.

While we appreciate that the City has distributed several hundred thousand iPads with free cellular data to students who need such devices, this has by no means solved the problem. In the past few weeks, AFC has heard from dozens of families whose children were unable to participate in online instruction because they had yet to receive an iPad from the Department of Education (DOE) or because their device was not working due to lack of connectivity or other challenges. We have particular concerns about City shelters, most of which lack WiFi, and some of which do not even have the cellular reception needed for the iPads to work. It is unacceptable that nearly seven months after remote learning first began, students around the City—including students living in City-contracted shelters—are still unable to get online for school.

While the pandemic has magnified the impact of the digital divide, unequal access to broadband contributed to educational inequities long before COVID-19. Even when

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classroom instruction is fully in-person, internet access is often required—or at least extremely helpful—for completing homework assignments. In addition, more and more, the DOE is relying on parents to have reliable internet access in order to get critical information about their children’s education. For example, as of this fall, families of students receiving yellow bus service are no longer receiving hard copy letters with information about their child’s route; knowing what time to have your child ready for pick-up requires logging in to your NYC Schools Account online. Kindergarten, middle, and high school applications have also moved online in recent years—meaning that the extent to which a family is able to participate in these admissions processes in large part depends on their level of digital literacy and their access to the internet. It is dramatically easier to investigate a wide range of school options and make an informed decision, or to do research for your final paper in history class, when you have a computer with a high-speed internet connection than when you have to rely on a smartphone with limited 3G data.

In 2020, equitable access to a quality education cannot exist without equitable access to the internet. The City must act urgently to ensure that every student has the fast, reliable connectivity they need in order to participate in remote learning this year and access educational information in the long term.

Thank you.



New York City Council
Committee on Technology
Chair, Council Member Holden
Subcommittee on Zoning and Franchises
Chair, Council Member Moya
October 13, 2020
Oversight - Broadband and the Digital Divide

ORAL TESTIMONY

Hello and thank you for the opportunity to testify on the importance of low-cost high-speed connectivity and bridging the digital divide. I'm David Dring, Director of Innovative Programs for Older Adults, at Bay Ridge Center. We serve over 1,000 older New Yorkers in the Southwestern corner of Brooklyn through home delivered meals, senior center activities, and operating a neighborhood naturally occurring retirement community.

When the pandemic halted in-person programming at our center, we acted quickly to launch virtual programs and have done 670 through September 30, 2020 to over 5,700 older adults. We estimate there are still 3,000 older adults that may like to participate if they had the technology or were properly trained and supported.

We witnessed the impact of our virtual programs on our clients in many ways. There were clients who said they were going stir crazy and these classes helped them manage their isolation better. There were clients who lost loved ones and these classes were a lifeline in managing their grief. Our meditation and exercise classes are popular with our clients whom have told us they want to keep their bodies as well as minds flexible and open so that they can adapt and handle these challenging times.

I want to praise the State for the "Comprehensive Broadband Connectivity Act" (**A.6679C Ryan/S.8805 Metzger**). It states "the legislature hereby finds and declares that access to high-speed Internet is a fundamental right and it is incumbent upon the State to ensure provision of this right to every New Yorker." I would encourage the City Council to call upon Governor Cuomo to seriously considering signing it into law.

It's terrific to hear that "access to high-speed Internet is a fundamental right." Unfortunately, it does not read access to affordable high-speed Internet connectivity.

We surveyed our members in March and discovered that 40% are without connectivity. For too many older adults, the cost of connectivity it more than they can bear on their



fixed income. After all, this was never a cost that they anticipated in their financial planning.

In order for connectivity to be a fundamental right for all, it must be affordable for all (the 3rd principle of the Mayor's Internet Master Plan). While there are low-income programs from Spectrum and Verizon, their eligibility and monthly charges do not make them accessible.

For example, Spectrum's Internet Assist program requires the income to be at or below Supplemental Security Income (only \$803) per month. Even the poverty level for one person is greater than that (\$1,063). Still both are too low for the near poverty seniors to participate. Additionally, Spectrum denies anyone who is a current customer. Many older adults have cable provided for them by their family. This further and unnecessarily complicates access.

Bay Ridge Center would be delighted to partner with City Council, and the Mayor's Office among others to pilot new low-cost Internet connectivity options for older adults. Then we can ensure connectivity is a fundamental right. After all, connectivity is an essential ingredient to bridging the digital divide.

Bay Ridge Center is a 501c3 nonprofit organization funded by the NYC Department for the Aging, the NY State Office for the Aging and by philanthropic donors to ensure the safety and wellbeing of older New Yorkers in Bay Ridge, Brooklyn, NY. Marianne Nicolosi (email: mnicolosi@bayridgecenter.org) is the Executive Director. For more information, please contact 718.748.0650 or visit www.BayRidgeCenter.org.



ADDITIONAL TESTIMONY

This document elaborates on the challenges of older adults use of technology. We believe it is divided into three categories: devices, affordable connectivity, and support/training. Below is our informed opinion on these areas based upon our work with seniors and technology at the ground level.

Devices

First, we want to praise the City for 10,000 tablets to NYCHA residents. It's an awesome step towards digital inclusion.

While *AARP's 2020 Tech And the 50+ Survey*, report that 90% of the respondents have computers and *2017 Pew Research Center Tech Adoption Climbs Among Older Adults* report that 78% percent have computers, a survey that we did in March 2020. We were pleased to learn that 64% have a cell phone with 91% of them reported being able to receive a text on that device. However, that 40% of our members are without a computer or a tablet.

We have conducted Zoom virtual activities since March 2020. Through September 30, 2020 we conducted 668 virtual programs to over 5,700 older adults. A three-month analysis discovered 45% participate with a computer, 33% with a tablet, 19% with a smartphone and the balance participate using their landline phone. This is not surprising given the screen size of a computer is larger than a tablet. Tablet's screen is larger than a smartphone.

While the cost of the device is important, it is a one-time cost. It varies significantly from a \$200 Android tablet to very expensive (\$14k) gaming desktop computers. Smartphones can be free with some carrier plans or purchased for approximately \$1,000. Our experience is that seniors would use the devices for 4-7 years, if not longer, before replacement. For analysis purpose, say a five year (60 month) plan that ranges from \$3 (for \$200 tablet) to \$17 (for a smartphone) or \$45 (\$2,700 MacBook Pro 16"), not including any financing charges.

¹ https://www.aarp.org/content/dam/aarp/research/surveys_statistics/technology/2019/2020-tech-trends-survey.doi.10.26419-2Fres.00329.001.pdf accessed on 10/12/2020.

² <https://www.pewresearch.org/internet/2017/05/17/tech-adoption-climbs-among-older-adults/> accessed on 10/12/2020.



Affordable Connectivity

Virtual programs are not possible without high-speed Internet connectivity. However, the pricing for broadband makes it prohibitive for many older adults. Other areas of our country have reasonable low-cost options, such as Cox's Connect2Compete³ program at \$9.95 a month. Spectrum's⁴ and Verizon's⁵ are twice that amount. That difference is significant to someone on a fixed income that never anticipated such a cost.

As an example, paying for Internet Only through Verizon is \$39.99⁶ for sixty months would be \$2,399. At this rate, a person could nearly have paid for a top of the line Apple MacBook Pro.

The real challenge isn't buying a device or subscribing to connectivity. The challenge is having to do both! These charges quickly add up, but are required to access the digital economy.

Support and Training

It's one thing to have a technological device or an Internet connection. It's an entirely different thing to know how to use them effectively. We consider learning technology to that of learning the culture of another country. There are many facets that make up that culture. It's not just the language or currency or transportation system or cultural etiquette. It's everything wrapped up together. With technology it's the same. A tablet doesn't go anywhere unless it's connected to the Internet. It's a multifaceted experience. One practically needs to know networking, hardware, and applications. That's a lot, which is why it's very important to provide a lot of technology training and support to older adults so that they can join the digital economy and not be left behind.

I further believe that technology support and training must follow the adult learning theory⁷ that efficient learning happens when the adult can "draw on their accumulated reservoir of life experiences." Too often elements of today's technology are counter-intuitive to an older adult's previous life experience. Figuring out strategies and techniques to match their experience with technological functions are when the light bulbs go off and shouts of "Eureka" are heard.

³ <https://www.cox.com/residential/internet/connect2compete.html> accessed on 10/12/20

⁴ <https://www.spectrum.com/browse/content/spectrum-internet-assist> accessed on 10/12/20

⁵ <https://www.verizon.com/info/low-income-internet/> accessed on 10/12/2020

⁶ <https://www.verizon.com/home/rb/plans> accessed on 10/12/2020

⁷ https://lincs.ed.gov/sites/default/files/11_%20TEAL_Adult_Learning_Theory.pdf accessed on 10/12/2020.



Even though we offer our own technology classes and coordinate peer support and technology assistance, we cannot meet the need. We also work with OATS. There are other for-profit organizations that provide technical support to seniors, such as Candoo (www.candootech.com) with fees from \$50/hr to some fixed prices such as \$180 to set-up a new computer. Best Buy has their Geek Squad membership program⁸ but it is not older adult specific. While it has an 24/7 online chat functionality, several things still cost an additional \$49 when work is done in the home.

Bay Ridge Center has worked with students in the past to provide support to its members. We are open to a variety of ways to help make access more manageable.

Bridging the Digital Divide

It's important to recognize that accessing the digital economy is more than a single step, it's a journey. There are resources required for that journey, similar to a family trip... car, gas, and maps. In this analogy the car is a device, gas is connectivity and the maps are the support and training needed to arrive at one's anticipated destination.

We believe if there is coordination among the city agencies and its providers, we can collectively create the three-legged stool that will assist people onto the information super highway. The benefits will be dramatic. As the City disseminates more information electronically or through apps, seniors will be able to keep up. The redundant efforts will be minimized and efficiencies will accrue to all stakeholders.

We learned this emphatically during the initial stages of the COVID-19 pandemic. When information was so fluid, it was difficult to keep our members informed of the facts. While we could email some of them, the majority required labor intensive phone calls.

We have a lot of work to do, but we are excited to partner, collaborate and pilot initiatives that will empower older adult lives.

Though older adults are not digitally native, they could, with our help, become naturalized citizens of the digital ecosystem that is transforming every aspect of our lives.

Submitted by David Dring, ddring@bayridgecenter.org, 662.998.5685

⁸ <https://www.bestbuy.com/services/totaltechsupport/pricing> accessed on 10/12/2020

To: NYC Council - Committee on Technology &
Subcommittee on Zoning and Franchises
From: Noel Hidalgo, Executive Director of BetaNYC
Re: **Oversight hearing of Internet Master Plan and Resolution T2020-6730**



Tuesday, 13 October 2020

Important quotes to note from the Internet Master Plan:

“The private market has failed to deliver the internet in a way that works for all New Yorkers. Citywide, 29% of households do not have a broadband subscription at home. The same percentage of households are without a mobile broadband connection.”

“...more than 1.5 million New Yorkers – have neither a mobile connection nor a home broadband connection”

“City has determined that universal broadband calls for an open access fiber optic infrastructure built out to nearly every street intersection with an aggregation point in every neighborhood.”

BetaNYC’s Testimony:

BetaNYC is a civic organization dedicated to improving all lives in New York through civic design, technology, and data. We envision an informed and empowered public that can leverage civic design, technology, and data to hold government accountable, and improve their economic opportunity.¹

BetaNYC is oriented around four digital freedoms. The first is the Freedom to Connect. Seven years ago, we stated that *high-speed bi-directional internet* is a prerequisite for full participation in our digital era.²³

After seven years of experimentation and three “broadband for all” announcements/reports, we’re excited to see the City publish its first “master plan”.⁴⁵⁶

¹ <https://beta.nyc/about/>

² <http://nycroadmap.us/#connect>

³ <http://nycroadmap.us/#7>

⁴ <https://www1.nyc.gov/assets/cto/#/project/internet-master-plan>

⁵

<https://www.bloomberg.com/news/articles/2015-04-21/bill-de-blasio-wants-broadband-access-for-all-new-yorkers-by-2025>

⁶ <https://statescoop.com/universal-broadband-new-york-city-announces-search-for-partners/>

TODAY, *high-speed bi-directional internet* is as important to New York City as the subway or electricity was in the 20th century and fresh water was in the 18th century. For too long, we've seen arguments for broadband framed under the "economic development" banner. The pandemic has pulled back this charade.

Just as the yellow fever epidemic of the late 1700s drove the city to start a public health department and invest in a municipally funded water supply, the COVID-19 pandemic is making us rethink our infrastructure and address centuries of inequity.⁷⁸

For the last six months, we've lived, learned, and loved online. We are completely dependent on high-speed bi-directional internet at our homes and in our pockets.

As part of our partnership with the Department of Education, we facilitated the hack league academic competition that engaged 254 students from 42 middle and high schools in six events. They built 61 data driven solutions to their community issues. In total, 2,270 students and 181 teachers participated in the pre-competition phase. The pandemic cut short our in-person competition and we were forced to host the final competition via virtual meeting tools.

When we went on PAUSE, BetaNYC was in the middle of our 6th Civic Innovation Fellowship (CIF). This program bridges digital and data literacy gaps with CUNY Service Corps students. Without high-speed internet, it would have been impossible to provide emotional and moral support for our fellows. We helped them navigate the trauma the pandemic created in their academic, personal, and professional pursuits. Additionally, we dedicated all of our technological resources for our Fellows to continue their virtual learnings. Our 6th cohort successfully completed their assigned projects and graduated in May 2020.⁹

Over the summer, we ran our organization and programming virtually. This included a virtual summer Fellowship program. We formalized our Apprenticeship program, and hired two recent CIF graduates to replace two outgoing apprentices.¹⁰

Our Staff, Apprentices, and Fellows help Borough Presidents, Community Boards and NGOs address their data and analytical needs. We have built a digital and data literacy curriculum to specifically address difficult & complex data needs which we call Research and Data Assistance Requests (RADARs). From March 15 to October 1, 2020, our staff, fellows, and apprentices addressed 25 RADARs across the City.¹¹

In March, we ensured there was a continuity of government operations by researching and coaching 16 community boards and one Borough President to adopt virtual meeting practices

⁷ <https://ny.curbed.com/2020/3/19/21186665/coronavirus-new-york-public-housing-outbreak-history>

⁸ <https://www.cfr.org/blog/viral-justice-interconnected-pandemics-portal-racial-justice>

⁹ <https://www.youtube.com/watch?v=bTcbHQ4i9X4>

¹⁰ <https://beta.nyc/2020/08/14/intro-to-the-apprenticeship-program/>

¹¹ <https://beta.nyc/products/research-and-data-assistance-requests/>

and Zoom. In the course of seven days, we developed context specific training materials, and hosted trainings with community board staff and members.¹² This material eventually became the foundation for the City’s own training material.¹³

Also during the PAUSE, reliable retail information on Google Maps and Yelp became unreliable and inaccurate. In response, mutual aid and community groups started crowdsourcing information and providing up-to-date information about essential services. BetaNYC built multiple “open maps” in partnership with nine community organizations across Manhattan, Brooklyn, and Queens.¹⁴¹⁵

These maps immediately met the needs of elderly and immunocompromised neighbors’ — we provided information about special store hours, accessibility, and delivery options. At their height, maps were receiving thousands of unique visits per day. Each map/partnership continues to evolve into a platform of hyper-local geographic information that local partners are maintaining.¹⁶

The past six months are a testament to the need for *high-speed bi-directional internet*. Our city needs a robust digital backbone that is ready for the 21st century. **BetaNYC agrees that we MUST invest in this opportunity and build a public network for the 21st century and beyond.**

Does this NYC’s Internet Master Plan get us there?

That answer depends on four things:

1. digitally literate elected officials and government staffers,
2. non-greedy corporations,
3. a public that can hold the two accountable, and
4. the collective stamina to sustain the investment while undoing centuries of inequity.

What good is a network if no one can use it?

For the past seven years, BetaNYC has built an interlocking set of programs that bridge the digital divide. All of these programs are struggling to survive. The City Council’s digital literacy initiative funding has always been low. This year, initiative funding was cut from \$3.76 million (FY20) to \$2.12 million (FY21). This funding helped ensure CUNY Service Corps students could continue their digital literacy development while training community boards in the fundamentals

¹² <https://beta.nyc/2020/03/26/virtual-meeting-support-for-community-boards/>

¹³ <https://beta.nyc/products/virtual-meeting-support-for-community-boards/>

¹⁴ <https://beta.nyc/2020/05/13/announcing-essentially-open-north-brooklyn/>

¹⁵ <https://beta.nyc/2020/04/09/community-crowdsourcing-of-essential-food-and-services/>

¹⁶ <https://beta.nyc/products/open-maps/>

of digital and data analytics.¹⁷ Our Civic Innovation Fellows program is currently on hold because of these cuts.¹⁸

CUNY, one of the City's greatest equalizers, lost more educators to COVID-19 than any other academic institution in the nation¹⁹ and is facing a loss of \$64 million in tuition revenue.²⁰

As part of the 2018 - 2019 school year, the Department of Education reached a record number of Computer Science for All (CS4ALL) students.²¹ BetaNYC was part of that historic effort and gave every Computer Science student an opportunity to learn municipal data.²² Now, the CS4ALL program is wrestling with unprecedented budget cuts.

The pandemic has articulated a clear need for public education in virtual meetings.^{23,24}

Back to the future?

We've seen multiple universal broadband proposals from this administration – 2015, 2017, and 2018. **Without a doubt, we need universal broadband for all.**^{25,26,27} With an unprecedented commitment of capital funds, we hope to finally see movement on previous plans.²⁸

We continue to have reservations about this Mayoral administration's ability to focus and execute this vision. This Administration has had a revolving door of technology leadership. We've had three DOITT commissioners, three CTOs, one interim CTO, and the creation of a number of Mayor offices related to digital things scattered across the Mayor's offices. Now, we're 14 months away from a new Mayoral administration and this is a massive plan. **How does this plan ensure oversight from one administration to another? How does this plan**

¹⁷ <https://beta.nyc/programs/civic-innovation-lab/>

¹⁸ <https://beta.nyc/apprenticeship-program/>

¹⁹

<https://www.insidehighered.com/news/2020/06/23/cuny-system-suffers-more-coronavirus-deaths-any-other-higher-ed-system-us>

²⁰ <https://www.teenvogue.com/story/cuny-budget-cuts>

²¹

<https://www.amny.com/education-2/record-number-of-students-receiving-computer-science-education-doe/>

²² <https://beta.nyc/2019/05/02/first-city-hall-hackathon/>

²³ <https://www.crainsnewyork.com/op-ed/democracy-got-boost-virtual-public-meetings-during-pandemic>

²⁴ http://greenpointstar.com/pages/full_story_landing/push?article-The+days+of+Zoom%20&id=27725267

²⁵

<https://www.bloomberg.com/news/articles/2015-04-21/bill-de-blasio-wants-broadband-access-for-all-new-yorkers-by-2025>

²⁶ <https://statescoop.com/universal-broadband-new-york-city-announces-search-for-partners/>

²⁷

<https://www.crainsnewyork.com/article/20180319/ENTERTAINMENT/180319908/spectrum-cable-facing-1-million-fine-loss-of-nyc-franchise>

²⁸ <https://statescoop.com/nyc-commits-157-million-internet-master-plan/>

make sure City assets are not undervalued? How do we ensure that equity and justice are baked into this plan?

Good things in the Internet Master Plan:

- It lays out a clear picture on how to use municipal infrastructure and capital to build a network for the 21st century.
- It is filled with open data! The city should ensure that the proprietary data is converted to open data.

The not so good things:

- The CTO coordinates strategy, oversight is in the hands of DOITT, and implementation is vague.
- **The cost of the master plan is massive and doesn't give a comprehensive method to pay for it.** This report says it would cost \$2.1 billion to wire up Manhattan and the Bronx, with a combined population of 3 million. The report then outlines it would cost \$1 million to \$24 million per neighborhood for the rest of the 5 million New Yorkers, "assuming a backhaul connection to the internet is available at an existing aggregation point." At \$12 million per neighborhood tabulation area (195 NTAs), that is an additional \$2.34 Billion. At the high end (\$24 million per neighborhood), that would be \$4.68 billion. **The cost of the master plan is somewhere between \$4.44 billion to \$6.78 billion.**
 - To put this in perspective, the rebuilding of LaGuardia Airport is estimated to cost \$8 Billion.²⁹
- Since 2016, the city has stood up a number of experiments but never seems to convert those experiments into comprehensive programs. How is a larger, more comprehensive program going to get us there? Since Superstorm Sandy, RISE:NYC has struggled to bridge the digital divide. Why are we not looking into all of the programs this report has laid out and evaluated their effectiveness? From my interviews, those programs have struggled to find sustainable resources. Why are we not finding ways to fund and expand proven programs?³⁰
- Neighborhood Tabulation Areas leave out public spaces like the City's Parks, Governors, Wards, and Rikers Islands.
- The Internet Master Plan should have been published in HTML, not a PDF. Many of the endnotes and footnotes are buried or don't have functional links. If this whole document is about accessibility to knowledge, it falls short in its user experience. (Btw, the same thing goes to City Council discretionary funding documents. Please stop posting PDFs.)

Let's talk about the resolution?

²⁹ https://en.wikipedia.org/wiki/LaGuardia_Airport#Reconstruction

³⁰ <http://rise-nyc.com>

Most of this testimony is written in absence of a clear understanding as to why the attached resolution (T2020-6730) is being introduced today.³¹ If it wasn't for a colleague asking questions about the resolution and getting an email from Committee Council, I would have missed this hearing.

Asks of the Administration:

- Make the Internet Master Plan a signature focus of the last 14 months of the de Blasio administration.
- Ensure that franchise profits support digital literacy programs. As part of the MacBride Principles clause, we need to ensure that (#7) training programs are developed for youth and families who find themselves on the wrong side of the digital divide.
- Currently, franchise agreements are in PDFs and do not have searchable text. Please change this.
- There should be a database of franchise agreements that can be searched via machine readable text.
 - Additionally, this database of franchise agreements should provide transparency around services provided.
 - The public should be able to see the quality of service rendered, cost per megabit, timeliness of installations, AND most importantly, how they are honoring the MacBride Principles.
 - There should be an annual report / data table that outlines internet service providers in the City, their service catchment area, rate of service, and quality of service.

31

<https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4658697&GUID=1B1FC91C-7AF8-4D79-8E6D-BF665CA0B6E3&Options=&Search=>

TESTIMONY OF BROOKLYN PUBLIC LIBRARY

Oversight Hearing: Broadband and the Digital Divide

Subcommittee on Zoning & Franchises jointly with the Committee on Technology

October 13, 2020 | 2PM

Thank you, Chairpersons Moya and Holden and members of the committee for holding this hearing and to Speaker Johnson, and all the members of the council for your unwavering support of libraries. Brooklyn Public Library appreciates the opportunity to submit written testimony on the topic of *Broadband and the Digital Divide*.

Brooklyn Public Library, a leading provider of free access to Wi-Fi in Brooklyn, understands that for our patrons to have full participation in society, everyone must have equal access to the internet. Vocal supporters of net neutrality, we have worked diligently over the years to help bridge the digital divide, even as the COVID pandemic has made the disparities in underserved communities' starker than ever.

Before the pandemic, in fiscal year 2020, our patrons logged nearly 1.3 million Wi-Fi sessions and over a million desktop computer sessions. Free Wi-Fi and technology use in every one of our branches levels the playing field for our patrons without home access. As the pandemic shut down the city in mid-March, including all our buildings, we knew patrons in neighborhoods with low internet access would feel the loss of service most acutely. BPL made the decision to keep the Wi-Fi on at all branches in order to continue providing free access to individuals just outside of our locations. Our libraries continued to log 1,000-1,600 Wi-Fi sessions a day – over 35,000 sessions in the month of April – all from patrons accessing our Wi-Fi from the stoops of closed branches.

