February 4, 2022

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

RE: National Telecommunications and Information Administration Docket (NTIA-2021-0002)

Dear Assistant Secretary Davidson:

The Local Initiatives Support Corporation (LISC) thanks the National Telecommunications and Information Administration (NTIA) for the opportunity to provide comments on the Infrastructure Investment and Jobs Act Implementation to ensure all Americans have access to affordable, reliable, high-speed broadband as authorized by the Bipartisan Infrastructure Law. LISC appreciates the NTIA's ongoing efforts to promote broadband infrastructure development and digital inclusion efforts across the nation and encourages NTIA to continue engagement with stakeholders as rules develop.

Background on LISC

LISC is a nonprofit housing and community organization and certified Community Development Financial Institution (CDFI) with offices in 38 cities throughout the country and a rural network serving 45 different states and Puerto Rico. LISC's work supports a wide range of activities, including affordable housing, digital inclusion, economic development, building family wealth and incomes, education, community safety, and community health. LISC mobilizes corporate, government and philanthropic support to provide local community development and business development organizations with loans, grants, equity investments, capacity building, and technical assistance.

For more than 25 years, Rural LISC has provided dedicated support to rural communities and today partners with 140 rural community-based organizations in more than 2,200 counties. A key pillar of Rural LISC's community and economic development toolkit is the integration of digital supports, broadband, and other infrastructure needs into the community to increase equity and access. LISC supports digital inclusion initiatives in rural and urban communities to ensure that all individuals and communities can fully participate in our society and economy.

We believe that resilient communities necessitate digital inclusion activities that provide affordable, robust broadband internet options, widely available internet-enabled devices and equipment that meet users' needs, and access to digital literacy training and technical support. With four decades of experience investing in communities' social and economic infrastructure, LISC recognizes the promise of

new broadband investments to help meet the needs of historically disconnected individuals and communities.

Specific Comments

We are pleased to offer comments to questions in the [Federal Register Notice](). We offer these comments informed by our experience as an intermediary and support of community-based organizations working to expand digital inclusion initiatives in both rural and urban communities.

LISC applauded the historic investment to enhance these efforts afforded by the Infrastructure Investment and Jobs Act. Implemented strategically, these funds will reduce and eliminate historical, institutional, and structural barriers to access and use of technology. We greatly appreciate the NTIA's leadership and comprehensive approach to developing Notices of Funding Opportunity (NOFOs) that seek to significantly increase and improve the direction of resources dedicated to closing the digital divide.

Bringing Reliable, Affordable, High-Speed Broadband to All Americans

LISC appreciates the NTIA's commitment to providing reliable, affordable, high-speed broadband to rural and urban communities throughout the United States. We believe that the goals of the Bipartisan Infrastructure Law's broadband programs of fostering greater access, adoption, affordability, digital equity, and digital inclusion require extensive coordination and involvement of public, private, philanthropic, and nonprofit stakeholders as rules and guidance are developed. The NTIA can lead and incentivize this coordination by requiring applicants to demonstrate robust stakeholder engagement that incorporates a wide range of public and private actors.

We believe that increased investments in the deployment of broadband infrastructure must also be intentionally paired with digital equity programs focused on improving accessibility and affordability. The NTIA is well-positioned to ensure that new and existing broadband programs are well integrated and support increased access by addressing unmet needs rather than duplicating efforts. We encourage NTIA to leverage other resources such as the Federal Communications Commission's Affordable Connectivity Program and recommend requiring recipients of deployment funds to opt into the program.

LISC encourages the NTIA to consider how the expanded resources can be used to support broadband infrastructure and accessibility across the nation, including pre-development and technical assistance funds to support broadband planning in rural communities. The NTIA should consider opportunities to require states to involve localities and counties that move beyond information sharing to include meaningful coordination, implementation, and project planning. We also encourage NTIA to adopt a broad definition of eligible internet service providers to offer opportunities for funds to support public internet and small private and nonprofit providers.

