

**Before the
Federal Communications Commission
Washington DC 20554**

In the Matter of)
)
A National Broadband Plan for Our Future) **GN Docket No. 09-51**

Comments of the American Library Association

The American Library Association (ALA), the world’s oldest and largest professional library association, is pleased to provide comments on this Notice of Inquiry on the creation of a national broadband plan. There are more than 100,000 libraries (including 16,543 public library outlets) in communities across the nation. Each of these plays a vital role in supporting job searches and career development, small business creation, homework and school research, access to online education, training, and E-government resources through its free public access terminals. Broadband connections are one of the critical elements that allow libraries to provide these essential services to the public. The national broadband plan has the potential to benefit millions of people by enabling high-capacity, “future-proof” connections to the Internet in large multi-user locations such as libraries.

Connecting All Libraries: A Winning Approach to the National Broadband Plan

Our nation’s public libraries are uniquely situated to help deliver on the Commission’s goals for a national broadband plan. In the introductory remarks of the NOI, the Commission asks how to create a plan that ensures that all people of the United States will have access to broadband; how to make that access affordable and maximize the public’s utilization of it; and how to use broadband to advance a variety of policy goals. We suggest that the nation’s public libraries are an ideal partner in this effort, and connecting all libraries to a robust, high-speed network will advance the Commission’s goals.

For the past twelve years, ALA has collected data on Internet access in America’s public libraries. In that time, we have seen the number of libraries providing free public access to the Internet grow from 44 percent to nearly 100 percent.¹ However, “access” to the Internet is only part of the equation. With library users across the country relying more and more heavily on connectivity at their libraries to perform essential tasks, our objective must not be merely be to provide “access” but to provide that access in a manner that can evolve as the demand for web-based services increases at exponential rates. The national broadband plan must look carefully at growth ramps that will be required over time if we are to make good use of available funds. Technological solutions that are implemented must serve our needs tomorrow as well as today.

¹ Bertot, J.C., et al. (2009). *Libraries Connect Communities: Public Library Funding & Technology Access Study 2008-2009*. Chicago: American Library Association.

Currently, libraries are facing a broadband crisis. Growing demand, increasingly bandwidth-intensive applications and limited funding for bigger pipes have left many libraries unable to provide the necessary Internet access for patrons. To address this challenge, ALA has developed a “fiber to the library” initiative. This effort is intended to position libraries as the key anchor institutions as part of a robust nationwide high-speed network with the capacity to meet evolving needs. While ALA realizes that there are a variety of technologies available today, we believe that fiber optics are the best long-term solution for high-speed broadband deployment for most libraries.²

As libraries struggle to meet today’s bandwidth demands, they must also prepare for more changes ahead. First, the demographics of library users are rapidly shifting toward a more technology-savvy population. Baby boomers will be retiring in massive waves over the next decade; this is an online-aware and technology dependent segment of the population. Retirees make up a large portion of library users, so as these retired baby boomers enter the library, they will place new demands on library services and online access.

Changes in technology and applications will also create a need for greater bandwidth in libraries. As portable devices continue to proliferate, people will increasingly expect to access library services and information from their personal digital assistants (PDAs) and laptops with Internet connections wherever they are. The continued growth of online formal education will have a similar impact on already-strained library access; libraries are a key institution for supporting education, and increasingly sophisticated online learning resources will contribute to the looming library bandwidth crisis.

Establishing Goals and Benchmarks

Defining “broadband capability” is an important starting place for the national broadband plan effort. However, we would caution the Commission to consider the differences in need between residential users and multi-user environments like libraries that provide public access to the Internet. A connection speed that might be sufficient for a home user will be insufficient for a library supporting multiple users with public access computing needs and other services that require connectivity. For this reason we encourage the Commission to make the distinction between user environments.

Furthermore, the FCC broadband definition, if tied to a specific number, will be perpetually obsolete given the exponential increase in connectivity speeds. In order to avoid this rapid obsolescence, the Commission may look toward a functional definition of broadband.³

Defining Access to Broadband

The Commission asks what it means to have access to broadband capability, and in particular, whether its determination of availability should take into consideration the

² There are exceptions, such as remote areas in Alaska, where fiber may well not be the best solution. In these areas, emphasis should be placed on other technologies that provide the most effective solution.