In addition to participating in the Administration's Internet Master Plan, this led us to apply for private grants so that we could extend our existing Wi-Fi signals further into 20 high-need communities, a project we call Brooklyn Reach. BPL has thus far secured enough funding to install Wi-Fi access points and dual-band antennae on the roofs of 13 priority branches. Expanding our Wi-Fi to a 300-foot radius around each building will boost the signal in public spaces and nearby residences, particularly helpful in the branches located near New York City Housing Authority (NYCHA) complexes.

Internet access has become a lifeline through this pandemic. So, it is especially troubling that about a third of Brooklyn households lack wireless internet at home and two-thirds of those households lack cellular data plans. Additionally, many Brooklynites do not own laptops, tablets or smart phones that allow them to take part in digital life. In neighborhoods like East New

York, more than half of residents do not have internet at home. Demographic disparities are also at play. Of those without broadband internet access, about a third are Hispanic or Black, 44% live in poverty, 42% are over 65, 41% lack a high school degree and 36% are outside of the workforce. This is the driving force behind our efforts to bridge the digital divide.

As part of the NYC Connected Communities Project, we provide enhanced broadband access and increased technology resources including laptops, computer classes, job readiness, and outreach at libraries in eight of Brooklyn's most underserved neighborhoods. This longstanding partnership between the city's libraries, Department of Information Technology and Telecommunications (DOITT) and other city partners, operates with funding provided by the federal Broadband Technology Opportunities Program (BTOP).

Throughout the system, we offer a wide array of free computer and technology classes serving everyone from beginners to advanced users. Over the years, we have partnered with the Council to offer digital literacy programs throughout the borough. Most recently, with funding from Council Member Inez Barron we expanded the public laptop loan program, increased branch technology and ran a suite of digital literacy classes at East Flatbush, New Lots, Spring Creek, Cypress Hills branches. Every one of our branches has Technology Resource Specialists to assist patrons and teach digital literacy skills to patrons young and old. To improve the ease of our in-branch laptop loan program, Brooklyn Public Library recently piloted self-service laptop loan lockers or "laptop vending machines" in Sunset Park Library and most recently at Coney Island Library.

In March of 2019 Brooklyn Public Library celebrated the opening of the Best Buy Teen Tech Center at Kings Highway Library providing teens with the latest technology and staff to help them develop critical skills through hands-on activities. The Center includes workstations, meeting spaces, technical equipment and a music studio. Teens are using the technology to create art, produce music and animations; design science simulations and mobile applications; writing and illustrating interactive poetry, stories and films; building kinetic sculptures and robotics; and designing their own 3D worlds and games.

Kids and Teens also benefit from library programs like the Brooklyn Robotics League a free team competition for building, coding and programming robots while teaching teamwork, problem-solving and decision-making, open to youth in every one of our branches; as well as Today's Teens, Tomorrow's Techies (T4) a program that has provided more than 1,600 teens with training, volunteer and internship experiences in information technology.

Brooklyn Public Library fosters relationships with community partners to offer our youngest patrons a wide variety of learning opportunities and experiences with a focus on STEAM education—science, technology, engineering, arts and mathematics. We partnered to host Girls Who Code clubs, for 6th to 12th grade girls to explore coding and learn more about

careers in technology; and with LAMP Media Productions and Macon Library for a Teen Photography Activism workshop using iPads and digital cameras from the library; and a partnership with Brownsville Community Justice Center, Made in Brownsville and the Brooklyn Arts Council created *BrownsvillExcerpts*, a 10-week program that taught young patrons about journalism and broadcast media with audio equipment and professional mentors to create their own podcast.

Brooklyn Public Library offers a variety of technology tools in every branch, including a selection of iPads, MacBook and Microsoft Laptops, gaming consoles, Lego Robotics and Little Bits kits, tablet computers to support early literacy and tablets for classes and programs, a large flatscreen, a projector and 3D printer, all thanks to state funding from Assemblyman Joe Lentol and the Brooklyn delegation. Working together, while our branches were closed, those 3D printers were loaned to Columbia Library to help create face shields for hospitals fighting COVID19.

We also recognize the importance of dedicated tech spaces. Three years ago, Brooklyn Public Library and Charter Communications opened a new technology center at Bushwick Library, the Spectrum Learning Lab. This lab offers laptops and high-speed internet service, as well as multilingual digital literacy programs designed to serve Bushwick residents with limited English proficiency. Programs include computer classes for older adults, weekly job readiness workshops, after-school programs and class visits, technology classes, digital literacy workshops, and STEM programs hosted by staff, volunteers or local community groups.

Our flagship location in Central Library, boasts a flexible, technology-rich center, known as the Information Commons. The space includes a recording studio, reservable meeting rooms with smart boards, sophisticated design software and a digital training lab. It is an inspiring, open space in which to work, create and collaborate, and we look forward to a day when it will once again be bustling with patrons. We will also unveil a brand-new computer lab, in the newly designed Civic Commons at Central Library.

The Library's work is making a difference for our patrons, but to truly move the needle on equalizing digital access we must push for big and bold solutions. Brooklyn Public Library remains deeply committed to working with our partners in government, community, and in the private sector to bridge the digital divide. We will continue to use our platform as the most trusted and democratic spaces in society to call for change and elevate the needs of our most underserved communities.

Thank you.

Brooklyn Fiber Testimony

Hello everyone. My name is Robert Veksler and I am the cofounder of Brooklyn Fiber, a wholly independent, net neutral, no contract, no install fee, no price creep internet service provider. What that means is we have never charged any of our customers to install our service, held them to a contract, and our plan prices never go up - if you have been our customer since 2012 you are paying the same price for internet service you did 8 years ago. We have no fine print to our plans.

We have been providing service to what have been called Digital Deserts for about 10 years now. The thing with these digital deserts is they are spread throughout Brooklyn, one of the most populous and advanced cities in the world. We provide service to people and businesses who - before us - had limited or no access to broadband. If they are lucky they have a choice between Spectrum and Verizon, often they only have a choice of one of those provider.

As a small provider without access to unlimited resources and open ended franchise agreements we have been running service to our customers through a hybrid model - fiber runs where we can and fixed wireless connections every else. Fixed wireless gives us the ability to bring incredibly high speed internet into practically any building in NYC. And our time to deployment is days instead of months or years.

The issues we have run into apart from this being an incredibly expensive endeavor stem primarily from access. For instance we cannot setup on top of NYCHA buildings even though we are the main uplink to several NYCHA-focused broadband initiatives. In working with NYCHA we have had to work around the lack of access by attempting to beam open WiFi networks into buildings. This is what we did for NYCHA residents during hurricane Sandy. Needless to say, this is not a viable solution.

If access to city buildings and infrastructure became less of a hurdle for companies such as my own we could then go about last-mile-ing to millions of New Yorkers that have poor to extremely limited and often times much too expensive options for internet service.

We receive calls all day every day from people who are either forced to sign up for egregiously expensive plans or simply have one option for service - that in and of itself is a major cause for concern. These are people that, now more than ever, need affordable and reliable internet access for their families. The woeful state of New York City's internet infrastructure should be ringing alarm bells throughout the City Council and all facets of government planning - you shouldn't be looking at this as a pothole problem in an otherwise decent roads system, you

should be looking at this as though the BQE or Belt Parkway simply ceased to exist.

On Franchises: Instead of providers doubling efforts for coverage by running fiber twice or even three times to the same location, the city should be running dark fiber once and allowing providers to last mile. The current system causes providers to double their efforts. The city is generating franchise fees through this scheme but it seems shortsighted - it would have a far greater impact if the city lowered or removed these franchise costs altogether and ultimately looked at expanding overall broadband coverage by running city owned fiber and charging providers for access. This would not only solve the problem of access to all NYC residents but lead to less infrastructure build out and interruption.

And councilors when considering what speeds are being provided to lower income families through the universal broadband program, I would ask providers about download AND upload speeds. The FCC minimums are going to be anemic for any family with multiple children doing remote learning or zoom based classes. Not all of the incumbents seem to be providing an acceptable level of service for typical home use today

We have very specific ideas on how to address this problem and I would be more than happy to answer to questions from the Council in this forum or offline.

Thank you



Testimony Submitted to the New York City Council Subcommittee on Zoning and Franchises and the Committee on Technology

Oversight Hearing: Broadband and the Digital Divide

October 15, 2020

Citizens' Committee for Children of New York. CCC is a 75-year-old independent, multi-issue child advocacy organization dedicated to ensuring that every New York child is healthy, housed, educated, and safe. CCC does not accept or receive public resources, provide direct services, or represent a sector or workforce. We document the facts, engage and mobilize New Yorkers, and advocate for solutions.

We would like to thank Chair Holden, Chair Moya, and all the members of the Committee on Technology and the Subcommittee on Zoning and Franchises for holding this important Oversight hearing on broadband and the digital divide.

Mapping the Digital Divide

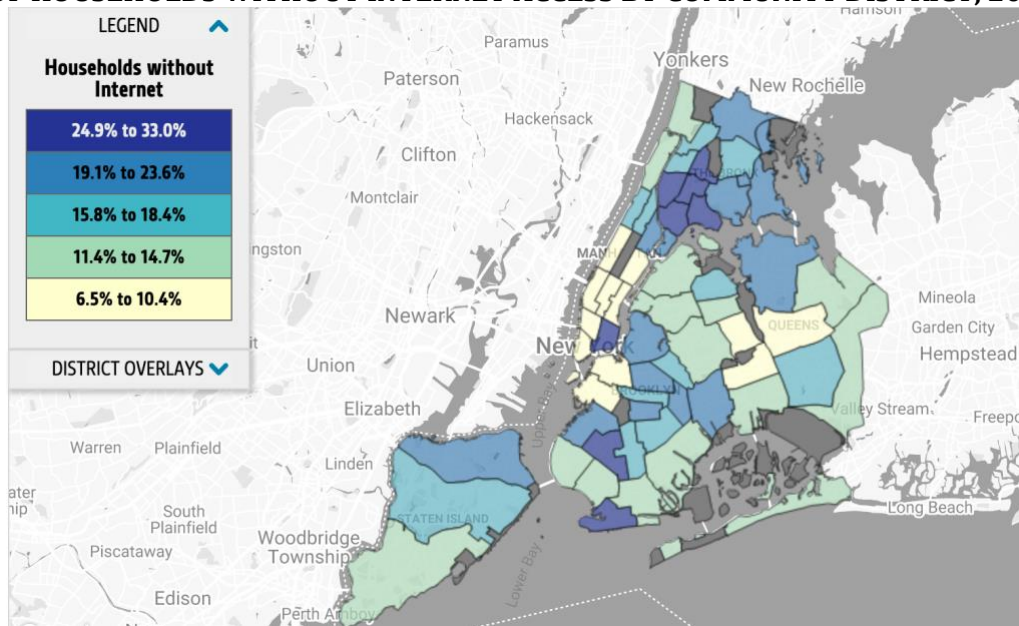
COVID-19 has rapidly created a new world where reliable access to the internet has never been more important for enabling children and families to access essential services. It has also laid bare the staggering disparities our city faces in internet connectivity, which has created and exacerbated existing inequities in who can access educational services, healthcare, and an array of other critical social services.

While remaining connected is vital on many levels, internet access is not universal – more than 500,000 households in New York City lack internet access – and digital inequities are preventing the city's most vulnerable populations from accessing financial and food supports, education, and needed health and behavioral health services in this time of crisis.

Just under one in six households across the city reported no means of accessing the internet in 2018 – that is, no dial-up, broadband, satellite, or cellular data plans.¹

¹ CCC analysis of U.S. Census Bureau, American Community Survey Public Use Microdata Sample file (2018), 1-year estimates.

SHARE OF HOUSEHOLDS WITHOUT INTERNET ACCESS BY COMMUNITY DISTRICT, 2018

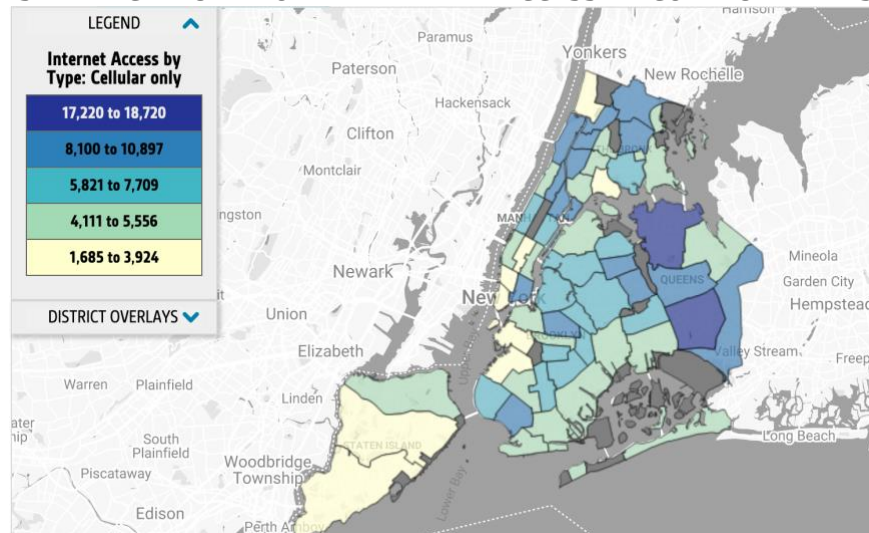


Households that lack any internet access are most prevalent in neighborhoods with higher rates of poverty. 230,000, or 38%, of low-income households (earning below \$20,000 annually) are without internet. In communities like Borough Park and Sunset Park in Brooklyn, and the Lower East Side in Manhattan, more than half of these low-income households' lack internet access.

Further, the number of households that are accessing the internet exclusively through cellular data plans is growing: totaling 386,000, or 12% of all NYC households in 2018. This is up from 9% of all NYC households in 2015.

In a handful of community districts, more than one in five households access the internet through cellular data only – this is the case in Williamsbridge, Pelham Parkway, and University Heights in the Bronx, as well as Jamaica/St. Albans, Elmhurst/Corona, and Flushing in Queens.

HOUSEHOLDS WITH CELLULAR ONLY INTERNET ACCESS BY COMMUNITY DISTRICT, 2018



Finally, while the availability of broadband services is almost universal in New York City, not all households have access to choice among internet service providers (ISPs). It is broadly accepted that three available ISPs is the minimum threshold to assure quality of service and prevent duopolies or monopolies in the market. **Yet 14 percent of households citywide have only one ISP available within a block of their home.** In fact, there are thousands of households in Northern Manhattan, University Heights, and Co-op City for which there is only one ISP available.

Available data on the digital divide underscore the importance of expanding access to critical support services for New Yorkers facing risks to their well-being.

Policy Considerations

As the city, state, and federal government seek to address challenges related to COVID-19, it is especially important that we confront the digital divide to increase the flow of information to all households and ensure adequate participation in supports and programs that will be critical for recovery – including safety net programs, behavioral health and mental health services, and continued learning for students.

More than 800,000 New Yorkers live in households without internet, including thousands who participate in safety net programs. 15% of participants in SNAP, Cash Assistance, and Medicaid had no internet in 2018.² Identifying ways to connect to and engage families in services will be vital moving forward.

To that end, New York must identify every opportunity to bring free and affordable internet and data plans to New Yorkers who lack services. The city must also make capital investments to ensure every household has broadband access, especially in transitional and public housing where families with children concentrate. Helping households receive devices, data plans and internet connectivity is key, as is ramping up outreach and education efforts on available resources across multiple media – radio, mail, and phone – to raise awareness of available services and supports.

The COVID-19 crisis is fundamentally changing the way we approach teleservices and is likely to establish new modes of service delivery that will survive long after the height of this crisis. **It is therefore essential that we ensure the systems that are established do not reinforce existing inequities for those who struggle to access services remotely.** In particular, our health and social service systems must prioritize communities that do not speak English and ensure robust translation and interpretation services are provided so we do not further magnify language access gaps. Our systems must also adapt to communities and individuals who are less comfortable using teleservices and who are at risk of being left behind as this becomes a primary mode of service delivery.

² CCC analysis of U.S. Census Bureau, American Community Survey Public Use Microdata Sample file (2018), 1-year estimates.

Students Continue to Struggle to Connect to Remote Learning

The DOE has made important strides towards enabling students to access remote learning, purchasing and distributing hundreds of thousands of iPads to students throughout the city. We are appreciative of the work the city has done to narrow the digital divide for students.

However, it is abundantly clear that too many students are still being left behind. Our partners on the ground report children and families whose devices don't work, who lack the help they need to troubleshoot internet and device challenges, or who simply have not engaged in learning since schools went remote. It is difficult to understate the long-term repercussions for those children who have been partially or fully excluded from learning opportunities due to inadequate support; many of these are the same students who have faced systemic inequities in education access and services even before the pandemic.

Below are recommendations for how the city can continue to identify and assist those students and families who have been left behind:

- **Ensure every NYC student has a device that connects to the internet, and prioritize laptops equipped with hotspots instead of iPads.** iPads are not an ideal device for learning due to their size, lack of keyboard, and more limited functionality with remote platforms. They are also more expensive than many high-quality laptops. As the city seeks to reach those children who still lack a working device, it should prioritize those devices that will best assist student learning.
- **Ensure all students in temporary housing can learn remotely, either by providing all shelters with Wifi service or ensuring cellular connectivity.** We appreciate the DOE's efforts to prioritize devices for students in shelter. However, many shelters lack Wifi or are in cellular deserts, which prevents students from connecting to their school and other services. Moreover, families in shelter struggle with a wide array of challenges accessing remote services, including language barriers, unfamiliarity with technology, and lack of technical assistance to overcome digital literacy barriers. Eliminating all connectivity barriers in shelter must be a top priority.
- **Improve procedures for troubleshooting student challenges with devices.** While DOE has done good work in getting devices to students, we hear over and over again of students who experience defects in their device or connectivity challenges. Too often these students do not know how to get their issue addressed, or end up losing days or weeks of learning while they wait for issues to be resolved by the DOE. NYC must develop a more streamlined way to address and troubleshoot these types of challenges. This should include additional training and technical assistance for students and families.
- **Monitor and evaluate the depth of learning loss.** This starts with accurate and timely reporting on how many students are effectively engaging, and also includes assessing who was left behind, the extent of learning loss, and what structures and supports may be required over the summer and throughout the next school year as part of an educational recovery plan.

Address Inequitable Access to Health and Behavioral Health Services

In New York and across the country, COVID-19 is exacerbating children's unmet mental health needs, as children face new behavioral health challenges resulting from isolation, economic and housing insecurity, disruptions in education, loss of loved ones, and heightened child welfare risks.

It is critical that our City, State, and Federal governments focus not just on the immediate needs, but also the long-lasting repercussions of this crisis.

The transition to telehealth has meant that some families are able to access services more effectively than ever before. But for those families who lack internet connectivity or who face other barriers to receiving tele-services, inequities in healthcare access are at risk of widening in this new digital landscape. The burdens of disconnection from care will continue to fall disproportionately on Black, brown, and low-income communities that have faced historic and systemic inequities in their healthcare access and care.

Below are recommendations for how the city can continue to identify and assist those children and families in connecting to care:

- **Enhance digital training and improve connectivity for providers.** Just like many families, many health and behavioral health providers are unused to providing services via telehealth. Preliminary surveys from partners in the field reveal a strong desire for additional training on how to use online platforms, and how to implement best practices for providing services remotely. Additionally, some providers also lack the appropriate internet connectivity or devices to reliably provide services via telehealth. NYC must provide funding to community-based health and behavioral health providers seeking to improve their ability to reach families, whether through trainings or through internet services and devices.
- **Develop a coordinated plan to address families excluded from adequate telehealth services.** As important as teletherapy is, it must not be viewed as the silver bullet for addressing children’s unmet health and behavioral health needs. Even with adequate resources, many families are struggling to adapt to services provided online. Some children may be too young to respond well to teletherapy, and many parents may struggle to engage in intensive dyadic therapy, particularly if they are facing the added challenge of providing educational support to the rest of their children. A history of racist healthcare practices may contribute to distrust of telehealth among some Black patients in particular, and language remains a major barrier to equitable healthcare access. Lack of privacy with families sheltering in place is also an added barrier.

National data on CHIP and Medicaid shows substantial and dramatic declines in children accessing immunizations, dental services, behavioral health services, and screenings, among other health areas.³ Without a coordinated plan to identify children who have missed out on essential health services and connect them to care, we will see the long-term harms of unmet health and behavioral health needs as these children grow into adults. We urge the city to work with providers, advocates, and families on the ground to develop solutions for ensuring equitable access to care.

Thank you for your time and consideration today.

³ Centers for Medicare and Medicaid Services. “Service use among Medicaid and CHIP beneficiaries age 18 and under during COVID-19.” <https://www.medicaid.gov/resources-for-states/downloads/medicaid-chip-beneficiaries-18-under-COVID-19-snapshot-data.pdf>



Testimony of

Coalition for the Homeless

and

The Legal Aid Society

on

Broadband and the Digital Divide

submitted to

The New York City Council's Committee on Technology and Subcommittee on Zoning and Franchises

Giselle Routhier
Policy Director
Coalition for the Homeless

Susan J. Horwitz
Supervising Attorney of the Education Law Project
The Legal Aid Society

October 13, 2020

The Coalition for the Homeless and The Legal Aid Society welcome this opportunity to submit written testimony to the New York City Council's Committee on Technology and Subcommittee on Zoning and Franchises regarding broadband internet access, specifically how it affects school-age children in shelters.

Homelessness and School-Age Children in NYC

The coronavirus pandemic has highlighted that internet access is an indisputable necessity for all New Yorkers who are trying to safely social distance. However, homeless New Yorkers are too often denied such access, which can have devastating consequences, especially for school-age children trying to access remote learning from shelters. In the 2018-19 school year, there were an estimated 114,000 children in NYC public schools experiencing homelessness, including those living in doubled-up housing situations. Of these children, 34,471 were living in shelters, with most in shelters operated or contracted by the Department of Homeless Services (DHS). At the start of the COVID-19 pandemic, remote learning became the new norm, and so adequate internet access became a basic requirement for receiving an education. Even though many schools now offer "blended" learning programs, given that so many homeless children are in shelters far from their schools, and given that many schools in Brooklyn and Queens are switching back to offering only remote learning as a result of the uptick in COVID-19 cases in certain neighborhoods, remote learning is the only option available for a large number of students in shelters. Even for schools that continue blended learning, all students need reliable internet access on the days they are not scheduled for in-person instruction.

However, while students have been provided with iPads issued by the Department of Education (DOE), many shelters do not have reliable or stable cellular coverage, and so the iPads cannot connect to the internet. Many families live in shelters, such as the Flatlands Family Residence in Brooklyn, that are located in "dead zones" for service from T-Mobile, the DOE's wireless internet provider, and therefore have no way to connect. The lack of access to internet coverage is not simply a short-term issue for homeless children, who spend an average of 428 days in DHS shelters with their families. Students are thus at risk of missing significant portions of the academic year if internet access issues are not immediately resolved. Research documenting the impacts of chronic absenteeism not only warns of the potential negative effects on short-term academic performance, but also illustrates the detrimental impact on longer-term achievement outcomes – only further contributing to the cyclical nature of poverty.