Increasing Stakeholder Capacity

Obstacles to achieving digital equity are rooted in structural inequities such as a lack of broadband infrastructure, affordability and equipment constraints, and digital literacy gaps. While we believe that the broadband programs authorized by the bipartisan infrastructure law will help close these gaps, LISC also encourages the NTIA to consider policies and targeted investments that increase the number of

stakeholders actively engaged in digital inclusion initiatives. Specifically, we recommend adopting policies that incentivize larger public and private institutions to partner with community-based organizations working within historically disinvested and disconnected communities to bolster their capacity to support local digital inclusion efforts. By doing so, the NTIA would encourage more intentional partnerships between public and private institutions and community-based organizations that benefit underserved communities and individuals.

LISC encourages the NTIA to prioritize planning and broad engagement alongside the deployment of once-in-a-generation resources to ensure sustainable investments. As outlined above, we believe that this requires capacity building to be a foundational component of the NTIA's broadband programs and necessary to evaluate and monitor grant programs. LISC considers these capacity-building investments essential to ensuring universal service and key to equipping historically underinvested groups with the organizational capacity to collaborate with institutional partners at the state, regional, and local levels to ensure universal participation in modern broadband network connectivity.

We believe that by investing in the capacity of community-based organizations, the NTIA can foster equitable access to the new resources and build authentic community partnerships. NTIA could undertake this by bolstering the ability of trusted nonprofit intermediaries that engage both established institutional players and community-based organizations to cultivate broad engagement in digital inclusion and broadband deployment efforts. This innovative approach would strengthen the local systems that connect communities and individuals by building more robust networks of groups involved in larger broadband infrastructure projects. We also consider this essential to furthering adoption and utilization agendas that build on mutual understanding and trust between internet service providers and communities.

Supporting States, Territories, and Sub-Grantees to Achieve the Goal

LISC understands that a successful implementation of the bipartisan infrastructure law's broadband programs requires active participation from states, territories, and sub-grantees and robust support that equips units of government with the necessary implementation resources. LISC agrees with the [AARP's comments](#) and encourages the NTIA to assist states in balancing the need for stakeholder engagement and submitting timely plans. In determining this balance, we urge the NTIA to weigh diverse stakeholder input more heavily and provide states the time to build local capacity and partnerships while strengthening state broadband offices.

We appreciate the flexibility afforded to the NTIA by the infrastructure legislation to provide a waiver to a grant or subgrant recipient to contribute its funding, or funding obtained from a non-federal source, to match funding provided by the programs. LISC encourages the NTIA to consider waiver requests on a case-by-case basis and require those requesting such waivers to demonstrate an inability to meet match requirements. The NTIA can further the goals of equitable broadband deployment and increased access to digital inclusion initiatives by reserving the ability to issue waivers for under-resourced communities. LISC believes this is necessary as we anticipate many NTIA applications will represent many low-income rural regions with limited philanthropy and limited ability to access non-federal funding resources. The Tribal Broadband Connectivity Program at NTIA could also serve as a model for projects seeking a match waiver in other geographies with equivalent merit. [Rural LISC](#) has used a similar model to deploy private philanthropic dollars into community broadband planning initiatives, including to tribal communities.

We encourage NTIA to consider not requiring applicants proposing to serve low-income and rural communities to show evidence of all non-federal cost-shares at the time of application. Instead, we recommend allowing applicants to produce the remainder of any cost-share commitment up to a year after award. Many applicants will likely have some resources in hand, while others may be pending, and this enhanced flexibility can afford a more significant impact within historically disinvested communities.

Low-Cost Broadband Service Option and Other Ways to Address Affordability

LISC appreciates the NTIA's commitment to ensuring that networks constructed using taxpayer funds are designed to provide robust and sustainable service at affordable prices over the long term. We believe that the NITA can advance this objective by investing in projects that offer sustainable service through high-quality technology in unserved and underserved communities. LISC encourages the NTIA to adopt criteria that support these goals and agrees with the principles outlined by the American Connection Project Policy Coalition as a means of doing so.

We recommend NTIA supports state and federal funding that prioritizes deployment and sustainability of proven long-term technology. That is, scalable high-capacity networks that are symmetrically allocated between upstream and downstream data flows and are thus more reliable. We believe that fiber optic technology best meets this standard and can support exponential growth in demand. This ensures lower operating costs of fiber networks relative to other technology types and provides greater potential for long-term affordability and the sustainability of investments made with taxpayer funds.

