



**Before the  
U.S. Department of Commerce  
National Telecommunications and Information Administration,  
Washington, D.C. 20230**

<b>In the Matter of</b>	)	
	)	
<b>Infrastructure Investment and</b>	)	<b>Docket No. 220105-0002</b>
<b>Jobs Act Implementation</b>	)	<b>RIN 0660-ZA33</b>
	)	

**Comments of AARP**

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## **Introduction**

Under the Infrastructure Investment and Jobs Act (“IIJA”), the National Telecommunications and Information Administration (“NTIA”) is being entrusted with the oversight of a significant and potentially transformational investment to achieve the goal of universal broadband access and adoption. The amount allocated to the Broadband Equity, Access and Deployment (BEAD) program alone is roughly ten times the (\$4.5 billion per year) budget for the Universal Service High-Cost Fund administered by the Federal Communications Commission (“FCC”), which has until now administered the single largest grant program for broadband deployment. Although the statutory framework for BEAD establishes some important guidelines for how funds are allocated and spent to address gaps in broadband deployment, the important details of how grants are to be awarded to sub-grantees and then monitored over time is left to NTIA and, in large part, to each of the states. While there will be no disagreement that these billions of dollars must be spent efficiently and subject to ongoing accountability, ensuring that these goals are met will require careful attention to detail throughout the multi-year process of grant screening and selection, implementation, and compliance monitoring.

NTIA has an important window of opportunity to establish initial ground rules, while the FCC completes the broadband DATA Act mapping that, hopefully, will be a more reliable indicator of broadband gaps than previous data collection efforts. AARP urges NTIA to mine existing federal and state broadband grant frameworks to identify a set of best practices and also to be willing to adapt its rules as it (and states) gains additional experience. Careful and ongoing monitoring of progress is essential, and grant recipients should be required to have a mechanism for reclaiming funds from sub-grantees who do not deliver on their commitments.

AARP has been advocating for many years at the federal, state, and local levels regarding the importance of affordable, reliable, high-speed internet access to enable older adults to age in place safely and with a better quality of life. AARP looks forward to partnering with NTIA during the upcoming years to support NTIA’s effective disbursement and oversight of the significant increase in public monies to advance broadband deployment and digital equity.

AARP also looks forward to working with NTIA, states, and community-based organizations to design and implement high-speed internet advocacy programs that achieve ubiquitous deployment and affordable offerings (services and equipment) with digital literacy programs to help older adults and all Americans benefit from internet-based applications and services.

Although the NTIA has distinct funds for deployment and for digital equity, it is critically important that NTIA encourage states to integrate planning for these related efforts. AARP also recommends that NTIA’s guidelines emphasize the importance of data-driven planning by eligible entities.

In these comments, AARP addresses many but not all of NTIA’s questions. The bold headings below correspond with headings in the notice as it appears in the January 10, 2022 *Federal Register*,<sup>1</sup> and the subheadings correspond with specific NTIA question numbers. AARP is also prepared to follow up these comments with meetings with NTIA or participation in future NTIA roundtables or workshops. It may be appropriate to periodically reevaluate the rules adopted

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<sup>1</sup> DEPARTMENT OF COMMERCE, National Telecommunications and Information Administration, [Docket No. 220105–0002] RIN 0660–ZA33, Infrastructure Investment and Jobs Act Implementation, Notice, Request for Comment, Federal Register, Vol. 87, No. 6, January 10, 2022, pp. 1122-1126.

early in the grant administration process, as actual experiences (NTIA's or the states') may reveal ways to improve on the initial guidelines.

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

#### Transparency and Public Accountability (Question No. 3)

NTIA recognizes the critical importance of transparency and public accountability in ensuring the success of the IJA's broadband programs. While state programs will inevitably vary in their design, NTIA should establish a common baseline set of data collection standards for each of the IJA grant programs. While there may be differences attributable to state-specific challenges, there are key metrics that can be applied to most rural or unserved urban locations, regardless of the state. Relevant data should be collected at every critical stage. As the IJA recognizes that deployment should be coupled with digital equity initiatives, it is important that data collection include the granular tracking of broadband adoption, both in newly served locations and areas with pre-existing broadband service.