Internet Access and Learning Obstacles for Students in DHS Shelters

On March 23, 2020, the New York City public school system began offering only remote learning, requiring students to attend virtual classes and adhere to online homework submission deadlines. While the DOE partnered with Apple to provide students with iPads, a large number of the City's 150 DHS shelters for families with children had not received their shipment of iPads by the first day of school. By the next week, when most of the iPads arrived, students were left struggling to find areas in their shelters with cellular service to make up for their missed week of classes. The City still has not provided an accurate assessment of how many shelters lack adequate internet services, nor data on how many students have been affected, despite a request by the Comptroller on September 16th to the Mayor and the DOE Chancellor. There is even less available information about how families and students living in shelters for survivors of domestic violence, youth, or single adults have fared during the pandemic.

Students who live in shelters without internet access have had to scramble to find local, publicly accessible businesses with free WiFi, or connect to alternate sources of WiFi like NYC Link stations, in order to connect to the internet. One mother, *CB*, lives with her 9-year-old daughter in a DHS shelter in Manhattan. She reported that when her daughter's DOE-provided iPad does connect, it only connects to 4G service rather than LTE, causing her connection to be very slow. The shelter did not allow her to install a router for the free internet services she receives by attending BMCC, so she must work around the dead-zone that her shelter is in. Her daughter has to sit outside of the shelter to connect to NYC Link stations on the three days per week that she does remote learning, often resulting in whole days spent trying to connect without success. With colder weather approaching, the family worries that they will no longer be able to access the internet at all.

Now, one month into the new school year, DOE and DHS continue to skirt accountability as they fail to coordinate to address these critical issues directly. In July, Coalition for the Homeless provided DHS and DOE with the names of students who had trouble accessing the internet with their DOE-provided iPads. DHS refused to take any responsibility for addressing the problem, insisting that providing WiFi or any broadband internet access was unnecessary because the iPads are cellular-enabled. Furthermore, both agencies disregarded recommendations to set up a guest WiFi network and install extenders to allow students to access classes while T-Mobile works to address the general connectivity issues. The connectivity issues are not a new problem: During the summer of 2019, the City Bar Justice Center interviewed 84 residents of NYC family shelters in Manhattan and the Bronx, finding that only 6 percent were able to access the internet through their shelters.

The lack of internet service for students who so desperately need it is, of course, a solvable problem. Some shelter providers wired their buildings with internet before school closures last year. The City should ensure that all homeless students across all shelter systems have internet access. Due to the unpredictable nature of this pandemic, even schools with in-person instruction may be quickly ordered to close, which will leave thousands more students without consistent access to their classes. This failure further exacerbates the disparities that already put homeless children at such an educational disadvantage, and so must be addressed by the City at once.

The lack of reliable internet access for students living in shelters inhibits the core tenet of educational opportunity for these students. Not only is every student in the city entitled to equal access to free public education until the age of 21, but Federal law also guarantees "homeless youth and children of homeless individuals equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youths" (42 U.S.C. § 11431). During this pandemic, a reliable internet connection is the most fundamental resource needed to access education. Homeless students in DHS-run family shelters are currently missing countless days of instruction because the DOE and DHS have failed to provide them a way to access it. There are likely hundreds of other students in shelters run by the Human Resources Administration and the Department of Youth and Community Development who are similarly missing instruction as a result of unreliable or unavailable internet service. The City has put students in an unacceptable position, and must immediately provide a solution to these access issues.

We have informed the City that unless reliable internet service is provided to students at the Flatlands Family Residence and all other families with children shelters, we will be forced to pursue appropriate

legal remedies to safeguard their right to an education. A copy of our October 8th letter to DHS and DOE is attached to this testimony.

Conclusion

We thank the Council for the opportunity to provide written testimony, and we look forward to opportunities for further advocacy to address the needs of all homeless New Yorkers.

About The Legal Aid Society and Coalition for the Homeless

The Legal Aid Society: The Legal Aid Society, the nation's oldest and largest not-for-profit legal services organization, is more than a law firm for clients who cannot afford to pay for counsel. It is an indispensable component of the legal, social, and economic fabric of New York City – passionately advocating for low-income individuals and families across a variety of civil, criminal, and juvenile rights matters, while also fighting for legal reform. This dedication to justice for all New Yorkers continues during the COVID-19 pandemic.

The Legal Aid Society has performed this role in City, State and federal courts since 1876. It does so by capitalizing on the diverse expertise, experience, and capabilities of more than 2,000 attorneys, social workers, paralegals, and support and administrative staff. Through a network of borough, neighborhood, and courthouse offices in 26 locations in New York City, the Society provides comprehensive legal services in all five boroughs of New York City for clients who cannot afford to pay for private counsel.

The Society's legal program operates three major practices — Civil, Criminal, and Juvenile Rights — and receives volunteer help from law firms, corporate law departments and expert consultants that is coordinated by the Society's Pro Bono program. With its annual caseload of more than 300,000 legal matters, The Legal Aid Society takes on more cases for more clients than any other legal services organization in the United States. And it brings a depth and breadth of perspective that is unmatched in the legal profession.

The Legal Aid Society's unique value is an ability to go beyond any one case to create more equitable outcomes for individuals and broader, more powerful systemic change for society as a whole. In addition to the annual caseload of 300,000 individual cases and legal matters, the Society's law reform representation for clients benefits more than 1.7 million low-income families and individuals in New York City and the landmark rulings in many of these cases have a State-wide and national impact.

The Legal Aid Society is uniquely positioned to speak on issues of law and policy as they relate to homeless New Yorkers. The Legal Aid Society is counsel to the Coalition for the Homeless and for homeless women and men in the *Callahan* and *Eldredge* cases. The Legal Aid Society is also counsel in the *McCain/Boston* litigation in which a final judgment requires the provision of lawful shelter to homeless families. The Society, in collaboration with Patterson Belknap Webb & Tyler, LLC, filed *C.W. v. The City of New York*, a federal class action lawsuit on behalf of runaway and homeless youth in New York City. The Society, along with institutional plaintiffs Coalition for the Homeless and Center for Independence of the Disabled – NY, settled *Butler v. City of New York* on behalf of all disabled New Yorkers experiencing homelessness.

Coalition for the Homeless: Coalition for the Homeless, founded in 1981, is a not-for-profit advocacy and direct services organization that assists more than 3,500 homeless and at-risk New Yorkers each day. The Coalition advocates for proven, cost-effective solutions to the crisis of modern homelessness, which is now in its fourth decade. The Coalition also protects the rights of homeless people through litigation involving the right to emergency shelter, the right to vote, the right to reasonable accommodations for those with disabilities, and life-saving housing and services for homeless people living with mental illness and HIV/AIDS.

The Coalition operates 11 direct-services programs that offer vital services to homeless, at-risk, and low-income New Yorkers. These programs also demonstrate effective, long-term, scalable solutions and include: Permanent housing for formerly homeless families and individuals living with HIV/AIDS; job-training for homeless and low-income women; and permanent housing for formerly homeless families and individuals. Our summer sleep-away camp and after-school program help hundreds of homeless children each year. The Coalition's mobile soup kitchen, which usually distributes about 900 nutritious hot meals each night to homeless and hungry New Yorkers on the streets of Manhattan and the Bronx, is now regularly serving more than 1,100 meals per night and distributing PPE and emergency supplies during the COVID-19 pandemic. Finally, our Crisis Services Department assists more than 1,000 homeless and at-risk households each month with eviction prevention, individual advocacy, referrals for shelter and emergency food programs, and assistance with public benefits as well as basic necessities such as diapers, formula, work uniforms, and money for medications and groceries. In response to the pandemic, we are operating a special Crisis Hotline (212-776-2177) for homeless individuals who need immediate help finding shelter or meeting other critical needs.

The Coalition was founded in concert with landmark right-to-shelter litigation filed on behalf of homeless men and women (*Callahan v. Carey* and *Eldredge v. Koch*) and remains a plaintiff in these now consolidated cases. In 1981, the City and State entered into a consent decree in *Callahan* through which they agreed: "The City defendants shall provide shelter and board to each homeless man who applies for it provided that (a) the man meets the need standard to qualify for the home relief program established in New York State; or (b) the man by reason of physical, mental or social dysfunction is in need of temporary shelter." The *Eldredge* case extended this legal requirement to homeless single women. The *Callahan* consent decree and the *Eldredge* case also guarantee basic standards for shelters for homeless men and women. Pursuant to the decree, the Coalition serves as court-appointed monitor of municipal shelters for homeless adults, and the City has also authorized the Coalition to monitor other facilities serving homeless families. In 2017, the Coalition, fellow institutional plaintiff Center for Independence of the Disabled – New York, and homeless New Yorkers with disabilities were represented by The Legal Aid Society and pro-bono counsel White & Case in the settlement of *Butler v. City of New York*, which is designed to ensure that the right to shelter includes accessible accommodations for those with disabilities, consistent with Federal, State, and local laws.

Milbank

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October 8, 2020

VIA EMAIL

Mr. Richard A. Carranza
Chancellor
New York City Department of Education
52 Chambers Street
New York, NY 10007

Ms. Joslyn Carter
Administrator
New York City Department of Homeless Services
33 Beaver Street
New York, NY 10004

Re: Internet Access for School-Age Children in Department of Homeless Services Shelters

Dear Mr. Carranza and Ms. Carter:

We, together with The Legal Aid Society, represent the Coalition for the Homeless. We write to convey the Coalition's grave concerns regarding the lack of internet access for school-age children in Department of Homeless Services shelters, including, but not limited to, the Flatlands Family Residence in Brooklyn. In light of the COVID-19 pandemic, internet access is not a luxury; it is a basic prerequisite to entering the "virtual classroom" that has been necessitated by the virus. By neglecting to ensure that homeless children can connect to the internet, the City is in violation of its constitutional obligation to provide a "sound basic education," and the Department of Education is failing its stated mission of providing a "rigorous, inspiring, and nurturing learning experience" to "every single child."¹ Instead, it is providing them with no education at all. It is

¹ See *Equity and Excellence for All*, N.Y.C. Dep't of Educ., available at www.schools.nyc.gov/about-us/vision-and-mission/equity-and-excellence.

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Mr. Richard A. Carranza
Ms. Joslyn Carter
October 8, 2020

critical that DOE and DHS, or both agencies working together, take immediate action to comply with their legal obligations.

When the City's schools closed earlier this year upon the rapid onset of the pandemic, students were left with no option but to continue their education remotely. The rushed transition to remote learning presented new obstacles for everyone involved—students, teachers, and caregivers alike. But those obstacles were especially steep for students in shelters who lacked the technology necessary to meaningfully participate (or participate at all) in their virtual classrooms. We understand that the City partnered with Apple to provide students in shelters with iPads to attend virtual classes and complete online assignments. We also understand that the City contracted with T-Mobile to provide cellular data for these iPads so that students could participate in their remote education no matter their location.

However laudable at the time, the City's efforts to provide equal access to the classroom through these devices and services soon proved to be of little or no use to many children. Although T-Mobile provides students with cellular data access for their iPads, it is not possible for many children at the Flatlands shelter—to take one example—to access the internet on the provided devices, due to unreliable or nonexistent cell service inside the building. DHS has repeatedly failed to facilitate access to Flatlands so that T-Mobile technicians could test their cellular connectivity inside the building. And even if T-Mobile staff were permitted to enter the building, data maps show that Flatlands—like many other areas of the City where shelters are located—is rife with “dead zones,” such that students are unable to connect to the cellular service.

Reports from school-age children residing in other shelters, such as the Regent Family Residence and Children's Rescue Fund House East, confirm that this unacceptable deficiency is not limited to the Flatlands facility. Families in those shelters also report slow connectivity speed and frequent shut-downs, which require the DOE-provided iPads to be fully reset. Some families report using WiFi at fast food restaurants to ensure that they can participate in important meetings or classes. Even in shelters that offer WiFi to residents, the signal strength is inadequate to ensure consistent, reliable coverage throughout the facilities.

To receive an education during the pandemic, students are expected to stream live classes, download homework, and submit their assignments online. Without internet access, many homeless children simply cannot do so. This problem is particularly acute for families that have opted for fully remote instruction, and in light of this week's school closures in COVID hotspot neighborhoods, there is a very real possibility that all students will ultimately be forced to attend remotely. The situation is further compounded for students with disabilities who receive special education services pursuant to Individualized Education Plans. A device that should grant students in shelters the same educational opportunities as other students serves no educational purpose without the proper connectivity. Students in shelters are effectively locked out of their virtual classrooms unless and until the City chooses to take action.

Over the summer, recognizing that the forthcoming school year was likely to be substantially if not entirely remote, the Coalition and Legal Aid raised the problems with connectivity in shelters with both DHS and DOE. Neither agency offered or accepted a solution;

Mr. Richard A. Carranza
Ms. Joslyn Carter
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instead, they made unsupported assertions that WiFi access was unnecessary because the iPad cellular-based services were adequate. Now, nearly a month into the school year, those assertions have proven baseless, and it remains the case that no effective measures have been taken to address this continuing harm to students in shelters. Indeed, instead of remedying the issue—which should be easily manageable both from a budgetary and logistical perspective—DOE and DHS have reacted by finger-pointing, each disclaiming responsibility. The result is that the students themselves—day by day and week by week—continue to lose essential instructional time.

In the course of failing its most vulnerable children, the City and the agencies through which it acts are also violating the law. *See* 42 U.S.C. § 11431 (“Each child of a homeless individual and each homeless youth [is entitled to] equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youths.”); N.Y. Const. art. XI, § 1 (creating constitutional right to “sound basic education”); *Campaign for Fiscal Equity, Inc. v. New York*, 86 N.Y.2d 307, 315-16 (1995) (“sound basic education” requires “resources made available under the present system” that are “adequate to provide children with the opportunity to gain . . . essential skills”).

Litigation should be unnecessary when the basic educational rights of children living in DHS shelters—children who face unimaginable challenges even in the absence of a pandemic—are at stake. Nonetheless, the Coalition is prepared to seek expedited judicial intervention should the City’s unfortunate pattern of interagency buck-passing continue.

We are prepared to discuss these issues with representatives of DOE or DHS, or both, at any time. In the meantime, we expect and appreciate a response no later than October 15, 2020. The Coalition reserves all rights and remedies in respect of this urgent matter.

Sincerely,

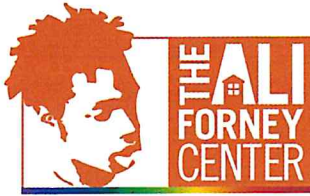
/s/ Grant R. Mainland
Partner
Milbank LLP

/s/ Susan J. Horwitz
Susan J. Horwitz
Supervising Attorney of the Education Law Project
The Legal Aid Society

cc: James E. Johnson
Corporation Counsel of the City of New York

Steven Banks
Commissioner
New York City Department of Social Services

Joshua Goldfein & Beth Hofmeister
Staff Attorneys
Homeless Rights Project, The Legal Aid Society



October 8, 2020

Dear New York City Council Members,

As the Executive Director of the Ali Forney Center, I am writing this letter to support Charter Communications in light of their endeavors and their efforts in our ongoing relationship.

Our mission is to protect lesbian, gay, bisexual, transgender, questioning (LGBTQ) youth from the harm of homelessness, and to support them in becoming safe and independent as they move from adolescence to adulthood. Too many of these youth are rejected by their families and the broader community and are thus forced to survive on the streets, facing the dangers of violence, HIV infection and homophobia. The Ali Forney Center is committed to providing homeless LGBT&Q youth with the services they need to thrive, including shelter, HIV Prevention and lifeskills training.

Through *Spectrum Learning Labs*, we were awarded with state-of-the-art technology facilities, at our Harlem Drop In Center which is open 24 hours a day, seven days a week, 365 days a year. Spectrum Learning Labs helps street homeless youth and our housed youth and communities develop and improve their computer, internet and communications skills, providing them with free workstations, computers, printers and other accessories that facilitate this growth in digital literacy and quality workspaces. Charter has contributed \$50,000 to pay for our computer equipment and software. Our Learning Lab includes computers, tablets, smartboards, and internet service and also serve the function of helping our community members participate in skills training programs, literacy programs and classes, college research and multimedia learning experiences.

Spectrum has been a longtime supporter of the Ali Forney Center, dating back to 2011, and our mission and we look forward to building upon our partnership to continue to provide critical services and resources to our community. If you would like more information, please feel free to contact me at aroque@aliforneycenter.org or via phone at 212-206-9349.

Sincerely,


Alexander Roque
President and Executive Director



October 13, 2020

To Whom It May Concern,

As VP of IT and Chief Information Officer of Brooklyn Public Library (BPL), I'm writing this letter to support Charter Communications in light of their endeavors and their efforts in our ongoing relationship.

As one of the largest library systems in the United States, BPL receives close to eight million annual visits and offers nearly 70,000 free programs for people of all ages and backgrounds. To further its mission and vision, BPL promotes a culture of lifelong learning and provides a safe and welcoming space in communities throughout Brooklyn. BPL provides thousands of children, families, students and adult learners—especially those from economically disadvantaged communities—with free access to library materials and online resources, computers, homework help, workforce development programs, services to New Americans, and a diverse roster of educational and cultural programs. With free WiFi, 1,500 public computers, free laptop and tablet lending, and a robust schedule of public programs and courses, BPL is also the borough's largest provider of free technology.

As technology and internet access have become an increasingly integral and essential part of daily life, impacting academic achievement, job readiness and lifelong learning opportunities--as well as the ability to access government benefits and health, financial and transportation systems--advancing digital literacy and engaging users across the spectrum of technology proficiency has become one of BPL's key strategic goals.

Through *Spectrum Learning Labs*, we were awarded state-of-the-art technology facilities at Bushwick and the soon-to-open Greenpoint Libraries. Spectrum Learning Labs help bridge the digital divide by enabling residents to develop and improve their computer, internet and communications skills with free access to workstations, computers, printers and other accessories. Charter has contributed over \$100,000 to pay for our computer equipment and software, including computers, tablets, smartboards, and internet service, which enable community members participate in skills training programs, literacy programs and classes, college research and multimedia learning experiences.

Spectrum has been a longtime supporter of BPL and our mission and we look forward to building upon our partnership to continue to provide critical services and resources to our community. If you would like more information, please feel free to contact me at ssmith@bklynlibrary.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Selvon Smith".

Selvon Smith
VP, IT and Chief Information Officer



October 13, 2020

New York City Council
250 Broadway
New York, NY 10007

Dear Councilmembers:

When I founded the Bushwick Film Festival (BFF) in 2007, my vision was to use the power of film to build communities, empower underrepresented storytellers, and increase diversity in film and other forms of media through year-round programming. Over the last thirteen years, with the support of organizations like Charter Communications, that dream has become a reality as BFF has blossomed into a leading independent film, media, and event production company in Brooklyn, NY.

For the last 3 years, Charter Communications has been one of our lead sponsors. Their support has allowed us to build programs for young people in Bushwick and surrounding communities and also for emerging filmmakers. These programs allow us to help close the digital divide. In addition their support has allowed us to make a number of our screenings free for the public giving the larger community more access to films and media programming.

We are grateful for their support and partnership because it has allowed us to amplify BFF's message of community and diversity to a wider audience of filmgoers and provide a broader platform to more aspiring filmmakers to express these important values. Charter Communications has been steadfast in providing the resources we need to provide these critical services.

In these troubled times, data allows artists to harness their power and brings diverse communities together. We fully support the effort to bridge the data divide and the work of Charter so they can continue to promote and provide services for festivals like ours.

Kweighbaye Kotee
Founder and CEO
Bushwick Film Festival

A handwritten signature in black ink, appearing to read "K. Kotee".



Central Family Life Center Inc.

59 Wright Street/Rev Calvin Rice Place
Staten Island, NY 10304
Telephone (718) 273-8414
Fax (718) 981-3740

10/13/2020

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Rev. Dr. Demetrius S. Carolina, Sr.

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As the Executive Director of the Central Family Life Center, I am writing this letter to support Charter Communications in light of their endeavors and their efforts in our ongoing relationship.

Central Family Life Center, Inc. (CFLC) is a 501© (3) non-profit organization that seeks to improve the lives and environment of Staten Island residents. We provide Staten Island individuals including children, seniors, at-risk youth, and families of varying backgrounds with needed services, programs, and opportunities to improve their overall well-being. Our goal is to promote self-reliant, emotionally, and physically balanced environments through programming focused on education, training, counseling, job placement, leadership, and much more.

Through *Spectrum Learning Labs*, we were awarded with state-of-the-art technology facilities, at 59 Wright St Staten Island, NY 10304. Spectrum Learning Labs help residents and communities develop and improve their computer, internet, and communications skills, providing them with free workstations, computers, printers, and other accessories that facilitate this growth in digital literacy and quality workspaces. Charter has contributed \$81, 511.25 to pay for our computer equipment and software. Our Learning Lab includes computers, tablets, smartboards, and internet service and serve the function of helping our community members participate in skills training programs, literacy programs and classes, afterschool program, college research and multimedia learning experiences.

Spectrum is an added supporter of the Central Family Life Center and our mission and we look forward to building upon our partnership to continue to provide critical services and resources to our community. If you would like more information, please feel free to contact me at drcarolina@centralfamilylifecenter.org

Best,

Dr. Carolina
Executive Director



ADVANCING OUR COMMUNITY

October 7, 2020

Dear Council Members Holden and Moya,

On behalf of Chinese-American Planning Council (CPC), I am writing this letter of support for Charter Communications in light of their endeavors and their efforts in our ongoing relationship.

Founded in 1965, CPC aims to promote the social and economic empowerment of Chinese American, immigrant, and low-income communities. Today, CPC is the nation's largest Asian American social services organization and strives to be the premier social service and leadership development organization. CPC serves over 60,000 community members each year through more than 50 programs at over 30 sites throughout New York City, including early childhood education, school-age care, youth services, workforce development, community services, and senior services. In 2017, CPC launched *Advancing Our CommUNITY*, our organization-wide strategy to expand services to address persistent needs and emerging trends and to improve leadership skills among staff and community members.

Through *Spectrum Learning Labs*, we were awarded with state-of-the-art technology facilities across our Manhattan and Queens locations. Spectrum Learning Labs help residents and communities develop and improve their computer, internet and communications skills, providing them with free workstations, computers, printers and other accessories that facilitate this growth in digital literacy and quality workspaces. Charter has contributed over \$100,000 to pay for our computer equipment and software as well as our furnishings. Our Learning Labs include computers, tablets, smartboards, and internet service and also serve the function of helping our community members participate in skills training programs, literacy programs and classes, college research and multimedia learning experiences. In our ongoing pursuit to improve and maximize the impact of our new Learning Labs, Charter representatives have been supportive and receptive of our many requests.

Spectrum has been a long-time supporter of CPC and our mission, and we look forward to building upon our partnership to continue to provide critical services and resources to our community. If you would like more information, please feel free to contact me at executivedirector@cpc-nvc.org or 212-941-0920.

Sincerely,

Wayne Ho
President and CEO



October 8th, 2020

To Whom It May Concern,

My name is Robyne Walker Murphy, Executive Director at Groundswell, and I'm writing to express my support of Charter Communications and the incredible work they have done to combat the digital divide through their Digital Learning Labs across the city. At Groundswell, we provide high-quality, rigorous arts education to over 1000 young people in historically marginalized communities every year. Over the past 25 years, our youth and master teaching artists have created over 600 murals in all five boroughs of New York City. Groundswell is committed to ensuring that our young people have every advantage possible in order to thrive.