³ Sharon Gillett, William Lehr, and Carlos Osorio describe a functional definition this way: “access is ‘broadband’ if it...is no longer perceived as the limiting constraint on what can be done over the Internet” From “Local Government Broadband Initiatives.” (Massachusetts Institute of Technology Program on Internet and Telecoms Convergence). Retrieved on June 3, 2009 from [http://www.broadbandcity.gr/content/modules/downloads/Local_Government_Broadband_Initiatives_\(Gill_ett\).pdf](http://www.broadbandcity.gr/content/modules/downloads/Local_Government_Broadband_Initiatives_(Gill_ett).pdf).

provision of broadband at libraries and other institutions as well as the residential setting. We strongly urge the Commission to recognize the key role that libraries play across the country, not only in providing public access to the Internet to millions of people in the United States, but as providers of service and support that accompany that public access to the Internet and to other network uses as well.

Libraries are the premier public computing centers in America's communities, providing access to online education, job searching and skills training, government services and more. Educational delivery models are in transition, moving out of formal classroom settings to more individualized, on-demand free and fee-based courses. One impact of this change is that libraries are playing a greater role in workforce development than in the past. Nearly 100% of public libraries provide public access to the Internet at no charge to their users, and in 71% of communities, they are the only source of no-fee public Internet access. This number rises to 79% in rural areas.⁴ Use of libraries has heavily increased across the country in these difficult economic times.⁵

Further, helping libraries get access to the high-capacity fiber networks they need today and in the future is key to the success of the overall national broadband plan. Since libraries serve as information hubs for their communities, inclusion of libraries in the larger, general build-out of broadband infrastructure will contribute towards more cohesive and efficient network infrastructure for America's communities and help ensure that high-speed broadband will reach the greatest percentage of the population. In other words, public libraries can serve as "community anchor institutions" for a robust nationwide fiber network, thereby reducing the risk of entry for Internet service providers (ISPs), stimulating broadband adoption, and keeping down monthly access charges for small businesses and residents. "Fiber to the library" is often a cost-effective solution that will offer almost unlimited capacity for decades because fiber is often less expensive to operate on an ongoing basis than other technologies. By encouraging this investment in libraries' broadband capacity, the FCC would take a major step forward in limiting the increasing divide that exists today between those who have access and those who do not. Ensuring that the necessary high-speed capacity exists at library and other community anchor institutions will help the country ensure that everyone has access to fundamental services.

ALA believes that the Commission should adopt a strong and enforceable policy in favor of keeping the Internet open and neutral as a part of America's national broadband policy. Libraries both provide access to Internet content, and libraries also generate significant amounts of educational and informational on-line content. We believe that the users and content providers – not the network owners or operators – should determine what information is transmitted over the network. Once the library has acquired its bandwidth, the library user should be able to go to any web page, use any lawful application, equipment or service, and send any lawful content.

The Commission also raises the question of whether price should be considered in the question of access to broadband capacity. This is a key issue for libraries; with many libraries struggling to maintain services on ever-shrinking budgets, unaffordable access is the same as no access at all. We strongly encourage the Commission to consider affordability as a facet of access. Libraries provide Internet access to people who do not have access (or adequate

⁴ Bertot, J.C., *et al.*

⁵ See, Richard Cowen, "Free Resources Draw Residents to Libraries," *The Record*, March 17, 2009. Accessed March 24, 2009, www.lexis.com.

access) at home. When libraries cannot afford sufficient broadband, this creates a very real disadvantage for the neediest communities, especially those in rural areas where monthly access rates may be highest. Affordability is just as important for multi-user environments as it is for residential environments.

Measuring Progress

We agree that the issue of data collection is central to the creation of a successful national broadband plan. While ALA applauds the Commission's recent changes to the way it collects and considers data, we continue to suggest ways to make the data more useful, especially to libraries.⁶

In our previous comments, we made the point that it is important to expand data collection beyond residential customer information to include key community organizations like our nation's more than 16,000 public libraries, in recognition of the vital role they play in providing public access to the Internet. We believe that a map that includes this information will provide the accurate and detailed picture of broadband availability that public policy and library leaders need to help libraries obtain greater connectivity. Furthermore, collecting data on the connectivity of anchor institutions such as libraries will give a clear picture of our progress toward ensuring that all Americans have access to broadband.