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

#### Assessment of states' sub-grant award processes (Question No. 6)

NTIA notes that the IJA requires states and territories to use a competitive selection process to choose sub-grantees to deploy broadband and carry out digital equity programs. Cost is important, but some weight should also be attached to a provider's history and experience with completing projects within specification and on time; the advantages that wired systems may offer in terms of speed, latency, and overall reliability;<sup>2</sup> and the provider's commitment to

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<sup>2</sup> IJA defines "reliable broadband service" as "broadband service that meets performance criteria for service availability, adaptability to changing end-user requirements, length of serviceable life, or other criteria, other than upload and download speeds, as determined by the Assistant Secretary in coordination with the Commission." IJA, Sec. 6102(a)(2)(L).

maintaining an affordable rate that encourages a high level of adoption. It is also likely that the competitive interest in serving any given area will vary widely; thus, the selection process should also be able to reference metrics for assessing the reasonableness of a grant application when no competing applications have been received.

Encouraging a variety of provider types (Question No. 7)

Smaller and non-traditional providers can play a large role in addressing the remaining gaps in broadband deployment. Large providers have already had many opportunities to vie for broadband funding under grant programs administered by the FCC. The gaps that persist are often in areas that larger private providers have shown no interest in serving. Nonetheless, at the urging of private broadband providers, far too many states have excluded municipalities and other potential providers from offering broadband to their constituent communities or receiving state grants for broadband deployment. The IIJA clearly welcomes the broader participation of all qualified entities, including smaller providers, cooperatives, non-profits, and municipalities. AARP urges NTIA to encourage states to structure their grant programs to accommodate all such applicants and, if necessary, modify state laws so that that municipalities (or other governmental units) and non-traditional providers can compete for funds awarded pursuant to the IIJA.

As a practical matter, NTIA will need to rely on states to conduct outreach to smaller providers, cooperatives, nonprofits, and municipalities. NTIA can facilitate this by developing some national programming that can be accessed by smaller and non-traditional providers. However, NTIA should also require eligible entities to demonstrate that outreach and support for non-traditional providers is addressed within their planning process. Non-traditional providers may not have an established track record in broadband deployment, but they can demonstrate competency in project management and completion by reference to other public works projects.

Also, as is discussed later in these comments (regarding states’ digital equity plans), non-traditional providers (either on their own or through public-private partnerships) may be better positioned to incorporate economic development (e.g., job training) goals into deployment plans than are commercial providers.

Addressing state-specific challenges (Question No. 8)

NTIA observes that the challenges a state will confront are likely to vary because of differences in the economic and financial circumstances, geographic conditions and topologies, and other factors. For many years, the FCC has administered broadband grants for diverse locations based on national rules, which suggests that certain common principles and procedures can be applied, notwithstanding local differences. Having an overarching set of rules should help to buffer state grant administrators from attempts at the local level to weaken program oversight and accountability.

Within a framework that accommodates local choice and administration, there can be “best practices” that all states follow in designing and administering their broadband programs. As it reviews states’ submissions, NTIA should compare and contrast the various proposals to identify processes and safeguards that can be incorporated into other state plans. NTIA should be prepared to revise and update its rules and administrative priorities to reflect best practices identified at various points in its administration of the BEAD program.

Possible waiving of matching funding requirement (Question No. 9)

In general, requiring a contribution of funding to “match” funding for federal broadband grants makes sense because matched monies reflect a level of commitment by applicants to the project. NTIA asks under what circumstances it might be appropriate to waive a matching fund



requirement. In this regard, AARP urges NTIA, in particular, to make allowances that accommodate and foster participation by non-profit entities, who may not have ready access to up-front cash or the expectation of recouping their investment at a later time.

### **Ensuring Publicly Funded Broadband Networks That Sustain and Scale**

#### Ensuring that public monies support robust and sustainable service at affordable prices over the long run (Question No. 14)

NTIA appropriately focuses on the objective of ensuring that the broadband deployed with assistance from taxpayer support “provide robust and sustainable service at affordable prices over the long term.” This objective raises multiple distinct challenges that should be factored into the selection process for sub-grantees. First, there are the challenges pertaining to longer-term network reliability. Both the technology platform and the provider’s financial, technical, and managerial stability come into play in ensuring that broadband will retain its reliability over time. As to affordability, given that locations where broadband gaps persist are also likely to be locations where competition is not economically sustainable (or, at best, quite limited), it is especially important that grants be conditioned on a long-lasting commitment to offer an affordable rate (discussed further in response to Question 22).