Charter Communications has been a transformative partner for us as we pursue justice and equity. In March of 2019, we unveiled our Spectrum Digital Learning Lab at our studio in Gowanus. The Spectrum Digital Learning Lab gift from Charter Communications represents the largest influx of technology Groundswell has had in our 25-year history. For the last year and a half, Groundswell youth were in our studio creating designs using the laptops made possible by our partnership with Charter Communications. In the fall of 2019, we piloted our first comprehensive College and Career Readiness program. Our young people were able to utilize the Spectrum Digital Learning Lab to submit their college application and art portfolios. As a result, 100% of our graduating seniors were admitted to at least one college or university! We are extremely proud and grateful to everyone at Charter Communications!

This summer we moved all of our programming remote due to COVID-19, the technology given to us by Charter Communications enabled us to deliver laptops and software to our young people so that they could participate in our programs from their homes. This summer, our youth artists focused on the impact of COVID-19 in communities of color and created designs that will evidently land on a mural in Corona, Queens--the epicenter of the virus.

We were delighted to share with our community the ways that Charter Communication has supported our work and given the gift of technology to our youth and their communities.

Sincerely,

Robyne Walker Murphy
Executive Director



Joy. Power. Possibility.

The Lower Eastside Girls Club connects girls and young women to healthy and successful futures. Our state-of-the-art center offers a safe haven with programs in the arts, sciences, leadership, entrepreneurship, and wellness for middle and high school girls. Programs are offered at no cost to girls and their families. Raising the next generation of entrepreneurial, environmental and ethical leaders!

101 AVENUE D • NEW YORK, NY 10009 • 212-982-1633 • WWW.GIRLSCLUB.ORG

October 7, 2020

To whom it may concern,

As the Co-Executive Director of The Lower Eastside Girls Club, I am writing this letter to support Charter Communications in light of their endeavors and their efforts in our ongoing relationship.

The Lower Eastside Girls Club connects girls and young women to healthy and successful futures. Our state-of-the-art community center offers a safe haven with programs in the arts, sciences, leadership, entrepreneurship, and wellness for girls in middle and high school. Programs are offered at no cost to girls and their families.

The Lower Eastside Girls Club breaks the cycle of poverty by training the next generation of ethical, entrepreneurial, and environmental leaders. Girls Club members overcome adversity, perceive opportunity, develop self-confidence, make ethical decisions and healthy life choices, thrive academically, embrace leadership, and have the ability to enter college or the workforce as fully prepared and connected adults.

Through *Spectrum Learning Labs*, we were awarded with technology that allows us to establish a launchpad program with every 5th and 6th grade science class in the neighborhood; and provide iPads, software, and training for teachers and students in those classes. Charter contributed \$52,997 to pay for a new and improved Planetarium projector and associated computer graphics with higher resolution and better contrast, cameras for astronomy outreach and dome production, and dome presentation and panel equipment. Additionally, Spectrum has provided over \$60,000 in in-kind support with a donation of 20 new laptops for our program, and a Spectrum courtesy account of internet and TV service for lab operation. Charter representatives have been extremely supportive and receptive of many of our requests, especially now during the COVID-19 pandemic. At the onset of the pandemic, they generously donated an additional 25 laptops for our members who had not received the proper equipment for at-home learning and recently donated 15 laptops for our 2020 NASA Space Apps Challenge participants. This has allowed our members to continue their education at home and engage in our virtual programs.

Spectrum has been a wonderful supporter of The Lower Eastside Girls Club and we look forward to building upon our partnership to continue to provide critical services and resources to our community. If you would like more information, please feel free to contact me at ebonie@girlsclub.org or 212-982-1633.

Sincerely,

Ebonie Simpson
Co-Executive Director



October 13, 2020

To Whom It May Concern:

LIFE Camp, Inc. appreciates the opportunity to write this letter in support of Charter Communications and its efforts to serve underrepresented communities. Broadband and the digital divide in our community of southeast queens has been a major topic especially as we are working through this pandemic and teaching our young children.

Founded in South Jamaica Queens, LIFE Camp, Inc. is a violence prevention and intervention organization who, since 2002, has worked in and with the community to promote the support of the advancement young people and their families. We provide programs that include:

- Violence Intervention and Prevention System (VIP) – a comprehensive, community-based strategy to prevent gun violence. The program partners with the Mayor’s office and over 20 non-profits.
- Peace Week – week-long series of events in honor of Dr. Martin Luther King Jr.’s legacy of non-violence.
- Urban Yogis – provides yoga and meditation instruction for students, educators, philanthropists and community leaders.
- Justice Now – provides educational programming to young people incarcerated in New York City detention centers.
- I Love My LIFE Wellness Center – center for youth and families to receive wellness services, conflict mediation as well as leadership, career and educational development support.

These enable us to serve thousands of families by fostering greater access to necessary educational, programmatic and violence prevention tools.

LIFE Camp, Inc. has long advocated for the incorporation of technology and education in preparing our communities for careers of the future - a quality that is shared with Charter. With *Spectrum Internet Assist*, Charter offers low-income families and seniors access to high speed broadband at a discounted monthly rate of \$14.99. Charter’s efforts to ensure all communities have this access helps to close the digital inequality gap in the city. Additionally, the ongoing development of various *Spectrum Learning Labs* consistently provide vital technological resources to underserved communities and exemplify Charter’s commitment to the accessibility of technology and broadband services.

Furthermore, Charter understands that training is needed alongside access. To foster this access Charter establishes key partnerships with groups such as ours, to provide digital literacy training and other 21st century skill building. This will better equip our communities to have improved economic opportunity and overall quality of life.

Sincerely,

Erica Ford

Erica Ford, Founder and CEO
LIFE Camp, Inc.



Merrick Academy Charter School est.2000

136-25 218th St. Laurelton, NY 11413

(718) 479-3753 Merrickacademy.org

Dr. Adrian C. Manuel, Executive Director

Samantha Pugh, CAO/Principal

Inquiry, Equity and Excellence

October 7, 2020

To whom it may concern,

As the Executive Director of Merrick Academy Charter School, I am writing this letter to support for Charter Communications in light of their endeavors and their efforts in our ongoing relationship.

Merrick Academy is located in Southeast Queens. Our school serves 600 students in grades K-5. 77% of our students qualify for free and reduced priced lunch. Founded 20 years ago as the first charter school in Queens, Merrick has been a pillar of progress and a beacon of hope in the community. Our students outperform the district and our leadership and faculty represents the diversity of our families. Merrick Academy is a STEAM based school that cultivates critical thinking, problem solving and inquiry among all learners in an environment that provides extensive whole-child support based on ensuring equity and empowerment for all learners through effective and innovative approaches to teaching and learning fostered by a world class faculty.

Through *Spectrum Learning Labs*, we were awarded with state-of-the-art technology at our private facility. Spectrum Learning Labs helps residents and communities develop and improve their technology, internet and communications skills, providing them with free workstations, computers, printers and other accessories that facilitate this growth in digital literacy and quality workspaces. Charter has contributed to pay for our computer equipment and software. Our Learning Lab includes computers, tablets, smartboards, and internet service and also helps our community members participate in skills training programs, literacy programs and classes, college research and multimedia learning experiences.

Spectrum has been a longtime supporter of Merrick Academy Charter School and our mission and we look forward to building upon our partnership to continue to provide critical services and resources to our community. If you would like more information, please contact me at smauterstock@merrickacademy.org.

Best,

Stephanie Mauterstock

Executive Director
Merrick Academy Charter School



October 13, 2020

To Whom It May Concern:

Mobilizing Preachers and Communities (MPAC) appreciates the opportunity to write this letter in support of Charter Communications, in light of their efforts to serve underrepresented communities.

MPAC is a non-profit civil rights and faith based organization, comprised of clergy and community united together for the purpose of impacting public policy through civic engagement, to ensure justice and equality for all people. We provide some of the following services:

- MPAC-NY in partnership with Manna For Your Mornings Ministry, has come together to feed the hungry. It is their goal to feed five thousand annually.
- Scholarships for Youth
- Social and Civic Activism
- MLK Celebration

These enable us to serve thousands by fostering greater community engagement and cooperation.

MPAC has long advocated for the incorporation of technology and education in preparing our communities for careers of the future - a quality that is shared with Charter. We have been working together to inform the community of broadband and the digital divide in our community and the best way to make sure the underserved are offered services. Additionally, the ongoing development of various *Spectrum Learning Labs* consistently provide vital technological resources to underserved communities and exemplify Charter's commitment to the accessibility of technology and broadband services.

Furthermore, Charter understands that training is needed alongside access. To foster this access Charter establishes key partnerships with groups such as ours, to provide digital literacy training and other 21st century skill building. This will better equip our communities to have improved economic opportunity and overall quality of life.

Sincerely,

Dr. Reverend Johnnie Green, President
Mobilizing Preachers and Communities



October 8, 2020

To Whom It May Concern:

National Action Network. appreciates the opportunity to write this letter in support of Charter Communications and its efforts to serve underrepresented communities. NAN has been a longtime advocate in closing the digital divide nationally and with the help of Charter Communication, we can get this done now!

Founded in 1991 by Reverend Al Sharpton, NAN works within the spirit and tradition of Dr. Martin Luther King, Jr. to promote a modern civil rights agenda that includes the fight for one standard of justice, decency and equal opportunities for all people regardless of race, religion, ethnicity, citizenship, criminal record, economic status, gender, gender expression, or sexuality.

NAN's respects Charter for its continuous success in the development of career programs and opportunities for people of color within the communication and technology sector.

Charter understands that training is needed alongside access. To foster this access, Charter consistently establishes key partnerships with groups such as ours, to provide digital literacy training and other 21st century skill building. This will better equip our communities to have improved economic opportunity and overall quality of life.

Sincerely,

Reverend Al Sharpton
Founder and President
National Action Network



October 7, 2020

To Whom It May Concern:

The **NEW Pride Agenda** appreciates the opportunity to write this letter in support of Charter Communications, in light of their efforts to serve underserved communities and their programs in our ongoing relationship.

The **NEW Pride Agenda** is an LGBTQIA nonprofit organization that advances the rights and protections of queer New Yorkers through advocacy and education across New York state. We are a highly experienced LGBTQIA board and professional staff whose mission is to build a statewide advocacy network and agenda, informed by diverse communities from across New York, and to grow LGBTQIA civic engagement. NEW Pride Agenda has been and continues to be active in the following areas:

- Gender expression and identity equality legal equality
- Economic Equity
- Police Reform and Community Reinvestment
- LGBTQIA Youth and Anti-Bullying
- Queer Sexual Health and Wellness

Charter's support has enabled us to serve a statewide constituency of LGBTQIA New Yorkers through civic engagement programming, developing partnerships with academics to conduct research surveys, and organizing individuals and groups around issue-based and/or legislative campaigns.

The **NEW Pride Agenda** supports the incorporation of technology and education in preparing our communities for careers of the future - a quality that is shared with Charter. With *Spectrum Internet Assist*, Charter offers low-income families and seniors' access to high speed broadband at a discounted monthly rate of \$14.99. Charter's efforts to ensure all communities have this access helps to close the digital inequality gap in the city. Additionally, the ongoing development of various *Spectrum Learning Labs* consistently provide vital technological resources to underserved communities and exemplify Charter's commitment to the accessibility of technology and broadband services.

Furthermore, Charter understands that training is needed alongside access. To foster this access Charter establishes key partnerships with groups such as ours, to provide digital literacy training and other 21st century skill building. This will better equip our communities to have improved economic opportunity and overall quality of life.

Sincerely,

Cynthia Dames | Project Manager | NEW Pride Agenda





October 13, 2020

Honorable Members of the New York City Council:

It is with great enthusiasm that I offer my support for Charter Communications in light of their efforts in New York City communities and our ongoing relationship. Founded in in New York, New York, The New York Urban League is a nonprofit civil rights organization who since 1919, has worked with the public to support the African American community as well as other underserved groups in New York City. Our programs and initiatives include our yearly summer STEAM program which helps introduce our youth to programs they may have never been able to explore elsewhere. With these programs we are able to serve over 8,000 of our youth by fostering greater access to the necessary education and digital tools.

We are pleased to have partnered with Spectrum and now Charter on the implementation and growth of our Summer STEAM Camp. The summer STEAM Academy is a community STEAM engagement program comprised of a summer learning academy with a student track. In the five week experience, students are exposed to careers in STEAM by taking fieldtrips to different companies such as Charter, Microsoft, Google, American Airlines, Estee Lauder, NBA, Bank of New York Mellon and Mount Sinai, a college tour, workshops highlighting STEAM related subjects, and access to information for college and career choices. As a result, students gain an understanding of STEAM career options. We have worked closely with Charter since 2015 and we are proudly partnered with Spectrum.

Charter continues to exemplify the qualities that have made them a valuable partner to our organization and our goal of strengthening our communities. As part of our ongoing relationship, Charter has contributed over \$40,000 towards our programming and special events in the past two years. These contributions support our implementation of efforts that provide resources directly to our communities and help us to inform and educate them through our cultural, social and economic development initiatives. Our program represents the development and promotion of African-American history and culture.

We were especially pleased to work with charter on a non-grant related event during Black History Month in Harlem. Furthermore, we appreciate Charter's commitment to Celebrate African-American history. We partnered with Charter Communications and the Smithsonian Channel for an exclusive screening of the documentary titled The Lost Tapes: Malcolm X. The documentary was the latest in The Lost Tapes series which present significant events from the 20th century, without narration, but with real-time



coverage by national and local news broadcasts. The program featured a reception, program and film screening followed by a Q&A with the producer, Tom Jennings. Special guests include Ilyasah Shabazz, daughter of Malcolm X, and Cheryl Wills, Host, Spectrum News NY1.

The internet has been pivotal to our efforts to grant underserved communities greater access to the cultural, social and economic resources and Charter is working to make this a reality for families and seniors across the country with Spectrum Internet Assist - a 30 Mbps high speed broadband offering available to families participating in the National Lunch Program and seniors on Supplement Security Income. This program helps ensure that these under-represented communities have access to the evolving digital world and the opportunities they present, aligning with the spirit of business development. Charter, has not only pledged to increase diversity in its hiring and supply chain, but continues to take actions to do so. After taking the significant steps to create the position of Chief Diversity Officer, Charter established an External Diversity and Inclusion Council to better understand and serve the communities it covers. As we prepare for the release of our State of Black Report, we are pleased that Charter has partnered with us and will premiere the report on their network in November.

Through its corporate actions and partnership with our local and National office, Charter has demonstrated a strong commitment to the furtherance of diversity and inclusion. For these reasons we look forward to working with our city's leadership to help Charter make good on its promise to utilize its resources talents and infrastructure to uplift our city's diverse communities.

Sincerely,

Arva Rice

Arva Rice President & CEO



OPENING DOORS
OF OPPORTUNITY TO
THE COMMUNITY

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October 9, 2020

New York City Council
250 Broadway
New York, NY 10007

Honorable Members of the New York City Council:

On behalf of One Hundred Black Men of New York (OHBM), I am pleased to write this letter of support for Charter Communications (Charter) an entity that has carved out time and space to support our organization's mission, programs, and events; and, has built an ongoing multi-year relationship with us.

Founded in 1963 in New York City, OHBM is a 501C3 organization that continues to work in all five boroughs to support educational and cultural endeavors. Our annual programs and initiatives include mentoring, leadership training, tuition assistance, MWBE support, and Hunger Relief. Through these programs, we serve over 10,000 people by fostering greater access to the necessary education, healthcare, financial and digital tools.

During the recent pandemic, OHBM continued to serve New Yorkers by providing 16,000 hot meals to hospital workers and residents of all boroughs, distributing 60,000 masks, and providing grants to 75 NYC small businesses. We also transitioned to a virtual environment to mentor our young men. Charter donated 250 knapsacks to help OHBM provide school supplies to those students and others from similar underserved communities as they returned to school.

For at least two decades, OHBM has had a close relationship with Time Warner, Spectrum and now Charter, which continues to exemplify the qualities that have made them a valuable partner to our organization. As part of our ongoing relationship, Charter recently contributed \$15,000 towards college scholarships and mentoring programs. These contributions support implementation of efforts that provide resources directly to our communities and help us to inform and educate community residents through our educational, social and economic development initiatives. Charter's programs to offer high speed broadband to families participating in the National Lunch Program and seniors on Supplemental Security Income has been a tangible benefit to families we serve and, now more than ever, are needed to keep under-represented communities safe and hopeful - ensuring that they have access to the evolving digital world and the opportunities it presents.

Charter has not only pledged to increase diversity in its hiring and supply chain, but continues to take actions to do so. After taking the significant steps to create the position of Chief Diversity Officer, Charter established an External Diversity and Inclusion Council to better understand and serve the communities it covers. Through its corporate actions and partnership with OHBM and other programs, Charter has demonstrated a strong commitment to the furtherance of diversity and inclusion. For these reasons, we look forward to working with our city's leadership to help Charter make good on its promise to utilize its resources, talents, and infrastructure to uplift our city's diverse communities.

Please call me at 212-777-7070 if OHBM can be of further assistance.

Sincerely,

Mr. Courtney A. Bennett
Executive Director



SAFEST

South Asian Fund for Education, Scholarship & Training

October 13, 2020

To Whom It May Concern,

As the Executive Director of South Asian Fund for Education, Scholarship & Training (SAFEST), I am writing this letter to support Charter Communications in light of their endeavors and their efforts in our ongoing relationship. SAFEST was founded in 2015 to provide a joint voice for South Asian American communities despite differences in their languages and cultures. Through the years, SAFEST has trained hundreds of South Asian immigrant youths, adults and workers especially those that are unemployed or underemployed in our communities.

Through *Spectrum Learning Labs*, we were awarded a state-of-the-art technology facility at 165-23 Hillside Avenue in Jamaica, Queens. Spectrum Learning Labs help residents and communities develop and improve their computer, internet and communications skills, providing them with free workstations, computers, printers and other accessories that facilitate this growth in digital literacy and quality workspaces. Charter has contributed \$45,050.63 to pay for our computer equipment and software.

Our Learning Lab includes computers and internet service and also serves the function of helping our community members participate in skills training programs, literacy programs and classes, college research and multimedia learning experiences. Our Learning Lab has been instrumentally helpful during the recent Covid-19 pandemic, our students and parents were able to access internet computers to do their school work and assist their children with school work.

Spectrum has been a longtime supporter of SAFEST and our mission and we look forward to building upon our partnership to continue to provide critical services and resources to our community. If you would like more information, please feel free to contact me at safest2015@yahoo.com or (646)318-4617.

Sincerely,

Mazeda Uddin

Executive Director



Judith Zangwill, MSW
Executive Director

October 13, 2020

To whom it may concern:

As the Executive Director of Sunnyside Community Services, I am writing this letter to support Charter Communications in light of their endeavors and their efforts in our ongoing relationship.

Sunnyside Community Services (SCS) is a community-based organization with a mission to enrich lives and strengthen communities through services and engagement for individuals of all ages, beginning with those most in need. SCS serves a diverse community of over 16,000 people of all ethnicities and income levels throughout Queens with programs that range from pre-K to college and career readiness, home care and home health aide training, Beacon and Cornerstone community centers for children and families, a vibrant senior center and full range of services for at-risk older adults including social adult day care for individuals with Alzheimer's, and a city-wide program of supportive services for those who care for them. SCS has been lighting up lives with programs as diverse as the people they serve since 1974.

Through *Spectrum Learning Labs*, we were awarded with state-of-the-art technology facilities, at our main site in Sunnyside, which is home to our Center for Active Older Adults. The Spectrum Learning Lab at SCS helps our community to develop and improve their computer, internet and communications skills, providing them with free workstations, computers, printers and other accessories that facilitate this growth in digital literacy and quality workspaces. Charter has contributed \$15,000 to pay for the upgrade of our computer equipment and software, along with 20 laptops and 10 tablets. Our Learning Lab includes computers, tablets, smartboards, and internet service and also serves the function of helping our community members participate in skills training programs, literacy programs and classes, college research and multimedia learning experiences. This is especially important to help older adults and those from low-income households to bridge the digital divide.

Spectrum has been a longtime supporter of SCS and our mission, and we look forward to building upon our partnership to continue to provide critical services and resources to our community. If you would like more information, please feel free to contact me at jzangwill@scsny.org or 718-784-6173 x405.

Sincerely,

Judith Zangwill
Executive Director



UnH
United Neighborhood Houses

Winner of the Joseph Weber
Award for Best Managed
Social Service Agency.
Presented by United Way
of New York City.

THE CENTER

October 13, 2020

New York City Council
250 Broadway
New York, NY 10007

Dear City Council Members:

As the Chief Operating Officer of The Lesbian, Gay, Bisexual & Transgender Community Center, I am writing this letter to support Charter Communications in light of their efforts to bridge the digital divide and their efforts in our ongoing relationship.

Established in 1983 as a result of the AIDS crisis, New York City's Lesbian, Gay, Bisexual & Transgender Community Center has grown and evolved over the last four decades, creating and delivering services that empower people to lead healthy, successful lives. The Center continues to serve the LGBTQ community through virtual support services, launched almost immediately after our building closed due to the COVID-19 pandemic. We offer a wide range of services including virtual one-on-one counseling, substance use treatment and support groups; virtual youth drop-in space; online arts and culture programming; health insurance navigation and a virtual "front desk" open on weekdays to respond to community inquiries. Prior to the pandemic, The Center welcomed over 6,000 visitors weekly, providing recovery and wellness programs, economic advancement initiatives, family and youth support, advocacy, arts and cultural events and space for community organizing and connection.

Through *Spectrum Learning Labs*, we were awarded with state-of-the-art technology in The Center's youth space. Spectrum Learning Labs help residents and communities develop and improve their computer, internet and communications skills, providing them with free workstations, computers, printers and other accessories that facilitate this growth in digital literacy and quality workspaces. Charter contributed \$10,000 to The Center in 2018 to pay for our computer equipment and software and has continued to provide internet access to the lab. Our Learning Lab includes computer hardware and internet which helps our young adult community members participate in skills training programs, classes, and multimedia learning experiences.

Spectrum has been a longtime supporter of The Center and our mission and we look forward to building upon our partnership to continue to provide critical services and resources to our community. If you would like more information, please feel free to contact me at jklein@gaycenter.org.

Thank you,



Jeffrey H. Klein, Esq.
Chief Operating Officer

**THE LESBIAN, GAY, BISEXUAL &
TRANSGENDER COMMUNITY CENTER**
208 W 13 ST NEW YORK, NY 10011

T. 212.620.7310
F. 212.924.2657
gaycenter.org

Digital Divide Hearing

Good afternoon,

Two questions:

Why has this mayoral administration allowed this digital inequity to persist throughout the nearly eight years of his administration?

Why have contractors of shelter services been allowed to withhold internet access from homeless families and individuals, KNOWING that even before COVID-19, children in shelters were being put at a disadvantage without internet--deprived of chances to sign up for recreation programs, summer camps, tutoring, language learning, and so much else? KNOWING that the adults in the families were being put at a disadvantage to find free adult education, jobs, and find/apply for apartments?

Essentially, the withholding of internet from homeless New Yorkers has enriched shelter providers by extending the shelter stays of shelter residents who were regularly unable to avail themselves of opportunities found online.

Where was the commitment to doing away with the "tale of two cities" this administration decied?

As a social worker and a New Yorker who works with children, I find this planned neglect and policy toward homeless families and poor people reprehensible. Reprehensible. The fact that the representative of this administration nor the mayor himself are not apologizing for these years of neglect and disparity in this meeting is very disappointing. Retroactive compensation should be considered, it can't make up for the neglect and flawed policy, but perhaps that compensation can be used to take advantage of opportunities moving forward.