ALA strongly encourages the Commission to make this data (in some form) widely available, while employing current technological protection measures and practices. Keeping this information cloistered within the FCC or a small select group will do nothing to help the very organizations, like ALA, that are working to solve the connectivity crisis for their constituent groups. Furthermore, organizations such as ours must be able to *share* this information as part of our broader advocacy efforts and the work we more directly undertake with libraries to improve their broadband connectivity.

Role of Market Analysis

ALA is grateful for the opportunity to speak to the remarkable success of the federal E-rate program. It would be difficult to overstate the impact that E-rate has had on America's libraries. Thousands of public libraries have applied for and received discounts on basic telecommunications and information services, and thousands more have benefited from access to advanced telecommunications services through broadband capacities that have been made available to them through the program to the extent that applicants have the funding resources to pay the non-discounted portion. In addition to the discounted services that are made available to eligible libraries and schools, E-rate has served as a catalyst for other broadband development in the communities where these anchor libraries and schools exist. By taking broadband to eligible schools and libraries under the E-rate program, service providers are, in many cases, able to make the business case necessary to provide advanced services to residential customers and others in those same and surrounding communities. Libraries' use of E-rate discounts to provide patrons with desperately needed services is consistent with the fundamental purpose of the E-rate program, which is to provide access to advanced telecommunications and information services on a universal basis.

⁶ http://fjallfoss.fcc.gov/prod/ecfs/retrieve.cgi?native_or_pdf=pdf&id_document=6520034498.

However, our research shows that program complexity remains a major barrier that prevents many libraries from participating fully in the program.⁷ ALA is on the Commission's record urging simplification of the program, and we continue to see this as an urgent need.⁸ We strongly encourage the Commission to make streamlining and simplifying the E-rate program part of the overall development of a national broadband plan. We look forward to working with the Commission on the design of an E-rate program that meets the needs of applicants while satisfying the mission of the program and ensuring transparency and accountability.

We also urge the Commission to help us seek **increased** capacity—either through the E-rate program or as part of the national broadband plan. The need for greater bandwidth means corresponding higher non-discounted costs. The inability to take advantage of the E-rate program for higher capacity solutions is most often limited by the inability to identify the necessary funds to pay the non-discounted portion of the service cost. The cost associated with moving from a 56kb circuit to 1.5 mbps is one thing. Moving from a 1.5 mbps circuit to a 100mbps or a gigabit connection as our needs increase is another.

While E-rate has allowed libraries to obtain advanced broadband connectivity, libraries' ability to meet their broadband needs is limited by the high cost of service in many areas and the requirement to find funds to pay the non-discounted portion of the cost. While the need for broadband capacity grows, state and local budgets do not. Some relief is needed that will allow the expansion to higher bandwidth capacities at affordable rates and, as it relates to E-rate, some realization needs to occur that even the non-discount match requirements present a steep challenge to many libraries who need to upgrade their broadband services—especially in these economic times.

Secondly, as we grow closer to exceeding the \$2.25 billion cap on Priority One Telecommunications services and Internet Access, we ask the Commission to increase the cap on the E-rate fund. During the last eleven years of the program, demand has increased significantly for Priority One services. We know that our future needs are increasing not at a steady rate but rather exponentially. Because of that increase and changes in program rules, there are increasingly less funds available for Priority Two services. More importantly, we are fast approaching the day—likely in the next year—where the Commission will be forced to initiate a limitation on Priority One funding due to lack of funds to cover just the Priority One funding requests.

Open Networks

As previously stated, ALA believes that the Commission should adopt a strong enforceable policy in favor of keeping the Internet open and neutral as a part of America's national broadband policy. Under current law, broadband providers may discriminate against certain applications, services or users. Allowing the network owner to block or degrade content, equipment or applications fundamentally alters the Internet experience. Indeed, allowing a gatekeeper to monitor, screen, manipulate traffic would ruin the Internet as we know it. Instead of the open, free-wheeling, forum for discourse and commerce that we enjoy today, the Internet would become the private playground of a few network owners – which face little competition and thus have significant market power – and whose incentive will be to steer users to the products and services that they own.

⁷ Bertot, J.C., *et al.*

⁸ http://fjallfoss.fcc.gov/prod/ecfs/retrieve.cgi?native_or_pdf=pdf&id_document=6518170190.

Network management is not a barrier to net neutrality. As network managers ourselves, we understand the need to be concerned with security attacks, spam, and overall congestion – but these should not be used as excuses to discriminate. In short, appropriate network management and net neutrality are not in conflict, they are perfectly consistent. In fact, telephone companies today engage in network management of their narrowband networks under a net neutrality regime without difficulty.