### **Establishing Strong Partnerships Between State, Local, and Tribal Governments**

#### Introduction

Based on AARP’s many years of engagement with high-speed internet advocacy, AARP has come to appreciate the importance of collaboration among diverse stakeholders to make progress in long-term efforts to close the nation’s digital divide. AARP urges NTIA to assist states not only with establishing strong partnerships among state, local and Tribal governments, but also with managing stakeholders’ expectations, as many areas of the country will need to continue to

wait for a high-speed connection to the internet while broadband grant applications are being reviewed, awarded, and implemented. Also, states may face scarcity in key resources – such as skilled labor and supplies for building out infrastructure – which will impact their potential to demonstrate clear benefits from these programs in the near term.

AARP concurs fully with NTIA that “[c]ommunity engagement is critical to eliminating barriers to broadband access and adoption.”<sup>3</sup> AARP regularly engages with various community-based stakeholders to promote broadband deployment and adoption. AARP state offices actively engage in state broadband policy development, planning, and implementation to ensure that the needs of older adults are considered, and to expand access and service for people of all ages. AARP also collaborates with other key stakeholders and engages with communities to eliminate barriers to the availability, adoption, and use of high-speed internet access.<sup>4</sup>

There is time for states to prepare well-considered plans that reflect diverse stakeholder input, in part because the FCC has not yet completed its revised and more accurate broadband maps.<sup>5</sup> AARP acknowledges that states must balance the goal of submitting a plan in a timely manner with the goal of seeking diverse stakeholder input. Furthermore, because states’ actual experiences (after they receive initial BEAD funds) may vary from

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<sup>3</sup> Notice, Question 19.

<sup>4</sup> AARP also brings to BEAD its first-hand experience engaging directly with communities on wide-ranging matters including housing, transportation, health, low-income assistance, and other issues, and also has experience integrating its high-speed internet access policy with these other issues. Broadband policies and programs will be most successful when states integrate them with the other initiatives.

<sup>5</sup> There is no specific date for completion of the updated maps. <https://www.fcc.gov/BroadbandData>; <https://www.govtech.com/network/fcc-no-clear-timeline-yet-for-updated-broadband-maps> <https://www.politico.com/news/2021/11/29/fcc-broadband-maps-biden-523425>; [The Largest U.S. Investment in Broadband Deployment Ever | Benton Institute for Broadband & Society](#).

their planned experiences, and because high-speed internet markets are dynamic, plans may need to be fine-tuned. AARP urges NTIA to set guidelines that require states to review their plans annually, subject to public comment and continuing partnerships with stakeholders, so states can modify them if and as necessary.

State agencies or stakeholder groups that should be considered in the development of state broadband plans (Question No. 20).

Based on its state advocacy, AARP has acquired some familiarity with states' efforts to engage multiple state agencies in the development of broadband plans and policies. AARP has frequently reviewed and commented on legislative proposals aimed at creating cost-effective and transparent ways to administer state-funded broadband deployment grants. AARP has also participated in the review of state broadband plans and contributed its expertise in support of state broadband advisory councils, task forces, and similar groups.

Aging adults are among the populations identified in the Digital Equity Act. It is critically important to incorporate the interests of older adults not only in development and implementation of state digital equity plans, but also in state broadband deployment plans. For example, it is important to establish a grant program that supports the deployment of high-speed internet access to older adults regardless of where they live (i.e., in "conventional" housing, congregate housing, assisted living, etc.) and to support deployment that supports older adults' connection to telehealth.<sup>6</sup>

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<sup>6</sup> For example, AARP participated in broadband deployment grant planning in Vermont (among other things, AARP supported the use of public monies for pilot telehealth projects).

AARP recommends that NTIA encourage states, in their planning efforts, to look beyond the “broadband policy silo” to also encompass related state policies and programs.