Diane Pagen, LMSW

Brooklyn, NY

718-612-9053



October 5, 2020

I am pleading NYC does not put capitalism before its children, particularly children whose household income is less than \$52,000. I am one of the authors of "Dealbreakers", published in the *Washington Post*. Now more than ever, please end ***The Tale of Two Cities***.

<https://www.washingtonpost.com/education/2020/08/18/eight-big-problems-with-new-york-city-mayors-school-reopening-plan/>

Yes, New York City is the wealthiest city in the USA. However, it also is the most racially inequitable and segregated city in our nation. With that comes education inequities, health disparities, racial wealth gap and food insecurity. One chapter of ***The Tale of Two Cities***, The South Bronx has the highest rate of food insecurity in our nation - 37% (pre- COVID-19) and the highest rate of obesity. NYC systemic racial inequities placed our nation for the first time in the global famine report. Another chapter in ***The Tale of Two Cities*** is Baton Rouge is one of the most integrated cities in the USA, but not one of the wealthiest. In April Baton Rouge provided broadband to every low-income household that had a student. Yet, NYC has not. A third chapter of ***The Tale of Two Cities***, two years ago, Abigail Disney raised concerns about NYC's racial wealth gap, and nothing was done! Thus, in the wake of COVID19, Ms Disney has mobilized the wealthy to respond to racial inequities across our nation.

I am a scholar in the study of the economics of discrimination and had a career as a higher education executive. The Mayor's belief that schools must open for low income families is the blatant and systemic racism and education inequity that scholars in psychology, sociology and education have repeatedly found to prevent Black children from reaching their fullest potential. Our child is 13 and enrolled in a college dual enrollment program. We are not sending him back, because of our yearly negative experiences, since Pre-K, as Black NYC parents. Our child's last quarter grades increased significantly, because he was sheltered from racial biases. Black children don't need the stress of racism and COVID-19. That is why majority of Black families regardless of class have selected remote. However, low income families unfortunately, don't have the resources to ensure their children reach their fullest potential.

If the Broadband and Digital Divide Committee focused on our most vulnerable children and their families, then NYC could begin working toward education equity while keeping all New Yorkers safe. We know the very pale pink on the COVID19 NYC Death Rate Map indicates a very low death rate in that area. **No Black community is very pale pink!** In March I loss three friends - all Black male executives. One worked for Turner Construction, the other a MD in Brooklyn and lastly a CFO of a mental health center.

I am asking the Broadband and Digital Divide Committee to:

- ✓ ensure Black families don't have to choose between a high school diploma and a death certificate.
- ✓ ask millionaires who own property in NYC, to fund free universal broadband. A fund possibly could be created at New York Community Trust.
- ✓ request Microsoft, Google, and Apple donate laptops to middle and low income families.

Compassionately,

Starita

M. Starita Boyce Ansari, Ph.D.

<https://thenew3rs.org>
compassion@thenew3rs.org

Testimony of Eric C. Henry of Altice USA
Joint Hearing between the New York City Council Committee on Technology
& New York City Committee on Zoning and Franchises
October 13, 2020 at 2pm

Good afternoon Chair Holden, Chair Moya and members of the Committee on Technology and the Subcommittee on Zoning and Franchises. My name is Eric C. Henry, and I serve as Director of Government Affairs for New York City for Altice USA, which provides Optimum broadband, video and phone services. It is a pleasure to testify today on the topic of Broadband and the Digital Divide and Preconsidered Resolution T2020-6730.

First, allow me to acknowledge that the past few months have been a deeply sobering and transformative time for our City, our nation and our world. COVID-19 has forced changes in our City and the greater society, such as remote learning, telecommuting, and more isolation, that have highlighted the importance of broadband connectivity for everyone in our community. The facts also suggest that COVID-19 has had a disproportionate impact on communities of color, emphasizing the need to address any obstacles to connectivity for these communities. The internet is an essential tool for New York City residents now more than ever, and Altice is proud to be a partner in providing robust options to meet this need.

Altice is proud that it offers state of the art, high speed broadband to every household and business in our service areas of the Bronx and two-thirds of Brooklyn, which is possible because of the continued investment in a robust network. The good news is that broadband service is available to everyone in our service area. However, adoption is not ubiquitous, and we recognize the importance of understanding the challenges to adoption in order to successfully address them. To this end, over the years we have employed a combination of affordable internet plans, strategic targeted marketing, public-private partnerships and other affirmative steps to improve adoption rates for those who do not have in-home internet. We have used the lessons from our experience to continually evaluate effectiveness and evolve our approaches accordingly, which we are committed to continue doing.

We are grateful for today's discussion, and we would like to discuss a few of the many ways Altice USA has increased its reach to our New York City population to promote broadband adoption.

Altice Advantage and Reducing Barriers to Access

In September 2017, Altice USA launched Altice Advantage, a low-priced 30 Mbps broadband service for \$14.99/month for qualified low-income households, defined as those with a child eligible for the free lunch program or a senior citizen eligible for SSI. We have since added low income Veterans to the qualifications.

Despite being well-received by community stakeholders at launch, we found that the initial marketing strategies used for the general population were not resulting in a meaningful shift in

broadband adoption. We refined our approach to do targeted marketing to the households eligible for the offer – specifically lower income households with children or retirees. Altice has utilized direct mail, outbound calls, digital advertising on platforms such as Facebook and Instagram, and paid search optimization. Altice also took the following steps to streamline operations and address the potential barriers to adoption for qualifying households:

- **Expanded Eligibility to all Households with NYC Public School Students:** At the start of the 2018-2019 school year and continuing to this day—Altice expanded the eligibility requirements for Altice Advantage to include any household with a child attending a NYC public school, aligning with the NYC Department of Education’s expansion of the free school lunch program to all NYC public school students.
- **Bypass of Eligibility Verification for Likely Eligible Prospects:** Recognizing that the application process could be perceived as an obstacle to product adoption, Altice enabled likely eligible households to bypass the eligibility verification vendor and purchase Altice Advantage in real time with an Altice Sales Representative via telephone.
- **Reduced Installation:** Altice Advantage was offered with a reduced installation fee of \$30, paid over 3 months.
- **Access to Devices:** In April 2019, Altice USA nationally partnered with Acer to offer Altice Advantage customers a \$149.99 Internet- ready, recertified Chromebook laptop for purchase. In NYC, we took this a step further – providing opportunities for households to show proof of NYC Public School enrollment and receive a *free* Acer laptop if they signed up for Altice Advantage at Optimum NYC stores over several months.
- **Community Partnerships:** Realizing that our City’s community based organizations are hubs for personal connection, recreation, personal and professional development and education, we have provided free broadband access for community use to nonprofit partner organizations such as BronxWorks, Boys and Girls Clubs, Brooklyn Community Services and libraries across our New York service area to directly serve the eligible student and senior population. In addition, we partnered with these community organizations and others, who directly serve the eligible population, to disseminate information to eligible households - from distribution of flyers to the inclusion of Altice Advantage information in their organization(s) - and to promote adoption. These organizations have also provided feedback and insight as we developed tactics to address the barriers to adoption.

COVID-19 Pandemic Response

When COVID-19 took us all by surprise, Altice removed the last remaining barrier – making Altice Advantage access free for 60 days to qualifying households with K-12 or College Students and allowing for the deferment of any outstanding balance, allowing households that were

previously ineligible for service to be connected. The Company waived the verification process, allowing customers to sign up in through a designated phone number, email or online.

As it became clear that the school year would not resume in person, we extended this offer to allow families to keep free service through June 30 to coincide with the end of the school year. The company continues to defer these outstanding balances for customers that remain in good standing.

Recognizing the pandemic may prevent home installation for some, Altice offered schools the opportunity to utilize its Student WiFi product for free through the end of the school year, which allows Mac addresses on school issued devices to have access to the Optimum WiFi network. Altice also opened up its Emergency Wifi hotspots throughout the City for subscribers and non-subscribers to access the internet, free of charge.

As the 2020-2021 school year is underway, we are pleased to announce that we will be bringing back our free Altice Advantage offer – allowing for 60 days of free Altice advantage for new customers with households with students. This offer will be available starting the week of October 19. Altice also will be adding a discount offer for educators.

Centralized Purchasing

With broadband adoption still a challenge even when essentially all barriers were removed and remote learning a reality for the foreseeable future, Altice USA recognized the need to develop a sustainable model that would address the digital divide in partnership with community stakeholders. Our multifaceted approach allows schools, government, foundations or others to act as centralized purchasers and provide Internet to households that lack connectivity.

Altice USA provides two solutions for centralized purchase - Altice Advantage for Education fixed line broadband/WiFi starting at speeds of 30Mbps and Student WiFi that allows school-issued devices access to the Optimum WiFi Hotspot Network.

This model yields benefits to both schools and households and helps to establish a foundation for connectivity that is more likely to be sustainable over time, most notably

- Households are eligible to receive Internet connectivity regardless of any past due balances and are permitted to procure other services or retain current video services via their primary Optimum account without involving the school.
- Funders are assured any funds used to subsidize service are solely used for Internet connectivity.
- Schools do not have to handle service support calls from households. Households are provided with customer support through Optimum customer service in the same manner we provide to our residential customers.
- **Most importantly**, schools – who are trusted by families - are in the best position to identify and vet those students that lack connectivity – either through surveys or, now

with the school year underway, the identification of students who have been unable to effectively participate in remote learning. Schools are also in the best position to work with these households to encourage adoption.

Currently, this model is in effect with the State of Connecticut and the Dalio Foundation, with partnerships and ongoing discussions with individual school districts as well.

We are open to replicating in New York City, and have engaged the New York City Department of Education on feasibility and logistics.

Preconsidered Resolution

Altice USA is proud of its long and robust partnership with the City of New York as a provider of video, broadband, and voice services to residents and businesses in the City. Since 2016, Altice has increased the highest available broadband speeds for all residents from 100 Mbps to 400 Mbps, and we are continuing to invest to make our 1 Gig service available throughout our service area in New York City.

In regards to the authorizing resolution which is also the subject of this hearing, Altice intends to seriously study the City's proposal, its impact on our current cable and telecommunications services, and opportunities for innovation and future cooperation with the City. We are also mindful that any new telecommunications authorizations must be competitively neutral when compared to the obligations imposed on Altice's through its franchises and comply with federal law to avoid requirements that become regulatory barriers to the provision of telecommunications services. We look forward to discussions with the City on how we can build upon our success and be a continuing partner in that process.

Thank you for the opportunity to speak before you today. I welcome any questions that you may have.

To Whom It May Concern,

My name is Gabriella Mucilli, and I am an educator in the Bronx. Over the last few weeks, I have been a part of the efforts to establish clear lines of communication with students, their family members, and other members of our school community. While communicating with families, one of the most pressing issues that frequently comes up is that students do not have access to WiFi in their homes. Many students and families want to be remote due to the fears of COVID-19, and cannot be successful without access to WiFi. Students and families are also struggling with technology that is reliable. Many of the school computers need updates that only the “school administrators” can access with protected passwords. Before we can have equitable learning outcomes for our already underresourced communities, we need to have equitable resources! Our students deserve to be treated with humanity, dignity and respect. You must consider the issues of technology. I am calling on this committee to develop a plan and serve NYC school students with free access to WiFi, laptops and other technologies needed to ensure equitable learning opportunities.

Sincerely,
Gabriella Mucilli



Commitment to Improve Quality of Life

Wednesday October 14, 2020

To: New York City Council Committee on Immigration
From: India Home, Inc.
Re: Oversight - Adult Literacy and Digital Literacy in Immigrant Communities

We thank Chair Menchaca and the Committee on Immigration for giving the opportunity for India Home to testify for the South Asian community during such difficult times.

The mission of India Home is to improve the quality of life for older adults by providing culturally appropriate social services. India Home has grown tremendously in the last year to fulfill our mission to serve South Asian older adults with culturally appropriate social services. Our largest center in Jamaica has attracted more than 100 seniors on average. At our three centers throughout Queens, including Sunnyside and Kew Gardens, we have served on average 250 seniors a week. Despite circumstances regarding COVID-19, we are reaching more seniors now than ever before with a number of targeted services.

100% of the seniors India Home serves are foreign born and nearly 80% of them have Limited English Proficiency (LEP), which limits their access to mainstream services. Our clients come to us from the heavily South Asian neighborhoods of Jamaica, Sunnyside, Jackson Heights, Elmhurst, Briarwood, Richmond Hill, and Queens Village. They also live in growing communities found in the Bronx, Brooklyn, and beyond.

India Home addresses the growing needs of Senior center services which include congregate meal programs, case management, health and wellness programs, creative aging programs and various one-on-one services. During this pandemic, India Home quickly responded to the needs of the South Asian senior community and has continued to serve an even higher number of clients than ever before. We have been tirelessly working to make sure the immigrant community gets accurate information and resources in-language through our 16,000+ individual wellness check-up calls. We have prioritized food security and quickly started a culturally competent home-delivered meal and grocery program which has delivered 10,000+ meals and has served groceries to 975+ seniors. Our dedication to reducing social isolation and promoting health & wellness continues, as we have transitioned to virtual senior programs, including informational lectures, yoga, meditation and creative aging. We have also continued to provide case management, telephone reassurance, counseling, ESL & citizenship classes, among other programs. Through these multitudes of virtual programs, we have reached 10,000+ service units.

These are certainly unprecedented times with unprecedented challenges. We are more dependent on technology than ever before, with the mandates for social distancing and quarantining implemented for the past few months. Times like these highlight and worsen pre-existing digital divides, which has especially been the case with the South Asian senior population.

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South Asian seniors are already at higher risk for social isolation given their low levels of English proficiency and cultural familiarity, and especially for women, a lack of transportation and hence, low accessibility to others. Not being able to express themselves and not being able to feel understood or supported by peers are all key factors that worsen social isolation. While digital tools and methods of connection are oftentimes seen as ideal solutions, this population has especially low levels of digital literacy which exacerbates their social isolation. Oftentimes the conversations and training provided around digital literacy are not framed around immigrant communities and having their unique needs in mind, especially for South Asian immigrant communities. These trainings do not have the linguistic competencies and personalized support needed for South Asian seniors to be able to gain the skills to improve their digital literacy. Some of our seniors have even expressed an inability to turn the computer on, and as such, the existing classes are out of their scope and not able to serve them effectively. Some seniors live with their family members and are sometimes able to ask them for help in navigating technological devices. However, for the large population that lives alone, they do not have the social support at home to be able to navigate these processes.

Availability of devices is also a large part of the difficulties faced in the digital divide. Many seniors live in multifamily housing situations, in which they have to depend on the technological devices of family members, which leaves a very limited timeframe, if any, for them to be able to use the devices themselves. While there are government mobile phones that some of our seniors have been given, during this time especially it has been apparent that these devices are limited in the applications they can download such as WhatsApp & Zoom, applications that are necessary to help alleviate their social isolation during this time. These phones also have heavy limitations on the minutes that can be used and as such, seniors often run out of time to be able to be contacted through these devices.

Recognizing this myriad of problems that this immigrant senior community is facing, India Home has stepped in and has given culturally and linguistically competent services to help reduce the effects of these issues. We have given tailored training to seniors in Hindi, Gujarati and Bengali. This is personalized and one-on-one so that seniors are given the undivided attention that is needed. Through our wellness check-up calls we assess any digital needs that are especially apparent for our seniors and provide resources and services accordingly. We also have a weekly technology class, through which the basics on how to navigate a computer, controls and applications, and also handling social media for connectivity and using Google for finding resources is taught. ESL classes are held on a weekly basis as well, through which seniors are able to equip themselves with the language needed to navigate basic technology. As mentioned before, we have Zoom sessions through which we provide a number of programs, including creative aging, physical exercise, health & wellness talks, cooking class, mental health group sessions and socialization hours. These programs are vital in helping reduce the effects of social isolation in immigrant seniors. Given the especially glaring digital illiteracy faced by this community, we have made it a point to provide personalized training and make flyers step-by-step in Bengali on how to do tasks that will help increase their social connectivity, including how to download Zoom.



Commitment to Improve Quality of Life

Social isolation results in a number of health problems which can be lethal, including the early onset of dementia, and Alzheimer's. As such, these programs we provide at India Home are a lifeline. Organizations like ours are crucial in making digital literacy more accessible for these underserved and overlooked populations and helping alleviate the brutal conditions that this community has faced.

Given these vulnerabilities that the immigrant community is currently facing, we need the City's help to protect and include immigrants in its COVID-19 Response. Given the high risk for this population, re-opening will not happen right away. As such, digital literacy for immigrant communities, and especially for South Asian seniors, needs to be prioritized by the City. While we are providing a number of programs, we have limited capacity and will need more support from the City in order to better meet the needs of this community. Furthermore, our seniors are in need of adequate devices to be able to connect with peers, which to this point we have been unable to provide ourselves because of this limited capacity. We need the City's partnership in working with community based organizations like ours to provide virtual services, digital devices, and appropriate IT support to further reach our communities in need, as we think about the new future we will be living in which will inevitably need a combination of digital and in-person services.

India Home makes the following recommendations:

1. Creating safeguards by providing funding for seniors who are low-income and impacted by the digital divide, to get them smartphones, tablets, and/or laptops, to increase their connectivity both through our programs and to others
2. Provide support for organizations to have IT staff to support these robust virtual programs we have been providing
3. Support immigrant-serving grassroots organizations such as India Home with expense funding and recognize our workers as essential to better serve the vulnerable immigrant aging community

Sincerely,

Mukund Mehta, President

Dr. Vasundhara Kalasapudi, Executive Director



Making New York a better place to age

**New York City Council
Committee on Technology
Chair, Council Member Holden
Subcommittee on Zoning and Franchises
Chair, Council Member Moya
October 13, 2020
Oversight - Broadband and the Digital Divide**

Thank you for the opportunity to testify on broadband and the digital divide.

LiveOn NY's members include more than 100 community-based nonprofits that provide core services which allow all New Yorkers to thrive in our communities as we age, including senior centers, home-delivered meals, affordable senior housing, elder abuse prevention, caregiver supports, NORCs and case management. With our members, we work to make New York a better place to age.

Since March, LiveOn NY's member organizations and the entire aging services network have found new ways to provide critical services to older New Yorkers in the face of unprecedented demand and a public health crisis. Technology has been core to making this work possible, as overnight Senior Center classes went virtual and phone calls became a main mode of communication with clients. This work is critical, as isolation is now understood to be a significant health risk and predictor of morbidity. To put it simply, the ability to remain connected virtually has undoubtedly saved lives. To further see the breadth of virtual programming that is now available in the City, LiveOn NY has created a website where older adults can find programming offered by organizations in their community or that focus on their interests.¹

Unfortunately, the FCC estimates that 21 million Americans do not have access to high-speed internet, while other studies believe that number is closer to 42 million people.² Even in a city like New York, there are areas where connectivity remains a challenge. Additionally, financial barriers hinder access to technology among older adults, particularly given that the majority of older adults rely on limited fixed incomes. Today, many seniors can't afford to purchase technology such as tablets or computers, and even if the devices are given to them, it is difficult or impossible to afford monthly internet access.³

LiveOn NY and our members have seen the ways that the digital divide and lack of access to technology limits the ability for older adults to remain engaged and connected in our communities. For example, lack of technology access limits one's ability to connect to virtual programming and the classes offered by New York's community-based organizations. Further, inability to *afford* internet access means missing out on real time information, such as best practices in regards to COVID, how to access food during this time, online job opportunities, and even the ongoing political discourse that now often happens through the web.

It is clear that the COVID-19 pandemic has both exacerbated the digital divide and brought increased awareness to its existence. Moreover, the pandemic has highlighted the disastrous effects of not combatting its prevalence. Therefore, LiveOn NY is proud to offer recommendations on how, whether directly through the City or by advocating on the state and federal levels, we can combat the digital divide:

¹ <https://www.liveon-ny.org/virtual-activities>

² <https://www.theguardian.com/us-news/2020/sep/18/us-seniors-video-calls-zoom-coronavirus>

³ <https://khn.org/news/technology-divide-between-senior-haves-and-have-nots-roils-pandemic-response/>

City

LiveOn NY recommends that the City expand its own investment in the technology infrastructure of Senior Center providers, in addition to older adults directly. As noted, utilizing new technologies, Senior Centers have kept tens of thousands of seniors safe, connected, and healthy during the pandemic. To further enable Senior Centers to connect with older adults through virtual programming, during the pandemic and beyond, it is critical that both Senior Centers themselves have a strong technology infrastructure *and* that Department for the Aging (DFTA) participants are financially supported to afford internet access and devices. This investment is incredibly important, as while the physical spaces that senior centers operate in are closed due to COVID-19, the demand for their services virtually and the outreach to clients through the phone has increased dramatically.

Additionally, given that Senior Center spaces are closed, this also means that the Centers' computer rooms which often are the sole point of access to technology for older adults are closed as well. This only heightens the importance of investing in broadband and affordable access to the internet for all older adult households. **Further, the reliance on Senior Centers to access technology only underscores the importance of the City critically evaluating and sharing its timeline to reopen Senior Center spaces, as well as providing guidance on how to operate congregate spaces, such as computer labs, safely in the future.**

Finally, it's important to keep in mind that of the older adults who have internet access, nearly half require assistance to use the internet or to set up their new device, and many are reliant on family for this support.⁴ This is why it is important to not only support tech expansion, but to support organizations that promote technology literacy among older adults. **In particular, the City should look to broaden and fund its collaboration with Senior Centers, and organizations such as Senior Planet, which offers a hotline and courses to broaden tech access among older adults.**

State

LiveOn NY asks City Council to utilize its platform to call on Governor Cuomo to sign the Comprehensive Broadband Connectivity Act (A.6679C Ryan/S.8805 Metzger). This legislation directs "the public service commission to review broadband and fiber optic services within the state and requires the expansion of broadband and fiber optic services."⁵ By understanding and working to expand broadband and fiber optic services, New York will promote equity and equal access to information across the state for individuals of all ages.

Federal

LiveOn NY is incredibly appreciative of the City's investment in 10,000 tablets for older NYCHA residents, an initiative funded by utilizing federally allocated community-development block grants (CDBG), which are flexible in nature. **We recommend that this program be expanded to further meet the need that exists.**

Thank you for the opportunity to testify at today's hearing.

⁴ <https://techcrunch.com/2019/05/05/we-are-leaving-older-adults-out-of-the-digital-world/>

⁵ <https://www.nysenate.gov/legislation/bills/2019/s8805>

LiveOn NY

Making New York a better place to age

LiveOn NY's members provide the core, community-based services that allow older adults to thrive in their communities. With a base of more than 100 community-based organizations serving at least 300,000 older New Yorkers annually. Our members provide services ranging from senior centers, congregate and home-delivered meals, affordable senior housing with services, elder abuse prevention services, caregiver supports, case management, transportation, and NORCs. LiveOn NY advocates for increased funding for these vital services to improve both the solvency of the system and the overall capacity of community-based service providers.

LiveOn NY administers a citywide outreach program that supports seniors in communities where benefits are most underutilized. This program educates thousands of older adults, including those who are homebound, about food assistance options, as well as screens and enrolls those who are eligible for SNAP and SCRIE/DRIE.

**STATEMENT OF
WILL LUCKMAN**

**ORGANIZER
NEW YORK CITY DEMOCRATIC SOCIALISTS OF AMERICA (NYC-DSA)
TECH ACTION WORKING GROUP**

**BEFORE THE
COMMITTEE ON TECHNOLOGY
& SUBCOMMITTEE ON ZONING AND FRANCHISE
NEW YORK CITY COUNCIL**

**FOR A HEARING CONCERNING
OVERSIGHT – BROADBAND AND THE DIGITAL DIVIDE**

**PRESENTED
OCTOBER 13, 2020**

Good afternoon, my name is Will Luckman, I'm a Brooklyn resident in the 36th district, and a volunteer organizer with the New York City Democratic Socialists of America Tech Action Working Group. Tech Action fights for democratic control of technology in an effort to develop universal, equitable tech that serves a common good. Thank you, Chairperson Holden, for calling this hearing today. I'm grateful for the opportunity to discuss the City's efforts to bridge the digital divide and the need for a publicly owned and operated municipal broadband network in New York City to effectively do so.

