May 1, 2023

Submitted Electronically via Regulations.gov

Hon. Alan Davidson
Assistant Secretary of Commerce for Communications and Information
Administrator
National Telecommunications and Information Administration
U.S. Department of Commerce
1401 Constitution Ave, NW
Washington, DC 20230

Re: **Comments of the Schools, Health & Libraries Broadband Coalition in Response to the Request for Comments on the Development of Digital Equity Act Programs Established by the Bipartisan Infrastructure Law for Implementation by NTIA; Docket Number: 230224-0051 (NTIA-2023-0002)**

Dear Administrator Davidson:

The Schools, Health & Libraries Broadband Coalition (SHLB)[1] hereby submits these comments in response to the National Telecommunications and Information Administration's (NTIA) Request for Comments seeking recommendations for the Digital Equity Act programs established by the Bipartisan Infrastructure Law for implementation by NTIA.[2] SHLB considers community anchor institutions (CAIs) to be champions at organizing and promoting efforts to achieve digital equity. Accordingly, we appreciate the ability to provide input on certain questions regarding the Digital Equity Act programs to ensure that NTIA considers the valuable role these institutions play. SHLB also encourages States, Territories, and Tribal entities

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[1] SHLB is a nonprofit public interest organization with the mission of promoting open, affordable, high-quality broadband for community anchor institutions and their communities. Its membership is comprised of a broad base of organizations including representatives of schools, libraries, health care providers and networks, state broadband offices, private sector companies, state and national research and education networks, and consumer advocates. *See* http://shlb.org/about/coalition-members for a complete list of SHLB coalition members.

[2] *See* Development of Digital Equity Act Programs Established by the Bipartisan Infrastructure Law for Implementation by NTIA, Request for Comments, 88 Fed. Reg. 13101 (Mar. 2, 2023) ("Request for Comments").

(Eligible Entities) to actively seek their participation and include their insight into development of their Digital Equity Plans.

> **Question 1: During the public comment period for the States' Digital Equity Plans, what guidance should NTIA and/or each State provide to enable communities to review and provide actionable feedback to States regarding their State Digital Equity Plans? What criteria/factors/outcomes should communities focus on in their review? How can NTIA ensure that States/Territories consult with Tribal entities about how best to meet Tribal members' needs?**

The Request for Comments seeks input about how communities should focus their review of an Eligible Entity's Digital Equity Plan and what factors and outcomes might be important during this review. First, CAIs typically have valuable insight regarding local broadband accessibility (including lack of infrastructure and affordability concerns) and the digital skills needs, successes, and challenges of residents within their community. SHLB thus recommends that an Eligible Entity's Digital Equity Plan should include whether the Eligible Entity collaborated with various types of CAIs throughout its jurisdiction and the ways it proposes to leverage information collected from CAI's when creating its overall digital equity measurable objectives.[3]

To understand the needs of each community, an Eligible Entity should enlist the support of *different types* of CAIs. Schools and libraries often have dedicated resources to address digital literacy and other broadband equity and adoption needs. But to understand the full breadth of equity challenges in a given community, the Eligible Entity needs to also enlist the advice from other CAIs like community colleges and other institutions of higher education, churches, community centers, public or multi-family housing authorities, medical or healthcare providers, prisons (which may have their own library), and nonprofit or governmental community support organizations. Like libraries and schools, other CAIs are trusted partners in a community; they work daily with various types of patrons and understand how individuals and communities use (or would like to use) internet services. Building sound policies that includes *all of us* should be the first step to creating any measurable objective around digital equity.

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[3] An Eligible Entity is required to create certain measurable objectives in its Digital Equity Plan, which are set forth in Section 60304(c)(1) of the Infrastructure Act.

Once an Eligible Entity enlists the feedback from various CAIs, it should then leverage this information by stating the outcomes and actionable steps related to those outcomes it plans to take in its Digital Equity Plan. CAIs are often engaged in various types of digital equity work, such as:

- Assisting people with web-based research, schooling, telehealth appointments, job searching and resume writing;
- Offering digital literacy and skills training for users of all levels of expertise;
- Creating space for meaningful social interaction by digitally connecting families and friends;
- Conducting outreach to the community;
- Lending devices and other equipment to those who lack these materials and internet access at home;
- Facilitating involvement by *other* stakeholders to discuss broadband priorities for infrastructure, digital equity, and workforce development; and
- Identifying areas where connectivity and affordability are non-existent or poor.

CAIs may also identify ways to help their patrons beyond the institution's four walls. For example, they can enroll eligible individuals for federal broadband assistance such as the monetary discount provided under the Affordable Connectivity Program (ACP). Additionally, many school districts have championed innovative broadband deployment projects that extend affordable (typically free) wireless signal to the surrounding community.[4] Eligible Entities and communities should strongly consider deploying wireless services from the CAI to the surrounding residential community as a way to provide ongoing broadband connectivity to low-income households. Deploying broadband service "to and through" the anchor institutions to households can be a much more sustainable strategy than purchasing hot spots from traditional commercial service providers.