LISC encourages the NTIA to consider best practices and lessons learned from prior federal broadband programs to inform the development of new guidelines. Previous universal connectivity efforts were undermined by a lack of federal requirements for grant recipients to prove that awarded funds were used to connect customers successfully. This also extended to shortcomings in ensuring federal investments were used for the intended purpose and coverage areas and were subsequently maintained. To remedy this, LISC recommends the NTIA develop rigorous accountability measures that include robust documentation as a condition of grant awards. NTIA should encourage states to require regular reporting, adopt "spot" inspections of broadband speed and locations, and consider the past performance of awardees in making new awards.

Competitive markets play a critical role in ensuring affordability. The evidence has demonstrated that competition amongst internet service providers delivers lower prices for consumers. LISC recommends that the NTIA incentivize competitive options in local markets when establishing criteria for awards and note that "overbuilding" is in the public interest. We also endorse [New America's Open Technology Institute comments](#) and agree on the principles outlined for NTIA to consider as implementation of the Broadband Equity, Access and Deployment (BEAD) program unfolds.

Through our community broadband planning efforts, we have found that sustainable affordability results from robust planning processes. This requires financial and technical resources to emphasize the coordination of effort, data collection, market analysis, and solution planning across a broad range of community stakeholders. To drive affordability, LISC also recommends NTIA consider the role of diverse public interests, including health, education, and workforce development organizations alongside internet service providers as applications are reviewed. Other factors that drive affordability include:

- Data sharing partnerships among service providers on low-cost program participation;
- Public data on community affordability rates and identification of populations impacted by concentrated affordability issues;

- Impact of wireline broadband options on mobile device usage;
- Upfront costs incurred (e.g., equipment rentals and installation fees);
- Guaranteed bulk buying (where higher take-rate results in lower subscription pricing); and
- Broad market competition.

Implementation of the Digital Equity Act of 2021

LISC strongly supported the inclusion of the Digital Equity Act within the bipartisan infrastructure law. We agree with the NTIA that the dedicated $2.75 billion to promote digital inclusion and equity will help to ensure that all individuals and communities have the skills, technology, and capacity needed to reap the full benefits of our digital economy. LISC believes digital equity programs are critical to the meaningful adoption and use of broadband services across targeted populations.

We encourage NTIA to prioritize investment in community-based organizations and established best practices and tools that address the digital divide meaningfully. The NTIA can help facilitate this by including clear guidance for states to review and share public resources that demonstrate the value of investing in digital equity efforts to ensure the widespread availability of education and training. LISC also agrees with the National Digital Inclusion Alliance that Digital Navigators offer one such model.

Digital Navigators are connectors and coaches who, working in client-facing roles at community organizations like libraries and social service agencies, can help people address home connectivity, learn digital skills, and find resources related to digital inclusion. Rural LISC, in partnership with 32 community development organizations, operates a national [Digital Navigator program](#) in twenty states across the Appalachia region, the Deep South, the upper Midwest, and the Navajo Nation. LISC also supports this work in urban markets in the U.S. through our network of [Financial Opportunity Centers](#). These programs define digital equity as affordable, reliable internet access, affordable, reliable device access, and the skills to use both the internet and internet-enabled devices.

NTIA should also consider defining computers as appropriate devices in state-funded distribution programs to ensure that the necessary equipment provision is prioritized as states develop digital equity plans. LISC also encourages the NTIA to create or support national networks of states and localities engaged in digital inclusion activities to ensure resource and best practice sharing. We also believe that NTIA can incentivize the modernization of state and local surplus policies to donate used, refurbished devices to nonprofit programs that manage distribution to recipients most in need.

Conclusion

LISC appreciates the opportunity to provide these comments to the NTIA and looks forward to continued engagement as new broadband programs move towards implementation. Please contact Michelle Harati (mharati@lisc.org), LISC Senior Policy Officer, if you need additional clarification on the letter's recommendations.

Sincerely,

Matt Josephs

Senior Vice President for Policy