As we've heard today, New Yorkers—and all Americans—increasingly rely on the internet to obtain education, housing, and healthcare, and for basic economic participation. Internet access is not some luxury commodity, rather it is a fundamental requirement for participation in contemporary daily life. As such, internet access must not be contingent upon someone's ability to pay, or on whether it is profitable for a private company to connect them. The onus is on the government itself to ensure everyone is connected.

Revealingly, at present, internet access in New York City is unevenly distributed along economic lines. According to the City's own research, "over 40% of the households [in NYC] without broadband live below the poverty line."¹ Market-based solutions and past public policy have failed the neediest New Yorkers, further disadvantaging them, and reinforcing existing inequality.

The current health crisis has only served to ratchet up the stakes of this divide. Without the ability to attend remote classes or complete assignments, many students are falling behind. New Yorkers with no alternative to in-person services are being forced to venture out and expose themselves and others to risk of infection. The growing numbers of unhoused and unemployed are finding it that much harder to get back on their feet. To effectively respond to COVID-19, we need the City to act immediately to expand access. Then, we need to rethink our future approach to connectivity.

We commend the current administration for correctly identifying the need for universal broadband to address this issue, as outlined in "The New York City Internet Master Plan" released by the Mayor's Chief Technology Officer this past February. We are enthusiastic about the suggested estimated \$2.1 billion outlay to achieve this goal.² But our endorsement of the Mayor's "master plan" ends there, and we strongly encourage the City not to throw good money after bad.

The fatal flaw of the prescription offered by the Mayor's Office is that it replicates the same failed core strategy employed by the City in all previous attempts to provide high speed internet to underserved New Yorkers: subsidize private providers. In the past this has taken the form of backroom franchise agreements with cushy tax breaks and rights-of-way baked in.³ In the

¹ The New York City Internet Master Plan, Mayor's Office of the Chief Technology Officer, January 2020, https://tech.cityofnewyork.us/wp-content/uploads/2020/01/NYC_IMP_1.7.20_FINAL-2.pdf

² Emily Nonko, "New York's New Broadband Plan Hopes to (Finally) Address the Digital Divide," Next City, January 29, 2020, <https://nextcity.org/daily/entry/new-yorks-new-broadband-plan-hopes-to-finally-address-the-digital-divide>

³ Juan Gonzalez, "Verizon Deal could finally offer real competition in cable TV service," The Daily News, January 23 2008, <https://www.nydailynews.com/news/money/verizon-deal-finally-offer-real-competition-cable-tv-service-article-1.344788>

present—as with the 5G franchise rules being discussed this afternoon and with the EDC-administered NYCHA broadband RFEI issued in June⁴—public assets and infrastructure are again being handed over to private companies without any price controls, labor considerations, meaningful oversight, or guaranteed return. Going forward, the Mayor’s plan calls for a variation on the same tactic: the construction of massive new municipal infrastructure to ultimately facilitate privately operated, for-profit provision of service.

Private Internet Service Providers (ISPs) have proven time and again they are terrible partners. The main reason low-income New Yorkers lack internet access is because it is not profitable to provide it to them. Yet even when the City has dipped into the public coffers to ensure maximum profitability for these corporate ISPs, they have gone out of their way to stiff the City and its residents.

In 2017 the City was forced to sue Verizon for failure to honor its agreement to provide high-speed fiberoptic connections throughout all five boroughs.⁵ Charter-Spectrum was caught lying about the speeds of the service it was providing to New Yorkers⁶ and lying to regulators about the expansion of its service to underserved communities across the state.⁷ CityBridge, the private consortium operating the LinkNYC system meant to provide New Yorkers with “free” (advertising-supported) WiFi currently owes the City tens of millions of dollars and has built only a fraction of the kiosks we were promised.⁸

Instead of getting back into bed with corporations who have shown a willingness to repeatedly defraud New Yorkers, flaunt regulations, and crucially, who have failed utterly to provide the coverage that we need, the City should take a new approach. We encourage the Council to fight back against all new subsidies for private ISPs in whatever form they take. We further encourage the Council to take steps towards developing a publicly owned and operated alternative—e.g. assessing current network assets and federal rules on direct provision—as outlined by your fellow councilmember CM Brannan in his recent op-ed on the subject.⁹

A municipal model for broadband has three major advantages over the current system. First and foremost, the City can directly provide access, free-of-charge, where it is most needed—starting with publicly owned properties like NYCHA housing, city shelters, and our public schools.

⁴ Universal Solicitation for Broadband: NYCHA, <https://www1.nyc.gov/assets/cto/#/project/usb-nycha>

⁵ Jon Brodtkin, “NYC blasts broadband competition shortage as it pursues suit against Verizon,” *Ars Technica*, April 20, 2018, <https://arstechnica.com/information-technology/2018/04/nyc-blasts-broadband-competition-shortage-as-it-pursues-suit-against-verizon/>

⁶ Jon Brodtkin, “NY sues Charter/Time Warner Cable, alleges false promise of fast Internet,” *Ars Technica*, February 1, 2017, <https://arstechnica.com/tech-policy/2017/02/ny-sues-chartertime-warner-cable-alleges-false-promise-of-fast-internet/>

⁷ Jon Brodtkin, “New York threatens to revoke Charter’s purchase of Time Warner Cable,” *Ars Technica*, June 14, 2018, <https://arstechnica.com/tech-policy/2018/06/new-york-threatens-to-revoke-charters-purchase-of-time-warner-cable/>

⁸ Kim Lyons, “The consortium behind New York City’s LinkNYC kiosks is ‘delinquent’ and owes the City millions,” *The Verge*, March 5, 2020, <https://www.theverge.com/2020/3/5/21166057/linknyc-wifi-free-kiosk-google-new-york-sidewalk-labs-payments-revenue>

⁹ Justin Brannan, “Give NYC universal broadband now,” *New York Daily News*, September 21, 2020, <https://www.nydailynews.com/opinion/ny-oped-give-nyc-universal-broadband-now-20200921-xyt5mtpzreblfpxgtmltbot5i-story.html>

Second, the City will retain control and oversight of such a system and can guarantee low costs, high speeds, net neutrality, data privacy, and environmental resiliency. Third, as we face the prospect of a severe economic downturn and continued social distancing combining to slow construction in NYC for the foreseeable future, investing in this system would also guarantee a number of good public jobs building out this much-needed infrastructure.

The cost of constructing such a system will not be cheap, which is why we were heartened to hear that the Mayor's office is willing to deploy upwards of \$2.1 billion to address this problem. Where there is a will, there is a way! But instead of blindly handing it over to corporations with a proven track record of failure as suggested, let's take that \$2.1 billion seed and invest it City-owned and operated infrastructure. City agencies like the NYPD have already proven that they can effectively build and deploy massive publicly owned networks.¹⁰ And other cities where municipal broadband systems have been deployed, like Chattanooga, Tennessee, are already netting financial returns while providing excellent service and coverage to their residents.¹¹

As has been demonstrated today, we need universal broadband coverage in NYC as soon as possible—but it is clear we won't get there by repeating the same mistakes we've made in the past. We need to simultaneously expand our imagination and reign in our credulity. In the short term, let's ensure that any immediate solutions being deployed are accompanied by strong, enforceable price guarantees and labor protections, and that retain public ownership of any City assets involved. In the long-term we encourage the Council to embrace a new strategy that prioritizes the needs of New Yorkers over the profits of a cartel of ISPs who have already shown a willingness to defraud the City.

The digital divide is exacerbating the economic inequalities already crushing millions of New Yorkers. We can't rely on profit-seeking corporations to solve this problem. It's past time the City of New York treated broadband like a basic utility and right, and stepped up and provided internet service directly.

¹⁰ About NYPD, Technology and Equipment, Infrastructure and Communications, <https://www1.nyc.gov/site/nypd/about/about-nypd/equipment-tech/technology.page>

¹¹ Evan Malmgren, "The New Sewer Socialists Are Building an Equitable Internet," *The Nation*, November 28, 2017, <https://www.thenation.com/article/archive/the-new-sewer-socialists-are-building-an-equitable-internet/>

Testimony of Lance Van Arsdale
Assistant Business Manager of Local Union No. 3
of the International Brotherhood of Electrical Workers, AFL-CIO
before the New York City Council's Committee on Technology and
Subcommittee on Zoning and Franchises
October 13, 2020

Good afternoon Chairmen Holden and Moya and Members of the Committee:

My name is Lance Van Arsdale, and I am the Assistant Business Manager of Local Union No. 3 of the International Brotherhood of Electrical Workers, AFL-CIO ("Local 3"). Local 3 represents nearly 30,000 members who work throughout New York City and surrounding counties. As you are aware, Local 3 is the certified collective bargaining representative for approximately 1,800 cable service technicians that work for Charter Communications, Inc. ("Charter") in connection with its cable television franchise. Additionally, approximately ten thousand Local 3 journeyman and apprentice electricians work for various contractors that install and construct the infrastructure for all types of telecommunications throughout the City, including that which will be installed by the franchisees of the franchises that would be awarded pursuant to the authority of the authorizing resolution being considered today.

Although the cable television franchise is not part of the scope of today's hearing, the years-long labor dispute that continues to this day between Local 3 and Charter should necessitate stronger protections not only for workers of any franchisee of New York City, but also consumers. Even though the Department of Information Technology and Telecommunications ("DOITT") determined that there were well documented breaches by Charter of its franchise agreement with New York City, Charter has continued to operate without penalty. With the Council's consideration of an authorizing resolution for franchises for telecommunications services today—which presumably will be followed by consideration of an authorizing resolution for cable television at a later date—the Council has an enormous opportunity to ensure that any franchisee of the City be accountable and unable to exploit their workers or to cheat the City and its customers.

While federal law and regulations do limit the City's ability to regulate telecommunications franchisees, and the current state of the federal regulatory framework under the Trump Administration is very pro-telecommunications company, the City still has the ability to regulate its inalienable property. Additionally, with a presidential election just weeks away, there is a very good possibility that a Biden Administration would succeed the current administration and reverse a lot of the unfavorable regulatory changes that have been implemented. Given that prospect, the City might be prudent to delay the franchise process until at least after the presidential election, and potential after the start of a new administration.

Should the Council proceed before that point, however, it should ensure to include in any authorizing resolution additional provisions designed to protect the public, to optimize revenue to be derived for the City, and to prevent the exploitation of workers. Local 3 has previously proposed to Chair

Moya a revised authorization resolution for any future cable television franchise, which can certainly be adapted for these other franchises. That proposal would require more extensive and more frequent independent auditing of DOITT franchisees; routine revenue reporting; training, certification, and licensing requirements for workers of franchisees and their subcontractors performing work in/on/under the City's inalienable property; labor standards and prevailing wage requirements; and public contemporaneous disclosure of all franchisee contractors and subcontractors. Finally, the proposed revisions to the authorizing resolution would reserve the right of New York City to have a "public option" to deliver service directly.

In the age of COVID-19, as countless people have been relegated to working remotely and to learning remotely, we have seen very starkly how critical it is to have reliable and affordable internet access. We have also seen the disparity that exists in who has reliable and affordable internet access, which unfortunately diverges along socio-economic and racial lines. Whether or not in-office work and in-classroom instruction returns to the pre-COVID scale, in the long-term, the need for high-speed, reliable, and affordable internet access is undeniable. A public option—municipal broadband—can deliver that for New Yorkers.

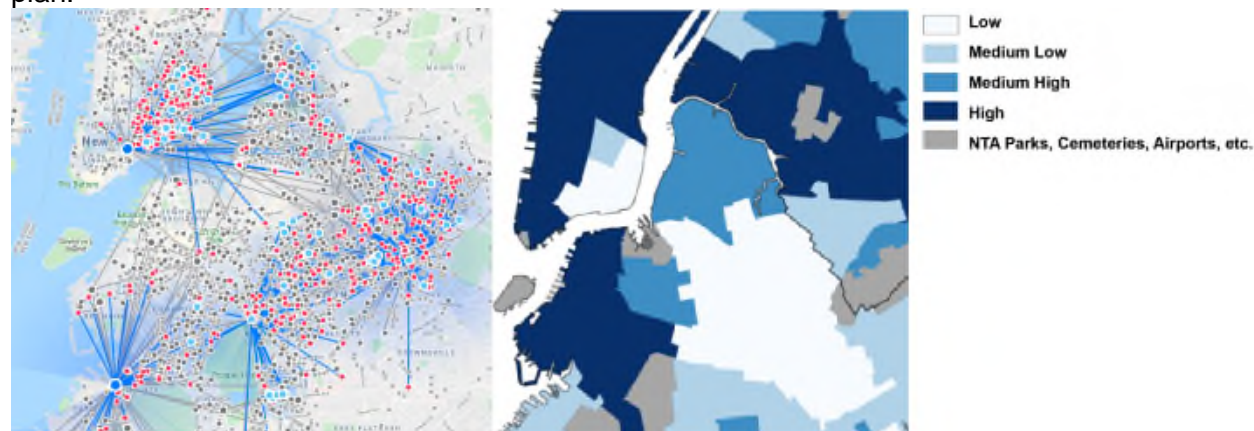
City council hearing: Oversight: Broadband and the Digital Divide
Committee on Technology + Subcommittee on Zoning and Franchises
October 13, 2020, 2:00 p.m

Testimony of Mohammad Asgari, member of NYCmesh

I would like to talk about the importance of community networks and community access to public infrastructure as it relates to the digital divide and today's resolution.

When the internet master plan was unveiled in January, broadband internet access was characterized as essential to life and work in the city. No-one could have predicted that in the months to follow, broadband access would determine one's ability to receive an education or to be able to work. The gap in broadband coverage disproportionately affects Black and Hispanic communities and is therefore a racial and economic justice issue. The network infrastructure we have in the city today -which was built by the private sector- continues to expand alongside segregated neighborhood lines. This shouldn't be surprising, since a profit-driven model for infrastructure development will inevitably serve rich neighborhoods more than it serves the poor. In contrast, a community network can serve to bridge the broadband gap during this crucial time by allowing communities to mobilize and create infrastructure that is critical to their everyday lives. The city should look to successful implementations of community networks and support them.

NYCmesh is one example of such networks. NYCmesh is a non-profit and community owned and operated fixed wireless mesh network. It is resilient, fast, net-neutral and open for all New Yorkers to join and to use, free of charge. The community spirit of the network brings in monthly donations from users that help with maintenance costs and growth. The majority of the network's users reside in neighborhoods with low and moderate-low broadband adoption according to the master plan.



(Left) NYCmesh nodes (source: www.nycmesh.net/map) (Right), broadband adoption excerpt, NYC Internet Masterplan p17

Community networks and big player ISPs do not operate on a level playing field so the process of granting franchises as described in this resolution does not necessarily benefit community networks. The big ISPs which currently monopolize the market, have greater buying power and a greater network of information and influence to rent city property with no incentive to serve neighborhoods that are not profitable. Any regulatory regime should work to break up these large monopolies. Here are 4 suggestions for actions the city can take to support broadband infrastructure for all:

- 1- Give non-profit community networks access to a fiber-optic municipal broadband to build fixed wireless mesh networks on top of.
2. Give non-profit community networks priority access to city rooftops and facilities to install wireless routers.
- 3- Make all processes addressing the digital divide open and participatory. Actively involve advocates and community organizations in the process.
- 4- Have clear forums for community oversight and implement community ownership of network infrastructure.

We look forward to working with the city to advance these ideas. For more information, please contact our team at info@nycmesh.net.

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**WRITTEN TESTIMONY OF THE SOCIAL WELFARE COMMITTEE AND
EDUCATION AND THE LAW COMMITTEE**

**NEW YORK CITY COUNCIL TECHNOLOGY COMMITTEE
AND SUBCOMMITTEE ON ZONING AND FRANCHISES OVERSIGHT HEARING**

BROADBAND AND THE DIGITAL DIVIDE

OCTOBER 13, 2020

The New York City Bar Association, through its Social Welfare Committee and Education and the Law Committee, submit this testimony to highlight the impact of the digital divide on New York City's homeless population.¹

COVID-19 has exacerbated the homelessness crisis in New York City. The unprecedented public health emergency and resulting economic freefall deeply devastated the lives of homeless families and individuals. As of July 2020, there were 58,089 homeless people, including 13,046 homeless families with 19,278 homeless children, sleeping each night in the New York City municipal shelter system.² While state regulations require that certain services be provided to shelter residents, City-funded shelters overwhelmingly lack one essential service -- access to technology. Such access is essential to reduce the length of residents' stay and facilitate their exit into permanent housing. The need to communicate through internet-based applications is particularly acute right now. Access to everything from city offices and classrooms to real estate listings and governmental offices is accessible online, and such online access is preferred and is safer, preventing unnecessary in-person contact.

Yet thousands of shelter residents lack basic access to the internet. The City Bar documented this problem. In May 2020, the City Bar Justice Center (CBJC) released a Report titled "Homeless Need Internet Access To Find a Home: How Access to Internet and Technology Resources can Support Homeless Families Transition out of Homeless Shelters" (the Report). This report and its recommendations are endorsed by a wide range of organizations, including law firms, legal services providers, corporations, and community groups. A copy of the report and an

¹ Oral testimony provided by Sandra Gresl of the Social Welfare Committee.

² "Basic Facts About Homelessness: New York City," Coalition for the Homeless, <https://www.coalitionforthehomeless.org/basic-facts-about-homelessness-new-york-city/> (all websites last visited Oct. 1, 2020).

endorsement list is annexed hereto.³ The Report lays bare the devastating consequences of New York City’s stark digital divide on the lives of our unhoused neighbors. Without reliable internet access, shelter residents are unable to search and apply for permanent housing, search and apply for jobs, participate in remote classrooms and complete assigned homework, apply for government benefits, obtain necessary medical and mental health care, stay connected to friends and family or even access basic entertainment.

Allowing the lack of access to remain unaddressed is unacceptable. The pandemic has significantly exacerbated the barriers resulting from the City’s digital divide, raising the stakes to literally life-or-death. Homeless parents are forced to risk their child’s health and safety for the sake of their education or subject them to a subpar educational experience with either limited or inconsistent access to remote learning. With no internet access in shelters and unreliable internet-enabled devices, Wi-Fi, and connections, in person learning is the only viable option for their children to receive an education.⁴ Prior to the pandemic, 87% of the students who experienced homelessness were more likely to drop out of school.⁵ Only 57% of homeless City students graduated from high school.⁶ One in four homeless students was proficient in math and science overall, compared to a third or more of housed low-income students.⁷ These numbers will only worsen from the pandemic. Experts predict that students could lose seven to eleven months of learning, if remote learning is done until January 2021.⁸

Ensuring internet access for homeless New Yorkers is also an issue of racial justice. New Yorkers of color are disproportionately represented among those experiencing homelessness. Eighty-six percent of homeless single adults and 93% of heads-of-household in family shelters identify as Black or Hispanic – significantly higher than the 53% of New York City’s population overall who identify as Black or Hispanic.⁹ Moreover, 85% of New York City students who experienced homelessness were Black and Hispanic.¹⁰ Black and Hispanic New Yorkers generally, and homeless New Yorkers specifically, have been disproportionately impacted by COVID-19.

³ Report available online at <https://www.citybarjusticecenter.org/news/homeless-need-internet-access-to-find-a-home-the-city-bar-justice-center-documents-lack-of-technology-in-nyc-homeless-shelters/>; list of endorsing organizations available at <http://documents.nycbar.org/files/CBJCInternetAccessHomelessSheltersEndorsingOrgs.pdf>.

⁴ Eliza Shapiro, “These Families Feel Forgotten as N.Y.C. Pushes to Open Schools,” The N.Y. Times, Sept. 21, 2020, <https://www.nytimes.com/2020/09/14/nyregion/homeless-school-reopening-nyc.html>.

⁵ Jessica Fregni, “What Homeless Students Lose When Schools Go Digital,” Teach for America, July, 1, 2020, <https://www.teachforamerica.org/stories/what-homeless-students-lose-when-schools-go-digital>.

⁶ “New Data Show Number of NYC Students who are Homeless Topped 100,000 for Fourth Consecutive Year,” Advocates for Children, Oct. 28, 2019, <https://www.advocatesforchildren.org/node/1403>.

⁷ Sarah D. Sparks, “Number of Homeless Students Hits All-Time High,” Education Week, Feb. 10, 2020, <https://www.edweek.org/ew/articles/2020/02/12/number-of-homeless-students-hits-all-time-high.html>.

⁸ Emma Dorn, Bryan Hancock, Jimmy Sarakatsannis, and Ellen Viruleg, “COVID-19 and student learning in the United States: The hurt could last a lifetime,” McKinsey & Company, June 1, 2020, <https://www.mckinsey.com/industries/public-and-social-sector/our-insights/covid-19-and-student-learning-in-the-united-states-the-hurt-could-last-a-lifetime>.

⁹ State of the Homeless 2020, Coalition for the Homeless, March 2020, available at <https://www.coalitionforthehomeless.org/wp-content/uploads/2020/03/StateofTheHomeless2020.pdf>.

¹⁰ *Supra* note 6.

Any policy that enables homeless New Yorkers to prevent increased exposure to COVID by affirmatively bridging the digital divide they face, is an essential step to address racial disparities in New York City.

RECOMMENDATIONS

New York City has long been a leader in ensuring that its homeless residents have access to shelter, and these times demand that the City now lead the way in providing technology access to its shelter residents. We are dealing with a public health emergency, and it is clear that the City must act quickly in order to meet its basic responsibilities to its unhoused residents. The Mayor's Office released an "Internet Master Plan," a city-wide plan to increase the availability of Internet throughout its five boroughs. However, that plan does not include a single reference to shelters or the unique access needs of our City's unhoused residents.¹¹ The plan ignores the homeless population. In July the City announced it would be accelerating broadband deployment in all five boroughs, prioritizing public housing communities, which have suffered disproportionately during the COVID-19 pandemic.¹² That announcement also failed to explicitly indicate that City-funded properties serving as shelters would be included. We appreciate the extraordinary efforts the City is taking to respond to the crisis - the pandemic has, and will continue to, expose the cracks in our systems that disadvantage our most vulnerable populations. It is vital that the City ensure that the thousands of New Yorkers who are homeless and residing in shelters are included in these plans.¹³

We urge the City Council to help address this digital divide and work with the Mayor's Office and all related agencies to ensure that City-funded homeless shelters are prioritized in any plans to expand broadband and internet access. This includes providing access to the following in every City shelter:

- Reliable Wi-Fi connections for all shelter residents;
- Updated Internet-ready computers, tablets, or other devices;
- Wireless or Bluetooth printers with scanners, or printers that maintain connections with the shelter's computers, tablets or other word processing devices.

This must be a sustained commitment and we strongly urge the City Council to consult with all stake holders as it devises a plan to provide internet access in shelters.

Thank you for your service to New Yorkers during these challenging times. We look forward to working with you to help meet this moment.

¹¹ The New York City Internet Master Plan, NYC Mayor's Office for Technology, Jan. 2020, available at <https://www1.nyc.gov/assets/cto/#/project/internet-master-plan>.