Whatever digital equity efforts an individual CAI employs, these institutions ultimately provide an affordable source of ongoing support, in a welcoming environment, for residents who

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[4] *See generally* Dr. Raul Katz, *The "To and Through" Opportunity: An Economic Analysis of Options to Extend Affordable Broadband to Students and Households via Anchor Institutions*, THE SCHOOLS, HEALTH & LIBRARIES BROADBAND COALITION & THE WIRELESS FUTURE PROJECT AT THE OPEN TECHNOLOGY INSTITUTE AT NEW AMERICA (Aug. 2022), https://www.shlb.org/uploads/Policy/Policy%20Research/Off-Campus-Deployment-Economic-Assessment-final.pdf; *see also* Matthew Marcus and Michael Calabrese, *The "To and Through" Opportunity: Case Studies of School and Community Networks Able to Close the Homework Gap for Good*, THE SCHOOLS, HEALTH & LIBRARIES BROADBAND COALITION & THE WIRELESS FUTURE PROJECT AT THE OPEN TECHNOLOGY INSTITUTE AT NEW AMERICA (Aug. 2022), https://www.shlb.org/uploads/Policy/Policy%20Research/Anchor-Nets-Case-Studies-final.pdf.

want to improve their command of digital resources, technologies, and devices. Eligible Entities should organize and disseminate this information in a transparent manner for community reviewers. That information should be connected to actionable steps that the Eligible Entity plans to pursue in its Digital Equity Plan.

Second, when communities review an Eligible Entity's Digital Equity Plan, they should consider factors relevant to how the plan defines and implements broadband adoption efforts. One such factor should be a description of those who are entrusted to manage adoption and digital literacy/skills programs. Adoption programs should be operated with the help of experienced and trusted technology community-based organizations and CAIs. Eligible Entities should also develop guidance for creating valuable local and State partnerships so that varying adoption needs are considered and addressed through these programs. An additional factor should be whether those who are entrusted to operate, manage, and assist with adoption and digital literacy/skills efforts are *able* to support those initiatives. For example, public libraries may need upgraded broadband (ideally Gigabit-level) service to the building and/or additional funding or resources to support adoption programs. Libraries might also not have the adequate knowledge, staff, or resources to apply for grants or set up collaborative adoption programs on their own. Eligible Entities should understand these needs and set up ways to solve them. Finally, community reviewers should consider how an Eligible Entity's Digital Equity Plan offers to meet specific adoption needs (based on the unique challenges within that State, Territory, or Tribal entity). For example, the plan should promote digital inclusion initiatives for learners of all ages and vocations. Additionally, if the Eligible Entity struggles to provide affordable broadband options, the plan should discuss ways it will promote affordable plans through deployment efforts, such as using open access network options that promote service competitions, and through monetary assistance such as increasing ACP enrollment efforts. Further, an Eligible Entity with outdated service offerings or technologies might include solutions for upgrading its networks to accommodate better cybersecurity protections and modern uses like video conferencing, distance learning, telework and telehealth applications. Community reviewers should also focus on whether the Eligible Entity's Digital Equity Plan analyzes ways to provide devices to students and the broader community in need, including low-cost devices to low-income and disadvantaged communities, and who is best positioned to

distribute them. For school and library devices, users must be able to run the applications and meet certain specifications that are imposed by the school or library system.

Third, a factor that a community reviewer should consider is whether the plan outlines and promotes *sustainable* digital equity efforts that last beyond the funding provided through the Broadband Equity, Access, and Deployment (BEAD) and Digital Equity Act programs. Community members should *always* have support for enhancing their digital skills, access to the devices and resources needed to use those skills, and affordable broadband services to work, learn, connect and otherwise thrive in modern society. Digital inclusion work should be ongoing and sustainable, encompassing more than one-time training sessions or workshops. To assist with this endeavor, Eligible Entities should consider putting into place regular meetings or consultations among government oversight entities, service providers, nonprofit organizations, CAIs, and other stakeholders to review, evaluate, and evolve digital equity best practices.

> **Question 2: Over the next year, NTIA will deliver technical assistance for States and Territories to develop holistic, actionable, and impactful State Digital Equity Plans. NTIA has created a Needs Assessment Guide, Asset Mapping Guide, Digital Equity Plan Guidance, Best Practices, Workforce Planning Guide, webinars, and other technical assistance resources. What additional guidance/resources should NTIA provide to States, Territories, and Tribal entities as they develop their Digital Equity Plans? What additional guidance can NTIA provide to help States and community organizations utilize other federal tools to close the digital divide by increasing access and reducing cost like the Affordable Connectivity Program? Individuals and communities who are most impacted by the digital divide are in the best position to help States, Territories, and Tribal entities understand the inequities and how best to focus and scale local efforts. How can individuals and communities provide feedback to States, Territories, and Tribal entities to ensure their unique communities' needs are solicited, considered, and reflected in the Digital Equity Plans?**

