

## How Title II Helps Fight Digital Discrimination

[Digital discrimination](#) occurs when broadband providers treat individuals or communities in the same service area differently because of their race, income status, ethnicity, or religion. Often this comes in the form of underinvestment in low-income minority communities, specifically by providers not deploying broadband or by failing to upgrade and maintain existing broadband networks.

[One study](#) showed that poor neighborhoods (especially majority-minority neighborhoods) had access to broadband one-tenth the speed or slower than broadband available in neighborhoods only a few blocks away – and at higher prices. As a result, already marginalized communities are disproportionately impacted which creates and further perpetuates [digital redlining](#).

Congress has repeatedly called on the Federal Communications Commission to fight digital discrimination. As part of the [Infrastructure Investment and Jobs Act of 2021](#), Congress required the FCC to develop rules to prevent and eliminate digital discrimination. In fact, one of [the core purposes](#) of Title II itself is to ensure that “all People of the United States” enjoy equal access to our communications networks. Section 202(a) explicitly prohibits “any unjust or unreasonable discrimination” and gives the FCC clear authority to make and enforce rules to ensure that telecommunications providers do not discriminate in deployment or in pricing, or otherwise treat their customers differently.

**Reclassifying broadband as a Title II service would grant the FCC clear authority to create and enforce rules evaluating industry practices for discrimination against minority and low-income communities.** It would also enhance the agency’s ability to protect consumers and competing broadband services from discriminatory practices.