¹² Mayor de Blasio and Taskforce on Racial Inclusion and Equity Announce Accelerated Internet Master Plan to Support Communities Hardest-Hit by COVID-19, July 7, 2020, available at <https://www1.nyc.gov/office-of-the-mayor/news/499-20/mayor-de-blasio-taskforce-racial-inclusion-equity-accelerated-internet-master>.

¹³ This includes all properties and temporary housing facilities (including hotels) that are maintained by New York City agencies.

The logo for the City Bar Justice Center, featuring the text "CITY BAR JUSTICE CENTER" in a serif font, centered between two horizontal white bars.

CITY BAR
JUSTICE
CENTER

HOMELESS NEED INTERNET ACCESS TO FIND A HOME

How Access to Internet and Technology
Resources Can Support Homeless Families
Transition out of Homeless Shelters

MAY 2020

The logo for the City Bar Justice Center, featuring the text "CITY BAR JUSTICE CENTER" in a serif font, centered between two horizontal bars.

City Bar Justice Center
42 West 44th Street
New York, NY 10036
www.citybarjusticecenter.org

ABOUT THE CITY BAR JUSTICE CENTER

The City Bar Justice Center (CBJC), the largest division of the City Bar Fund which is the nonprofit affiliate of the New York City Bar Association, increases access to justice for low-income and disadvantaged New Yorkers by leveraging the volunteered time and expertise of the New York City legal community through an effective pro bono model. CBJC responds to the emerging needs of underserved communities, assisting over 25,000 New Yorkers annually through limited and direct legal representation, community outreach, and education efforts on a wide range of civil-justice matters including: homelessness, immigration, veterans assistance, small business development, consumer issues, planning and estates, cancer advocacy, and elderlaw. A dozen core projects led by experts in the field, over 1,500 pro bono attorneys trained and mentored by staff, and the largest free civil legal hotline in New York enable the CBJC to protect the rights, safety, and security of people without the means or support necessary to navigate our justice system.

ACKNOWLEDGEMENTS

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- Lisa Pearlstein, Legal Clinic for the Homeless, Project Director
- Kyara Martinez, Legal Clinic for the Homeless, Project Coordinator
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EXECUTIVE SUMMARY

In New York City (“NYC”) during the 2018 fiscal year, 133,284 different homeless men, women, and children slept in the NYC municipal shelter system, including over 45,600 different homeless NYC children.[1] As recently as September 2019, an average of 62,391 homeless people, including 14,962 homeless families with 22,083 homeless children, slept each night in the NYC municipal shelter system. While NYC homeless shelters provide temporary housing for these individuals, the ultimate goal of the NYC Department of Homeless Services (“DHS”) is to prevent homelessness, to help residents regain permanent housing, and to reduce residents' lengths of stay in a shelter.[2]

However, NYC shelters are currently lacking one very basic and essential service that would help shelter residents to secure permanent housing and reduce their lengths of stay in a shelter: access to technology. Today, access to the Internet is considered a basic human right that includes the technology that will enable it.[3] Access to the Internet and the required technology to do so is critical for shelter residents to locate permanent housing and job opportunities, and to access applications for housing, government benefits[4] and other services.

In 2019, the City Bar Justice Center (“CBJC”) conducted a client survey of current and former NYC family-shelter residents in Manhattan and the Bronx. They found that if shelter residents had access to the Internet while in the shelter, they would use the Internet for the following purposes: finding permanent housing (70%), finding a job (60%), finding medical care (63%), accessing other benefits such as unemployment, Supplemental Security Income (SSI), food stamps, Medicaid (45%), access to email (67%) and social networking (74%). Survey respondents indicated that access to the Internet would positively impact their lives.

Respondents also confirmed that the lack of Internet access led to further isolation and frustrated attempts to search for permanent housing, jobs, and other essential benefits.

Cities across the United States have recognized that Internet access is critical for shelter residents. A synopsis of their efforts and how it can be applied in NYC is discussed below. An investment by NYC and DHS in enhancing access to technology (including Wi-Fi, Internet-ready devices and printers) in NYC shelters could lead to a reduction in the overall homeless population and a reduction in other costs associated with housing NYC's homeless population. This report outlines the ways in which DHS's mission can be better achieved.

SUMMARY OF RECOMMENDATIONS

The City Bar Justice Center recommends that New York City provide access to the following in every City shelter: (1) reliable Wi-Fi connections, (2) updated Internet-ready computers, tablets, or other word processing devices, and (3) Wireless or Bluetooth printers, or printers that maintain connection with the shelter's computers, tablets or other word processing devices. Access means that the Wi-Fi and devices must be made available to residents and in working order. Access also includes availability for individuals with both traditional and non-traditional school or work schedules, as well as all tools that are essential for use, such as paper and ink for printers, adequate charging facilities for Internet-ready devices, and word processing software.



IMPORTANCE OF ACCESS TO TECHNOLOGY FOR HOMELESS SHELTER RESIDENTS

DHS oversees approximately 580 shelter facilities across the five boroughs.[5] On each night in December 2019, these shelters housed an average of 62,590 homeless people. [6] In 2017, NYC spent \$1.3 billion on family and single adult shelter services, a sum larger than outlays on libraries and parks combined.[7] This amount excludes hundreds of millions of additional dollars spent on homeless prevention efforts aimed at reducing the number of people entering shelters and rental-subsidy programs to facilitate exits from shelters.[8] In total, it is estimated that NYC is currently spending in excess of \$2 billion on these services.[9]

While NYC homeless shelters provide temporary housing for individuals, the mission of DHS is to prevent homelessness and to help NYC residents regain independent living in the community.[10] In a recent “Mayor’s Management Report,” DHS stated that one of its overarching goals is to “help individuals and families transition to permanent housing and self-sufficiency.”[11] This means that the agency must not only ensure that “all temporary shelters for homeless individuals and families are clean, safe,

“and well-run,” but also that it “[f]acilitate exits and minimize clients’ length of stay in shelters.”[12]

Despite that goal, statistics show that between December 2017 and September 2019, the number of adults and children in shelters increased by 2,458, or 4.1%.[13] In addition, as of December 2017, single adults were staying in a shelter approximately 100 days longer than they were, on average, in January 2014; and 37 days in the case of adult families (couples without children).[14]

Both family and single adult shelter clients must develop, with the provider staff, an Independent Living Plan (ILP). [15] The ILP forms are the core of a client’s “[shelter] exit plan and an individualized pathway towards sustainable permanency.”[16] But while state regulations require that certain services be provided to shelter clients, shelters are overwhelmingly lacking in one essential service for shelter residents which could reduce the length of residents’ stay and facilitate their exit: access to technology.

A vital component to independent living in today’s world is the Internet,

and NYC and DHS should strive to provide resources to homeless shelters to ensure that homeless men, women, and children in NYC are able to access the Internet. Internet access should be provided through Internet-ready mobile devices, computers and printers, as well as through shelter-based publicly available Wi-Fi, at no extra cost to maximize opportunities for the homeless population to regain independence.

NYC residents now use the Internet for almost every aspect of their daily life—to communicate with others (whether family or friends, or for educational or work purposes), to search for jobs, to create resumes for jobs, to apply for jobs, to search for housing, to apply for housing, to access government benefits and services, to search for educational opportunities, to complete applications for schools, to perform school work, to find medical providers, to access banking services, and much more. Widespread Internet use pervades all social and income classes and is particularly needed by the homeless, who lack a permanent address and landline telephone and require, perhaps more than others, the stability that is provided by Internet access.

Shelter residents need to be able to access the Internet to search for jobs, housing, medical care, and other benefits.

Shelter residents with children, who are a large percentage of the overall homeless population, need the Internet to help their children enroll and remain in school and perform schoolwork. In March 2020, the impact that lack of Internet access has on children in homeless shelters was further evidenced and exacerbated when, in response to the COVID-19 pandemic, NYC public schools implemented remote learning. Unfortunately, over 100,000 students living in shelters or unstable housing in NYC were not able to benefit from this set up due to limited access to technology.[17] While the Department of Education is working to provide Internet – enabled devices with cellular technology, such as iPads, students have lost weeks of remote learning time waiting for such a device. [18]

The Internet is an invaluable resource for helping homeless residents return to self-sufficiency. Its potential uses and benefits are innumerable. A modest investment by NYC in enhanced Internet access could lead to a reduction in the overall homeless population and a reduction in other costs associated with housing NYC's homeless population. NYC needs to provide more resources to homeless shelter residents to access technology by providing access to Internet-ready mobile devices, computers and printers, and shelter-based publicly available Wi-Fi.

We propose that NYC set aside funds for enhanced technology access for shelter residents to facilitate the overarching goal of NYC homeless shelters—that they provide a temporary stopping point on a path toward self-sufficiency and independence.

SURVEY RESULTS

During the summer of 2019, the CBJC conducted a survey of current and former NYC homeless shelter residents to obtain information about their access to and use of Internet-ready devices and Wi-Fi while living in NYC shelters (“2019 CBJC Survey”). The results of the 2019 CBJC Survey are summarized below and confirm, among other things, that (1) NYC shelters do not currently provide adequate access to the Internet (in fact, the majority do not provide any access to either Internet-ready devices or Wi-Fi), (2) most shelter residents are not able to otherwise regularly access the Internet on their own and when they do, it requires them to self-fund costly cellular plans with funds that could be put to better use elsewhere, and (3) all shelter residents confirmed that improved access to the Internet would enable them to improve their living conditions and return to self-sufficiency.

In total, CBJC surveyed 84 current and former NYC family-shelter residents in Manhattan and the Bronx. The surveyed residents had the following to say:

67%

**WANTED TO
BUT HAD NO
REGULAR
ACCESS TO
INTERNET**

56 survey respondents (67% of those surveyed) indicated that there were times when they wanted to access the Internet while in shelters, but were unable to do so, because the shelters did not provide Internet access and the residents were not able to get access via other means. Only 10 respondents reported having regular (i.e., daily) access to the Internet while staying in the shelter.

6%

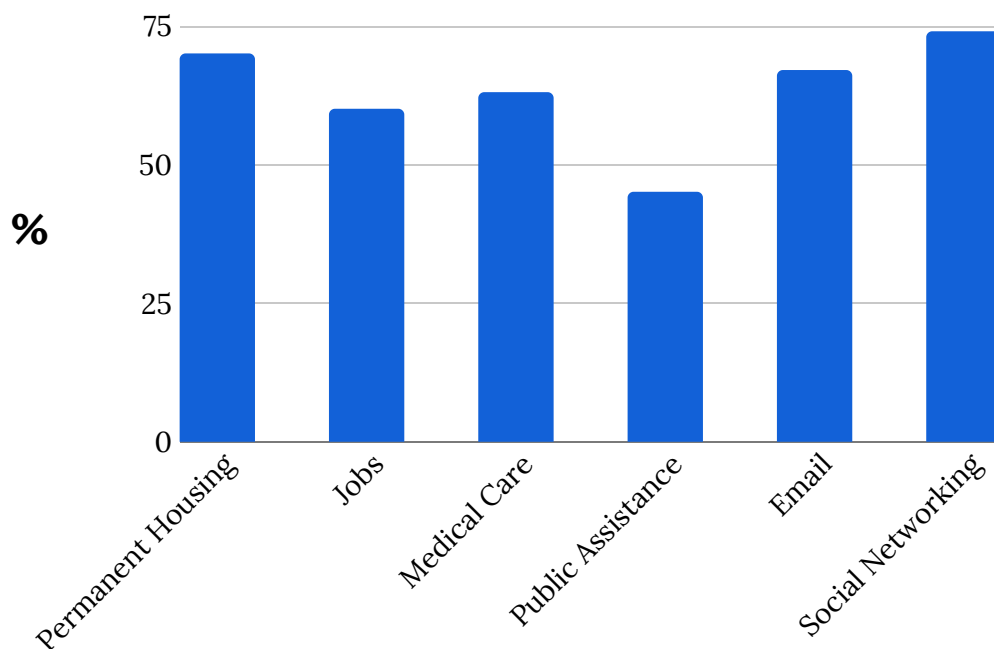
**WERE ABLE TO
ACCESS THE
INTERNET
THROUGH
THEIR
SHELTER**

Only 5 respondents (6% of those surveyed) reported being able to access the Internet through the NYC homeless shelter(s) in which they stayed. In contrast, to the extent that respondents were able to access Internet at certain points, the majority did so through a self-paid cellular plan (64 respondents, or 76% of those surveyed, reported having such a plan at some point or another) or through publicly available Wi-Fi, e.g., Wi-Fi available in NYC public spaces, libraries, or restaurants like McDonald’s and Starbucks. For those residents with smart phones and self-paid cellular plans, 18% of those surveyed reported having limits on minutes or data for those plans that sometimes restricted their ability to access the Internet, despite having an Internet-ready device.

75%**AGREED
INTERNET ACCESS
WOULD IMPROVE
THEIR
CIRCUMSTANCES**

The overwhelming majority of survey respondents (63 respondents, or 75% of those surveyed) agreed that regular or otherwise improved access to the Internet for shelter residents would enable shelter residents to improve their circumstances, assisting in their efforts to find permanent housing, jobs, and other benefits (discussed further below). The CBJC Survey established that an overwhelming majority of respondents indicated that they were comfortable using the Internet, affirming its relevance in their daily lives.

Based on their familiarity with the Internet, respondents said that if they had access to the Internet while in NYC shelters, they would use the Internet for the following purposes:

What Respondents Would Use Internet For

The 2019 CBJC Survey results present a clear picture of the current state of technology access at NYC homeless shelters: NYC shelters do not provide adequate (and in most cases, any) access to the Internet for NYC shelter residents. NYC shelter residents are in a constant struggle to find ways to access the Internet through other means, including spending what little funds they do have on Internet access. This lack of Internet access denies shelter residents of the many benefits that Internet access could bring, including resources that could help residents on the road to self-sufficiency and independence and to help residents retain some sense of normalcy and permanence in the midst of what is a very stressful experience.

As part of the 2019 CBJC Survey, CBJC also solicited personal anecdotes from the respondents describing how regular and improved access to the Internet would positively impact their lives. Respondents confirmed that the lack of Internet led to further isolation and frustrated their attempts to search for permanent housing, jobs, and other benefits. One respondent noted that “the Internet is no longer a luxury; it is a necessity.” Respondents noted that shelter residents “need the Internet in order to search for apartments” and “need the Internet to find a job.” Residents indicated that with Internet access, they “might have been living in an apartment sooner,” and “having Internet service would have helped [them] get access to a better job.” One respondent actually noted that “the only reason [they] got out of shelter was because [a self-funded Wi-Fi] HotSpot let [them] find out about Housing Connect [19], [but] a lot of shelter residents don’t even know that exists.”

In contrast, the lack of Internet limits those opportunities. One resident noted that the lack of Internet potentially cost them a job, stating, “It’s like living in the dark ages here. I had interviews at [a company] and they were saying I was unresponsive but I wasn’t. The issue was that I did not have Internet.” As one resident put it, Internet access would provide a round-the-clock resource for information and assistance:

“Internet would give you access to everything you need whenever you want. Some case workers only work 9 to 5 so if I needed to search stuff at night to ask them about I could not. I learned how to get out of my situation by reading blogs and joining forums after I got [out]of the shelter. Unfortunately, people in shelter don't have access to that and it's sad.”

Some residents reported being unable to pay for their own Internet service, meaning that without the assistance of the shelter or finding a place with publicly available Wi-Fi, it would be impossible for them to access the Internet. But even for those residents who could afford to pay for Internet access, the need to pay for Internet on their own deprived them of valuable funds that they could have put to other vital uses, like housing. Respondents reported using their very limited public assistance benefits intended for food and other essential items to pay for internet-enabled phones. Respondents noted that “it would be nice to get free Internet so [they] wouldn’t have to use the little funds [they] have” on Internet access,” and “access to Internet at the shelter would have saved [them] money because then [they] would not need to pay for a data plan.” Because money is always a struggle for shelter residents, there are inevitably times when they cannot pay for Internet access and, as a result, cannot access

the Internet. One respondent noted, “I would run out of funds to pay my phone bill so I would not have Internet.”

Beyond the benefits in terms of exit strategy and financial savings, residents also commented on the inability of their children to complete homework assignments while in the shelters due to the lack of adequate technology access, including Internet and printers that are needed for schoolwork. For example, one resident noted:

“Internet in shelter would help me do homework with my child. And it would also help because sometimes I need to print out forms but I can't do that and the case workers are not always available.”

Another respondent said something similar:

“My husband and I were discussing Internet service in the shelter a few days ago and wondered if the social worker would be kind enough to give us the Wi-Fi password so we could help our kids do homework.”

Based on the survey results and sample anecdotes summarized above, it is clear that more must be done in terms of technology access at NYC's homeless shelters. As discussed further below, we believe that NYC and DHS should enhance access to technology at NYC homeless shelters through both Internet-ready devices and publicly available Wi-Fi, as well as access to wireless or Bluetooth printers, or those that are connected to the shelter's functioning and accessible computers.

WHAT OTHER CITIES ARE DOING

NYC has long been a leader in providing temporary shelter to homeless residents. NYC now has an opportunity to lead the way in modernizing those efforts by providing technology access to its residents through the provision of Internet-ready devices and Wi-Fi to all municipal shelter residents. Similar efforts have begun in a limited number of cities across the United States, which recognize that technology access can be a turning point for homeless residents and which can serve as a start for efforts in the five boroughs. Below are a few examples of what other cities have done. More is needed and NYC can be a leader in these efforts.

In other U.S. cities, the views of homeless shelter residents with respect to technology access largely mirror the results of the 2019 CBJC Survey.

San Francisco

Shelter residents in San Francisco, particularly younger shelter residents, for example, cite smartphones and Internet access as the reason for shortened periods of homelessness.[20] Technology is used for connecting with social services, job searches, and finding permanent housing. One non-profit shelter, NextDoor, was able to get online for only \$6,000 (approximately) of equipment supplied by a local Internet provider.[21] In 2016, a former NextDoor resident who spearheaded the initiative to get the shelter online co-founded a nonprofit, ShelterTech, to further help underserved communities get technology access and accelerate out of homelessness.[22] In 2017, ShelterTech received a grant of \$97,454 for three years from the San Francisco government. ShelterTech is using the funds to provide various technology services to shelters and single room occupancy hotels.

ShelterTech focuses on three programs: (1) Shelter Connect, a program that works with Internet service providers to provide free Wi-Fi in shelters and transitional housing facilities, (2) an online housing and human services directory, and (3) step-by-step guides addressing common issues faced by homeless or at-risk individuals. [23]

ShelterTech expanded its Wi-Fi installations by 228% in 2018 and provided Wi-Fi access to 3,000 people through 7 Wi-Fi installations (including at 3 emergency shelters) and 200 portable chargers. ShelterTech's website indicated costs of only \$50 per month to provide Wi-Fi to one shelter and \$0.02 for Wi-Fi for one person for one night.[24]

Some residents of Wi-Fi connected shelters in San Francisco have credited their ability to find and obtain jobs online to simply having access to websites like Indeed.com and Craigslist.com.[25] Residents would not have known that some of these jobs existed without the Internet, as many jobs are posted solely online.[26]

Austin

Austin is another city that has sought to expand the services that it provides to its homeless population through the use of technology. According to the Ending Community Homeless Coalition ("ECHO"), a non-profit organization that plans and implements strategies to end homelessness in Austin and surrounding Travis County, over 7,000 individuals experienced homelessness in Travis County in 2018.[27]

In an effort to improve the lives of its homeless residents, the City of Austin's Office of Design, Technology, and Innovation Projects (the "Innovation Office") developed the MyPass Platform ("MyPass").[28] The project utilizes blockchain in order to give homeless people the ability to digitally store their vital documents, such as social security cards, health data and driver licenses, which "will positively impact homelessness services by helping them gain efficiency".[29] The Innovation Office's website states that its parameters of success for MyPass are efficiency of social service delivery, increased control and agency for homeless people, and to assist with benefit eligibility determinations for homeless residents.[30] The Innovation Office received a grant from the Robert Wood Johnson Foundation in June 2019 to develop MyPass over the course of one year.[31] Though MyPass undoubtedly will provide essential autonomy over to Austin's homeless residents, it is important to recognize that the use of this service assumes that its users already have access to Internet.

What NYC is Currently Doing

NYC has made a city-wide plan to increase the availability of Internet throughout its five boroughs, though this effort was not directed toward its homeless population. There is no current requirement for NYC homeless shelters, or for NYC itself, to provide access to technology to its homeless residents. In 2016, Mayor de Blasio announced the public launch of LinkNYC, which would transform the thousands of old payphones in NYC into hubs for free public Wi-Fi, phone calls, and device charging as well as tablet access to city services, maps and directions.[32] Though the stated goal of LinkNYC is "leveling the playing field and providing every New Yorker with access to the most important tool of the 21st century,"[33] within months after launch, "repeated complaints"[34] arose from NYC's sheltered residents because "some users"(35) were "monopolizing" the LinkNYC browsers for their personal use. The web browsers that were initially installed on the LinkNYC kiosks were subsequently disabled, and the extent of LinkNYC's permissible browsing currently is for "maps and city services".[36]

As the LinkNYC website describes, "[t]here are millions of people in New York City who don't have access to high-speed internet... LinkNYC's advertising platform also generates millions of dollars in revenue for New York City." [37] Providing a most basic service, access to technology, to homeless shelters would not generate millions of dollars in revenue for NYC, but it would give NYC's homeless population a chance to maintain autonomy over their lives. Moreover, the ability to use the provided technology to search and apply for housing, employment and government benefits would reduce these residents' stay in homeless shelters over time.

Perhaps then Mayor de Blasio's goal of "leveling the playing field"[38] could be achieved.

Additionally, as discussed below, free public Wi-Fi alone, while helpful, is not sufficient. The cost of providing NYC homeless shelters with up-to-date technology available to all residents is greatly outweighed by the benefits and can often be the key difference in a person's path out of homelessness.

RECOMMENDATIONS

To enable homeless shelter residents to secure permanent housing and significantly reduce the length of stay in a shelter, NYC should supply every shelter with reliable Wi-Fi, modern and accessible Internet-ready devices, and wireless, Bluetooth or otherwise connected printers. Access to technology means that Wi-Fi and the devices must be available to residents and in working order. Access also includes availability for individuals with both traditional and non-traditional school or work schedules, as well as all tools that are essential for use, such as paper and ink for printers, adequate charging facilities for Internet-ready devices, and word processing software.

Access to technology furthers the goals of NYC and DHS:

- 01 BASIC NEEDS**
Including food, shower, safety, Internet
- 02 HOUSING**
Ultimate goal is to find permanent accommodations
- 03 JOB**
A job and access to financial resources ensures they won't lose permanent accommodations once they find it [36]
- 04 WELL-BEING (PHYSICAL AND PSYCHOLOGICAL HEALTH):**
Use of Internet for social interaction and entertainment (for parents, entertained children enables them to look for housing/jobs)

Access to technology cannot be limited only to Wi-Fi, onsite Internet-ready devices or printers, as each prong alone is not sufficient. As outlined in the 2019 CBJC Survey, while many shelter residents have smartphones through savings, phone-sharing, and programs like Lifeline[40], they often do not have access to sufficient data plans.[41] Without adequate data plans, users are unable to fully leverage the Internet and Internet-based applications.

Smartphones and Wi-Fi availability are not sufficient for many homeless shelter residents. Residents experience difficulty in completing applications on handheld devices and certain websites are not fully available on mobile devices. Furthermore, smartphones offer limited options to word processing applications needed to create resumes or complete homework assignments. Shelter residents also lack the ability to print applications that cannot be submitted online and

homework to submit to school where Internet-ready devices, Wi-Fi and printers are unavailable.