Affordability and Maximum Utilization

We are gratified to see the Commission make the connection between information literacy and technology training and adoption of broadband technology. Libraries are the key community institution providing formal and informal technology training opportunities for people of all ages. We would welcome the opportunity to discuss further how the Commission might support this essential mission.

The Commission also asks about consumer expectations of privacy for broadband service. Privacy and intellectual freedom are foundational principles of the library community and profession, and library users have a strong expectation of privacy, including what they do online. In fact, forty-eight states have laws in place to protect the confidentiality of library records.⁹ ALA encourages the Commission to take a stand to protect users' right to privacy as it develops a national broadband plan.

Policy Goals of the National Broadband Plan

Perhaps the most intriguing requirement of the national broadband plan laid out in the Recovery Act is the inclusion of “a plan for the use of broadband infrastructure and services in advancing” a series of public policy goals.¹⁰ Deploying a high-capacity fiber network to America's public libraries is the best and most efficient way to meet a number of these goals.

One goal specified by the legislation is advancing civic participation. Although the idea of civic engagement is larger than simply interacting with the government, it is worth noting the unique role libraries have played in providing access to E-government services in communities across the country. People with no (or insufficient) broadband access at home depend upon the library for access to file taxes online, apply for business licenses, communicate with agencies, view government-created tutorials and much more. Fiber or other high-capacity connections to the library will make it possible for libraries to support more people in civic engagement.

Another goal is that of public safety and homeland security. Libraries are essential partners in times of disaster. Following Hurricane Katrina, libraries across the Gulf Coast helped those displaced by the storm apply for federal aid, communicate with loved ones, and educate themselves about available resources and opportunities. Last summer's flood victims in Iowa turned to their libraries for help in a similar fashion. Libraries provide help in times of crisis; high-speed connectivity supports this core function. Connecting libraries to a robust fiber network will help ensure that libraries have the dependable capacity they need to help in times of crisis.

⁹<http://www.ala.org/Template.cfm?Section=stateifcinaction&Template=/ContentManagement/ContentDisplay.cfm&ContentID=14773>.

¹⁰ Recovery Act § 6001 (k)(2)(D)

Community development is another key public policy goal. Libraries serve as information hubs for their communities. Inclusion of libraries in the larger, general build-out of the broadband infrastructure will contribute towards more cohesive and efficient network infrastructure for America's communities and help ensure that high-speed broadband will reach the greatest percentage of the population. Libraries have the resources and subject area knowledge to support small businesses and entrepreneurs as they generate new jobs and expand local economies. In other words, public libraries can serve as "community anchor institutions" for a robust nationwide fiber network that is intertwined with and facilitates community-based economic development.

Education is another important goal, and the Commission specifically asks about the role of libraries in marshaling broadband access to advance education. Libraries support learning for people of all ages through broadband; young children as they explore topics of interest, workers as they train for a better job, elderly people as they learn new tools to communicate with friends and family. While most libraries provide some form of technology training to users, all public libraries provide information training through day-to-day interaction between librarians and users of library computers. This information literacy and technology training develops user confidence and contributes to technology uptake, ultimately having a profound and positive impact on keeping America's workforce globally competitive.

Finally, libraries contribute heavily to the national goal of job creation and economic growth. Statewide library networks offer free access to a variety of databases, including many targeted at the business and finance industries. The Michigan eLibrary is one example of a statewide solution that provides all residents of that state with employment resources, training opportunities and more.¹¹ In other libraries across the country, usage has surged as people seek resources to help them respond to the national economic crisis.¹² Improving the broadband connectivity of America's libraries will allow them to better meet the goals of supporting America's workers.

Thank you for considering our comments.

Sincerely,

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¹¹ <http://www.mel.org>.

¹² "It Has Computers, Gives Advice and Is Free," by Joshua Brustein, *New York Times*, March 26, 2009, available at <http://www.nytimes.com/2009/03/26/nyregion/26libraries.html?scp=5&sq=libraries&st=cse>. "Business Brisk at Area Libraries: In Bad Times, Free Resources Are a Hot Commodity," by Annie Gowen, *Washington Post*, February 2, 2009, available at <http://www.washingtonpost.com/wp-dyn/content/article/2009/02/01/AR2009020102331.html?sid=ST2009020200539>.