The Request for Comments seeks input regarding the type of guidance and resources that NTIA should provide to Eligible Entities as they develop their Digital Equity Plans. Some of the most impactful guidance that SHLB recommends for these entities as they collaborate with stakeholders and develop their plans includes the examples, models, and best practices of those who are already doing digital equity work. Many organizations and CAIs have been working with individuals every day to meet digital equity needs. Those institutions have valuable stories

that encompass both the successes and challenges of this work. These stories could be adopted in other States or enhanced within their own State. Organizations and CAIs can also provide information about ways in which they established valuable partnerships that contribute to holistic, sustainable program planning. Additionally, there are organizations that compile research, toolkits, and other data regarding digital equity that Eligible Entities should consult when creating their plans.

Regarding the ways in which individuals and communities can provide feedback to Eligible Entities, SHLB strongly urges Eligible Entities to provide an open, transparent, and easily accessible public forum for showcasing proposed plans and collecting feedback. Communities and individuals should be able to clearly see how this information develops over subsequent iterations of the plan.

> **Question 6: What reporting requirements should NTIA establish for grantees to ensure that the voices of those most impacted by the digital divide are reflected in the implementation and updates of the Digital Equity Plans? What steps, if any, should NTIA take to monitor and evaluate implementation practices? From a sustainability perspective, what role can collaborations, partnerships, and coalitions play? Please share examples of any existing impactful collaborations, partnerships, and/or coalitions.**

The Request for Comments asks about the role that collaborations, partnerships and coalitions can play to develop sustainable digital equity efforts. SHLB believes that partnerships and collaborations will be a key driver for creating sustainable Digital Equity Plans. States, Territories, Tribal entities, local municipalities, third-party organizations, CAIs, ISPs, and other stakeholders can – and should – continue to support digital equity projects well beyond the BEAD and Digital Equity Act programs so that adoption initiatives aren't stalled for those that have come to rely upon them. CAIs specifically can help organize and lead long-term digital equity collaborations and partnerships, given their direct access to the community. For example, the Washington State Library is administering a state-wide survey of digital skills with an emphasis on reaching under- and un-served populations throughout the state. It assembled an advisory board of stakeholders from multiple sectors around the state to help inform the Request for Proposals. The selected bidder will report to the state legislature. The Washington State Legislature has appropriated additional funds over the next biennium to continue this survey

work to develop and improve upon a statewide assessment tool capable of providing stakeholders with data that enables them to reach additional underserved audiences.

Partnerships also ensure that valuable digital equity initiatives support even the hardest to reach communities. For example, as more individuals gain access to broadband services through deployment projects in the near future, many will call upon their local CAI for digital guidance and training. For CAIs that are smaller, reside in areas that traditionally lack access to Gigabit-level broadband service, or do not have the personnel and other resources to provide digital assistance, meeting these community needs could be impossible. Entities (like larger CAIs), however, can collaborate or partner with others to provide needed assistance and other tools to fill in certain gaps. For example, the Washington State Library is building a consortium of smaller libraries to upgrade their antiquated Internet connections, to be made sustainable using E-rate discounts; and provides libraries and community-based organizations across the state access to and training on Northstar, a tool that provides foundational digital skills assessment and training.

Accordingly, Eligible Entities should incorporate coalition building and partnership models into their plans with participation by various stakeholders, including CAIs of varying size and resources.

Question 22: How can NTIA best ensure that States and Territories that receive funding under BEAD and Digital Equity Programs are closely aligning their planning efforts to close the equity gaps for all Covered Populations? How can NTIA work with the States, Territories, and their communities to promote the collective impact and outcomes between BEAD's Five-Year Action Plan and States' Digital Equity Plans to achieve equity for its Underrepresented Communities/Covered Populations?

The Request for Comments asks how NTIA can ensure that Eligible Entities that receive funding under both the BEAD and Digital Equity Programs are closely aligning their planning efforts to close equity gaps. When reviewing an Eligible Entity's BEAD five-year plan, Initial Proposal, Final Proposal and Digital Equity Plan, NTIA should assess whether the entity has considered holistic solutions to address the wide range of broadband needs within its jurisdiction. Access to broadband goes well beyond deploying physical infrastructure; to fully address the digital divide and extend the use of BEAD dollars, an Eligible Entity must ensure that deployment projects are tied to adoption measures like affordability, sustainability, and access to

devices and digital skills training. There must be a clear line between the two plans to ensure that communities and individuals have what they need to use new or upgraded broadband infrastructure. Additionally, NTIA should assess whether an Eligible Entity builds in evaluations of their plans to adjust initiatives where needed and maintain sustainable deployment and equity efforts.

Accordingly, SHLB respectfully requests NTIA to consider these comments in framing the policies on the Development of Digital Equity Act Programs.

Respectfully submitted,

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