Broadband is more than cable, fiber, and trenches. It is a community’s lifeblood, to be integrated into the economy with the expertise of a wide range of state agencies and community-based organizations. AARP’s Network of Age Friendly States and Communities initiative,<sup>7</sup> which now includes more than 600 communities and ten states, promotes such an integrated approach to planning. Many of the participants in this Network have collected data on older adults’ community needs and have established diverse coalitions to improve access to high-speed internet service.<sup>8</sup> Successful state broadband plans will also seek out and incorporate the ideas and needs of diverse state agencies – such as agencies for aging, health, education, economic development, agriculture, transportation, Tribal agencies, housing, health care, consumer advocate agencies, and public utility commissions.

In order to maximize input, states should be required to issue draft plans with ample time and well-publicized opportunity for stakeholders to comment meaningfully. States could consider holding public hearings to invite comment throughout the state, and especially in remote areas and in communities of color. By so doing, states can learn more directly about the obstacles to deployment and adoption.

Ways that NTIA can ensure that states/territories consult with Tribal governments about how best to meet Tribal members’ needs when providing funding for broadband service to unserved and underserved locations on Tribal lands within state boundaries (Question No. 21).

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<sup>7</sup> <https://www.aarp.org/livable-communities/network-age-friendly-communities/>.

<sup>8</sup> Communities that have adopted this approach include Chesterfield, MA, Grayson County, VA, and Broome, New York. Details about their respective plans are available at <https://livablemap.aarp.org/>.

AARP urges NTIA to require states to identify all Tribal governments within their boundaries and to provide ample evidence of consultations with them. Evidence can take many forms, such as, at a minimum, a map showing the locations of Tribal lands, and preferably, more detailed documentation of the ideas and concerns of Tribal governments. Where deployment to all households on a Tribal land is anticipated to require many years to achieve, NTIA could encourage states to explore with Tribal leaders interim, stop-gap possibilities for serving the community with high-speed internet access to bridge the time until broadband has been deployed ubiquitously (i.e., approaches such as ensuring that high-capacity, high-speed internet is available, at a minimum, in all anchor institutions (community health clinics, schools, community centers, libraries, etc.)).

AARP appreciates that under the Affordable Connectivity Program (“ACP”), those living on Tribal lands will be eligible for a monthly subsidy of \$75 (as opposed to \$30), but, this subsidy will be meaningless unless and until high-speed internet access services are available.

To encourage cohesive broadband policy, that is, policy that coordinates deployment and adoption measures, NTIA should encourage state broadband offices to collaborate with Tribal nations and track key information, by community, such as the (1) number of households eligible for the ACP \$75 subsidy; (2) number of eligible households that can (and cannot) actually subscribe to high-speed internet access (depending on whether service has been deployed) thereby impacting the household’s ability to take advantage of the ACP subsidy; (3) number of households that participate in the ACP and receive a monthly subsidy; and (4) number of households that participate in the ACP and receive an equipment

subsidy. This information can guide effective use of broadband deployment grants (allocating funds to those areas with the least availability and the highest poverty) and can guide digital equity plans (see discussion later).

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

#### Defining eligible subscribers for low-cost broadband options (Question No. 22)

Under the IIJA, a recipient of BEAD funding is required to offer “at least 1 low-cost broadband service option for eligible subscribers.” (IIJA § 60102(h)(4)(B).) Each eligible entity (state, territory) is tasked with proposing a definition of “low-cost broadband service option” that will apply to sub-grantees in that state or territory, subject to NTIA’s consultation and approval. (IIJA § 60102(h)(5)(a).) As stated in the Notice, NTIA is tasked with defining the term “eligible subscriber.” However, whatever limits NTIA sets on eligibility are likely to affect (and limit) how states define their respective low-cost broadband service options. AARP urges NTIA to adopt a definition that preserves reasonable flexibility for each state to adopt a low-cost broadband service option that reflects the state’s priorities and needs.