CONCLUSION

As homelessness has continued to grow in the past decade, NYC and DHS can no longer focus only on temporary housing. Efforts must be made to reduce the time spent in shelters and the costs associated with longer periods of homelessness. Our recommendation that NYC should provide access day and evening hours to (1) reliable Wi-Fi, (2) updated Internet-ready devices, and (3) wireless or Bluetooth printers, or printers that are otherwise connected to Internet-ready devices, in every shelter is in line with the goals of NYC and DHS and the needs voiced by shelter residents. This is an opportunity for NYC to tackle the homeless epidemic in a non-traditional way and be a leader on this frontier.



[1] NYC Department of Homeless Services and Human Resources Administration and NYCStat shelter census reports, see <https://www.coalitionforthehomeless.org/the-catastrophe-of-homelessness/facts-about-homelessness/>

[2] “Inside DHS.” NYC *Department of Homeless Services*, <https://www1.nyc.gov/site/dhs/about/inside-dhs.page>

[3] “Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Frank La Rue.” *United Nations*, 16 May. 2011, https://www2.ohchr.org/english/bodies/hrcouncil/docs/17session/A.HRC.17.27_en.pdf

[4] In 2017, the NYC Human Resources Administration (“HRA”) launched the ACCESS HRA website designed to enable individuals to apply online for the Supplemental Nutrition Assistance Program (SNAP) and Cash Assistance (CA) benefits. Beginning in March 2020 during the COVID-19 crisis, the City essentially directed individuals to find an Internet-enabled computer and utilize ACCESS HRA to apply for these programs since most HRA offices closed and would no longer accept in-person applications.

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[10] “Frequently Asked Questions.” NYC *Department of Homeless Services*, <https://www1.nyc.gov/site/dhs/about/frequently-asked-questions.page>

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[22, 25-26] Couch, Robbie. “Homeless Man Helps Shelter Get Internet So Others Can Find Jobs.” *Huffpost*, 6 Dec. 2017, https://www.huffpost.com/entry/homeless-wifi_n_7343152

[23] “The homeless need technology too.” *Shelter Tech*, <https://www.sheltech.org/>

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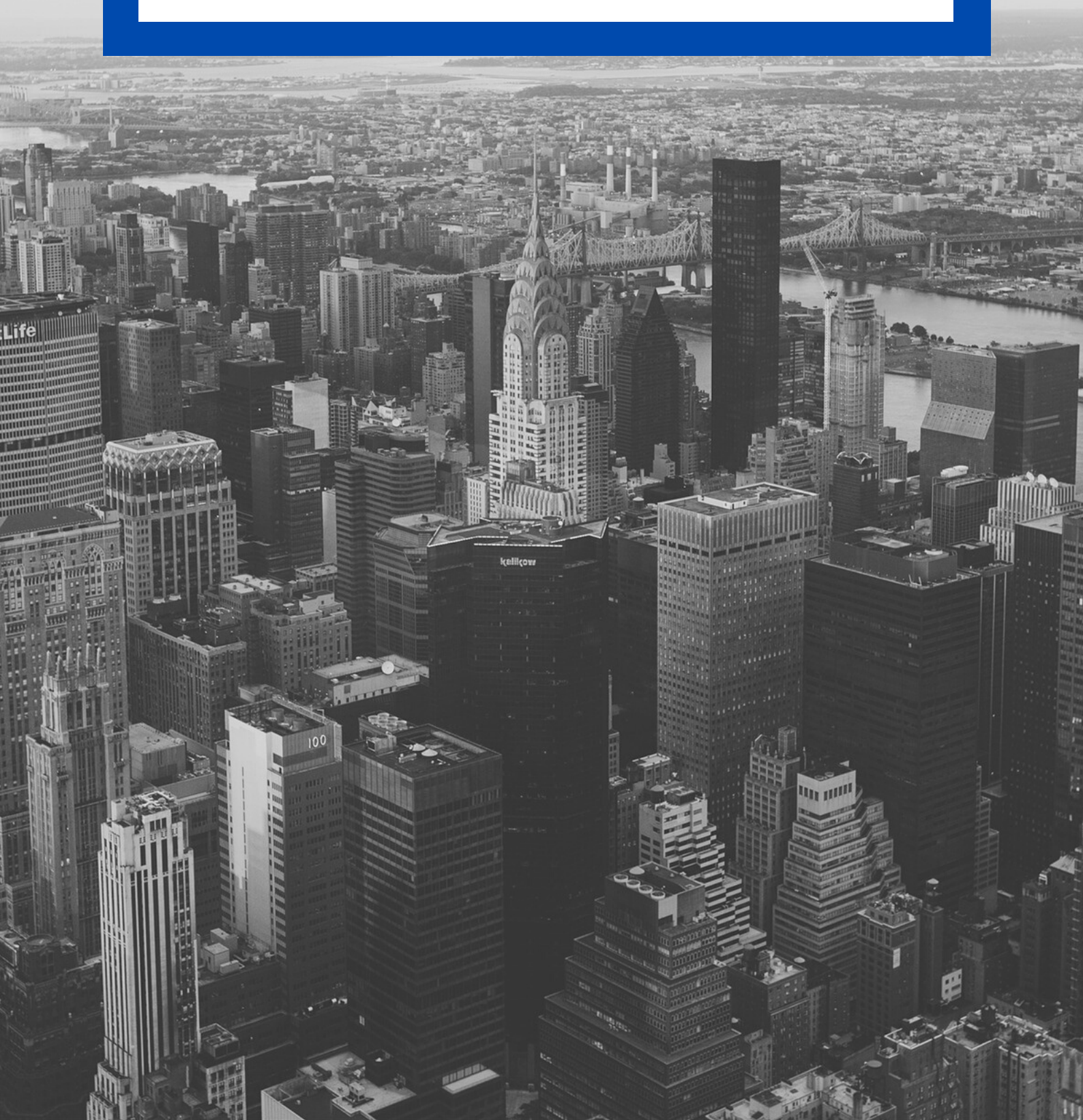
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To learn more about the City Bar Justice Center, visit us at:

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HOMELESS NEED INTERNET ACCESS TO FIND A HOME

How Access to Internet and Technology Resources Can Support Homeless Families Transition out of Homeless Shelters

A Report from the City Bar Justice Center | May 2020

Endorsing Organizations

- Advocates for Children of New York
- The Bronx Defenders
- Brooklyn Defender Services
- Capital One
- Citi
- Citizens' Committee for Children of New York
- Coalition for Homeless Youth
- Coalition for the Homeless
- Community Service Society of New York
- Covenant House
- Davis Wright Tremaine LLP
- Federation of Protestant Welfare Agencies
- Freshfields Bruckhaus Deringer US LLP
- Herrick, Feinstein, LLP
- Hunton Andrews Kurth
- Katten Muchin Rosenman LLP
- Kramer Levin Naftalis & Frankel LLP
- The Legal Aid Society
- Legal Services NYC
- Mobilization for Justice
- Morrison & Foerster LLP
- Neighbors Together
- New Destiny Housing
- New York City Bar Association
- New York Legal Assistance Group
- Pillsbury Winthrop Shaw Pittman LLP, New York Office
- Reed Smith
- Riders Alliance
- Safety Net Activists at the Urban Justice Center
- Sheltering Arms Children and Family Services
- Sidley Austin, LLP
- VOCAL-NY Homelessness Union
- Willkie Farr & Gallagher LLP
- Win
- Withers Bergman LLP

**DEPARTMENT OF INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS
TESTIMONY BEFORE THE CITY COUNCIL SUBCOMMITTEE ON ZONING AND
FRANCHISES AND THE COMMITTEE ON TECHNOLOGY**

TUESDAY, OCTOBER 13, 2020

Oversight: Broadband and the Digital Divide

Preconsidered Resolution T2020-6730: Authorizing resolution submitted by the Mayor pursuant to Section 363 of the Charter for the granting of franchises for the provision of telecommunications services.

Good afternoon, Chairs Moya and Holden and members of the Subcommittee on Zoning and Franchises and the Committee on Technology. My name is Michael Pastor and I am Deputy Commissioner for Legal Affairs and Franchises & General Counsel, Citywide IT for the Department of Information Technology and Telecommunications, also known as DoITT. While DoITT does not handle citywide broadband strategy, our franchise authority is a crucial mechanism in bringing broadband providers to the City. I am here today to discuss the Authorizing Resolution before the committees, and how its passage will lay the foundation for immediate, tangible steps we will be able to take to increase internet access across the five boroughs. Thank you to the committees for scheduling this timely and important matter, Preconsidered Resolution T2020-6730, a proposed authorizing resolution submitted by the Mayor pursuant to Section 363 of the Charter for the granting of franchises for the provision of telecommunications services. I am eager to discuss with you its importance as it relates to broadband and establishing a reliable source of revenue in these uncertain economic times.

The New York City Charter grants DoITT the authority to enter into franchises for telecommunications services. A franchise is a contract that allows use of the City's rights-of-way – our streets, sidewalks, and other public assets – to deliver services to the public in exchange for franchise fees. In other words, the City grants a limited right to use these valuable assets, and in return, receives much-needed revenue.

DoITT administers several franchises, including cable television; public communications structures (public wi-fi); mobile telecommunications (mobile phone service); and information services (fiber used for other purposes). The information services franchises, which are the subject of the Authorizing Resolution before us today, may not be as familiar to the public as the others, but they are equally important. The companies who are granted information services franchises are typically companies that install and operate fiber optic cable in City streets for the purpose of offering voice, data, and/or business-to-business internet service across the 5 boroughs. An example of this would be a broadband company that caters their offerings to businesses. Currently, this form of franchise brings in approximately \$7 million in annual revenue from 20 companies.

The last Authorizing Resolution that the NYC Council granted for these types of franchises expired in 2018. The City has been able to continue to collect revenue from existing franchisees, but we must have a new Authorizing Resolution in place before a new solicitation for franchisees can be issued. The Council's timely attention to this provide considerable benefit to the City. First, we will be able to enter into contracts with both current franchisees and new entrants, maintaining and expanding a steady

stream of income, particularly important during a fiscal crisis. Second, by expanding the number of participants, this Authorizing Resolution will increase economic development and competition for enterprise broadband offerings. Finally – and to tie this back to the broader issue we are here to discuss today – this procedure lays the groundwork for New York City to expand residential broadband provider options, the importance of which has become apparent since the beginning of the COVID-19 crisis.

This past summer, Mayor de Blasio publicly announced his support for State legislation that would enhance NYC’s ability to enter into residential broadband franchises. Introduced by State Senator Parker, it would fix an archaic State law, moving the City closer to bridging the digital divide by allowing residents to choose providers in addition to Verizon, Altice, and Charter. This increased competition would drive down residential broadband prices. With the approval of the Authorizing Resolution, DoITT will issue a solicitation for new revenue-generating franchises. And coupled with the addition of the State law fix, the City will be even better positioned to bring in millions in much-needed revenue, and to ensure readiness for a robust and competitive broadband landscape in New York City.

Once again, thank you to the committees for their diligence and attention to this important resolution. I am happy to answer any Council Members’ questions at this time.



TESTIMONY
Presented to the

New York City Council Committees on Technology and Land Use

on the subject of Universal Broadband

on Tuesday, October 13, 2020

Good afternoon Chair Holden, Chair Moya, and Committee members. My name is John Paul Farmer and I serve as the Chief Technology Officer for the City of New York. I'm pleased to be with you today to discuss the Mayor's commitment to Universal Broadband for all New Yorkers. Today, I'll discuss the steps that the Mayor's Office of the Chief Technology Officer has taken in order to shift the broadband market to meet the administration's goals, including ending the digital divide, reversing digital redlining and racial inequity, and ensuring that all New Yorkers have access to high quality broadband, including 4G and 5G networks.

One of the primary roles of the Mayor's Office of the Chief Technology Officer is to address digital inequity through broadband and digital inclusion.

Universal Broadband Work

The Office's work on Universal Broadband is comprised of demonstration projects, a series of research reports, and standards and policy setting. This work incorporated feedback from stakeholders ranging from community organizations to start-up Internet Service Providers to longstanding industry incumbents. Our years of work in this area culminated in the release of the New York City Internet Master Plan in January 2020.

The Mayor's Internet Master Plan is the most ambitious plan for citywide broadband in the nation. It has been praised by many of the country's leading broadband experts, who have called it "innovative," "a game-changer," and "the most thoughtful and comprehensive blueprint by any major city." The Internet Master Plan is accompanied by the largest single investment by a municipality, \$157 million in capital funds announced by the Mayor as part of COVID-19 response, to advance these goals. The Internet Master Plan is a 5G technology Plan, an economic development Plan, and a digital equity Plan.

The Challenge

To understand the City's approach, it is necessary to understand the challenge:

- The current system is broken. Letting the market alone determine how to serve New Yorkers has left 3.4 million people behind. 40% of households are without home and mobile connections and an astounding 18% have neither. They are completely disconnected. These households are disproportionately in majority-minority neighborhoods with high rates of poverty.
- Digital inequity is a historic problem built into our city's infrastructure. The pandemic exacerbated New York City's long-standing digital inequities. These were laid bare by New Yorkers' sudden need to learn, work, receive health care, access services, and connect with loved ones entirely remotely. In order to reverse the inequity built into our neighborhoods, we must change the way we build and deploy technology.

The Solution

The solution to these challenges is described by the Internet Master Plan, which commits the City to take several actions.

- The City will partner on building or acquiring new infrastructure in areas of lowest connectivity. We will invest in new infrastructure that can be shared by multiple broadband operators and for a variety of technologies.
- The City will leverage public real estate to expand 4G and 5G networks equitably. We will remain on the cutting edge of technology advancement, but we can't allow the geographic patterns of tech inequity to continue. The City will identify priority neighborhoods – those of lowest connectivity, highest number of COVID-19 cases, concentrations of NYCHA developments – and assess requests for high-value assets and weigh them in concert with investments in priority neighborhoods.
- The City will enable service delivery by supporting and promoting the use of new, shared infrastructure by internet service providers that meet the City's broadband standards for equity, performance, affordability, privacy, and choice.
- In addition to the newly affordable services that households will have, the Internet Master Plan is projected to generate an increase in \$142 billion in gross city product and 165,000 jobs by 2045.

Pre-Implementation Work in 2020

After issuing the Master Plan, the Office of the CTO took steps to prepare for implementation:

- We issued a Request for Expressions of Interest with the New York City Economic Development Corporation for rapid-response internet service options for NYCHA developments. This RFEI proved the theory of the Master Plan – that when the City leverages its assets, new Internet Service Providers, including M/WBEs, will offer low-cost or free service options that meet the City's broadband standards. We expect to announce the new low-cost service options at select NYCHA developments later this fall.
- We distributed 10,000 tablets to isolated older adults living in NYCHA after the COVID-19 impacts made clear that this population was particularly vulnerable. We also ensured that every single recipient got digital inclusion support to make the best possible use of their tablets. Working with a senior-specific technology non-profit, tablet recipients received support in learning to operate their tablets, navigate the internet, engage in free classes and community gatherings, and connect with family and friends virtually. The Office of the CTO's research demonstrates that this digital inclusion support is a key factor in ensuring adoption of technology.
- We are preparing to release the Request for Proposals (RFP) for Universal Broadband and the coordinated access to City-owned real estate assets, making available open-access infrastructure, and enabling new internet service options. Steps we have taken include:
 - Coordinating participation of more than a dozen City agencies that are contributing real estate assets to expand internet service options.
 - Developing an interactive digital tool for RFP respondents to understand the location and distribution of city assets, and for the RFP Review Committee to be able to assess the neighborhood-wide impact of proposals.

Next Steps

Once the RFP is released, the City will want to maximize opportunities associated with this RFP: engaging longstanding ISPs and new providers; identifying and offering digital inclusion resources; coordinating digital offerings from community-based organizations such as health care providers and educational institutions; coordinating workforce opportunities with infrastructure and network deployment; and measuring the impact of all of these activities on New York City's economy and on individual New Yorkers' health, safety, prosperity, and mobility.

The strategies described here represent a shift in how the City's technology will be built. We aim to bring an end to digital redlining. Our approach will present opportunities for new-to-the-market internet service providers, including minority and women owned business enterprises (M/WBEs), to create or expand networks in underserved neighborhoods, in line with the Mayor's priorities.

For the Internet Master Plan to succeed at scale, coordination and cooperation are key. Industry, City agencies, and lawmakers must align to leverage City real-estate assets, regulatory controls, and partnerships in order to shift the current market structure and increase low-cost internet service options for New Yorkers.

The strategy also builds on the best work that City agencies and non-governmental partners have achieved in recent years – expanding M/WBE access, increasing jobs and skills, delivering resources neighborhoods most- in need, and continually leveraging the City's position to improve the quality of life for New Yorkers. The City knows that, now and in the future, quality of life will be influenced by technology access. New York City is committed to bringing about digital equity and we now have the tools in place to do just that. I thank you for the opportunity to discuss broadband connectivity and the City's new approach to this critical issue.

TESTIMONY OF BROOKLYN PUBLIC LIBRARY

Oversight Hearing: Broadband and the Digital Divide

Subcommittee on Zoning & Franchises jointly with the Committee on Technology

October 13, 2020 | 2PM

Thank you, Chairpersons Moya and Holden and members of the committee for holding this hearing and to Speaker Johnson, and all the members of the council for your unwavering support of libraries. Brooklyn Public Library appreciates the opportunity to submit written testimony on the topic of *Broadband and the Digital Divide*.

Brooklyn Public Library, a leading provider of free access to Wi-Fi in Brooklyn, understands that for our patrons to have full participation in society, everyone must have equal access to the internet. Vocal supporters of net neutrality, we have worked diligently over the years to help bridge the digital divide, even as the COVID pandemic has made the disparities in underserved communities' starker than ever.

Before the pandemic, in fiscal year 2020, our patrons logged nearly 1.3 million Wi-Fi sessions and over a million desktop computer sessions. Free Wi-Fi and technology use in every one of our branches levels the playing field for our patrons without home access. As the pandemic shut down the city in mid-March, including all our buildings, we knew patrons in neighborhoods with low internet access would feel the loss of service most acutely. BPL made the decision to keep the Wi-Fi on at all branches in order to continue providing free access to individuals just outside of our locations. Our libraries continued to log 1,000-1,600 Wi-Fi sessions a day – over 35,000 sessions in the month of April – all from patrons accessing our Wi-Fi from the stoops of closed branches.

In addition to participating in the Administration's Internet Master Plan, this led us to apply for private grants so that we could extend our existing Wi-Fi signals further into 20 high-need communities, a project we call Brooklyn Reach. BPL has thus far secured enough funding to install Wi-Fi access points and dual-band antennae on the roofs of 13 priority branches. Expanding our Wi-Fi to a 300-foot radius around each building will boost the signal in public spaces and nearby residences, particularly helpful in the branches located near New York City Housing Authority (NYCHA) complexes.

Internet access has become a lifeline through this pandemic. So, it is especially troubling that about a third of Brooklyn households lack wireless internet at home and two-thirds of those households lack cellular data plans. Additionally, many Brooklynites do not own laptops, tablets or smart phones that allow them to take part in digital life. In neighborhoods like East New

York, more than half of residents do not have internet at home. Demographic disparities are also at play. Of those without broadband internet access, about a third are Hispanic or Black, 44% live in poverty, 42% are over 65, 41% lack a high school degree and 36% are outside of the workforce. This is the driving force behind our efforts to bridge the digital divide.

As part of the NYC Connected Communities Project, we provide enhanced broadband access and increased technology resources including laptops, computer classes, job readiness, and outreach at libraries in eight of Brooklyn's most underserved neighborhoods. This longstanding partnership between the city's libraries, Department of Information Technology and Telecommunications (DOITT) and other city partners, operates with funding provided by the federal Broadband Technology Opportunities Program (BTOP).

Throughout the system, we offer a wide array of free computer and technology classes serving everyone from beginners to advanced users. Over the years, we have partnered with the Council to offer digital literacy programs throughout the borough. Most recently, with funding from Council Member Inez Barron we expanded the public laptop loan program, increased branch technology and ran a suite of digital literacy classes at East Flatbush, New Lots, Spring Creek, Cypress Hills branches. Every one of our branches has Technology Resource Specialists to assist patrons and teach digital literacy skills to patrons young and old. To improve the ease of our in-branch laptop loan program, Brooklyn Public Library recently piloted self-service laptop loan lockers or "laptop vending machines" in Sunset Park Library and most recently at Coney Island Library.

In March of 2019 Brooklyn Public Library celebrated the opening of the Best Buy Teen Tech Center at Kings Highway Library providing teens with the latest technology and staff to help them develop critical skills through hands-on activities. The Center includes workstations, meeting spaces, technical equipment and a music studio. Teens are using the technology to create art, produce music and animations; design science simulations and mobile applications; writing and illustrating interactive poetry, stories and films; building kinetic sculptures and robotics; and designing their own 3D worlds and games.

Kids and Teens also benefit from library programs like the Brooklyn Robotics League a free team competition for building, coding and programming robots while teaching teamwork, problem-solving and decision-making, open to youth in every one of our branches; as well as Today's Teens, Tomorrow's Techies (T4) a program that has provided more than 1,600 teens with training, volunteer and internship experiences in information technology.

Brooklyn Public Library fosters relationships with community partners to offer our youngest patrons a wide variety of learning opportunities and experiences with a focus on STEAM education—science, technology, engineering, arts and mathematics. We partnered to host Girls Who Code clubs, for 6th to 12th grade girls to explore coding and learn more about

careers in technology; and with LAMP Media Productions and Macon Library for a Teen Photography Activism workshop using iPads and digital cameras from the library; and a partnership with Brownsville Community Justice Center, Made in Brownsville and the Brooklyn Arts Council created *BrownsvillExcerpts*, a 10-week program that taught young patrons about journalism and broadcast media with audio equipment and professional mentors to create their own podcast.

Brooklyn Public Library offers a variety of technology tools in every branch, including a selection of iPads, MacBook and Microsoft Laptops, gaming consoles, Lego Robotics and Little Bits kits, tablet computers to support early literacy and tablets for classes and programs, a large flatscreen, a projector and 3D printer, all thanks to state funding from Assemblyman Joe Lentol and the Brooklyn delegation. Working together, while our branches were closed, those 3D printers were loaned to Columbia Library to help create face shields for hospitals fighting COVID19.

We also recognize the importance of dedicated tech spaces. Three years ago, Brooklyn Public Library and Charter Communications opened a new technology center at Bushwick Library, the Spectrum Learning Lab. This lab offers laptops and high-speed internet service, as well as multilingual digital literacy programs designed to serve Bushwick residents with limited English proficiency. Programs include computer classes for older adults, weekly job readiness workshops, after-school programs and class visits, technology classes, digital literacy workshops, and STEM programs hosted by staff, volunteers or local community groups.

Our flagship location in Central Library, boasts a flexible, technology-rich center, known as the Information Commons. The space includes a recording studio, reservable meeting rooms with smart boards, sophisticated design software and a digital training lab. It is an inspiring, open space in which to work, create and collaborate, and we look forward to a day when it will once again be bustling with patrons. We will also unveil a brand-new computer lab, in the newly designed Civic Commons at Central Library.

The Library's work is making a difference for our patrons, but to truly move the needle on equalizing digital access we must push for big and bold solutions. Brooklyn Public Library remains deeply committed to working with our partners in government, community, and in the private sector to bridge the digital divide. We will continue to use our platform as the most trusted and democratic spaces in society to call for change and elevate the needs of our most underserved communities.

Thank you.