AARP strongly recommends that NTIA adopt a more inclusive definition of eligibility than the criteria for receiving a direct subsidy under the FCC-administered Affordable Connectivity Program. Without access to a low-cost option, lower- and middle-income households – particularly those in remote areas and those with limited competitive options – could easily find themselves priced out of the broadband service they have waited years to obtain. It makes no sense to go to great expense to close the deployment gap and permit an adoption gap to take its place. Thus, AARP recommends that NTIA include as an “eligible subscriber” any household located within a census block where the median household income (based on average household

size) is less than 300 percent of Federal Poverty Guidelines. In addition, the definition of “eligible subscriber” should include any household that independently meets the ACP criteria. This approach would minimize the administrative burden of applying eligibility criteria on a household-by-household basis but would still permit a low-income household that happened to be located in a higher-income neighborhood to access the low-income rate.

### **Implementation of the Digital Equity Act of 2021**

#### Overview

As described by NTIA: “The Digital Equity Act dedicated \$2.75 billion to establish three grant programs that promote digital inclusion and equity to ensure that all individuals and communities have the skills, technology, and capacity needed to reap the full benefits of our digital economy.” In its Notice, NTIA poses questions that are specific to the Digital Equity Planning Grant Program, the first of the three grant programs. AARP provides responses below, and we look forward to commenting in the future in response to NTIA’s request for comment to address the State Digital Equity Capacity Grant Program and the Digital Equity Competitive Grant Programs. AARP appreciates the IIJA’s recognition that aging adults are among the various populations that disproportionately lack high-speed internet access, and we view NTIA’s digital equity questions through this prism.

The population of aging adults includes not only those adults who simply because of their age have been less likely to adopt and use high-speed internet access, but also overlaps with all of the other populations referenced specifically by NTIA (and in the Digital Equity Act): low-income households, incarcerated individuals, veterans, individuals with disabilities, individuals with a language barrier, racial and ethnic minorities, and rural inhabitants. Although these groups share

the greater likelihood of being digitally excluded, they may diverge in how they can each best be provided with the financial and technical assistance required to bridge the digital divide. As a threshold matter, digital equity plans depend critically on the involvement, ideas, and experience of the community-based organizations that work with various populations. That is, the goal of making high-speed internet access available, affordable, relevant, and applicable to diverse households encompasses all these populations, but progress in achieving this common goal depends on many dispersed efforts by organizations that these populations know and trust.

### State Digital Equity Plans

*Best practices for states' digital equity plans (Question No. 25).*

States should be encouraged to develop their Digital Equity Plans with the coordination and collaboration of relevant community-based organizations – libraries, local councils on aging, community-focused health-care organizations, multicultural organizations, faith-based organizations, agencies that assist low-income households, agencies that support people with varying levels of abilities, and organizations that teach English as a second language. AARP recommends that NTIA encourage states to expand their data collection to encompass information about the adoption of high-speed internet access – by community and by demographic – to inform outreach and digital literacy programs.<sup>9</sup> Also, some states (and municipalities) have already begun digital literacy programs, and can contribute their best practices to NTIA for sharing with other states and municipalities.

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<sup>9</sup> See, for example, discussion of the survey work occurring in California to inform digital adoption. “How California Is Advancing Digital Equity, Policy expert discusses the state’s approaches to expanding broadband access, Pew, September 16, 2021. <https://www.pewtrusts.org/en/research-and-analysis/articles/2021/09/16/how-california-is-advancing-digital-equity>



Some states, such as California, award digital literacy grants, and may be able to suggest relevant criteria.<sup>10</sup> In establishing its criteria for states' digital equity plans, NTIA should incorporate specific recommendations from organizations, municipalities, and states that have a history of awarding grants to promote digital equity.

Digital equity programs should interface with existing aging services programs by engaging senior service and senior housing providers in planning and goal-setting related to digital inclusion that focuses on older adults. Training for older adults should include capacity support for local organizations seeking expertise, curriculum, and information on best practices, and should also leverage local knowledge from community-based organizations. Training should take place in community settings with high-speed internet connections on-site, using up-to-date devices and applications, utilizing trained staff and prepared curriculum. States should work with experienced institutional partners to conduct research and evaluation, provide capacity support to local entities, and develop strong linkages between basic device literacy and outcome-focused utilization of technology by older adults.

*Technical assistance to be provided by NTIA to states and territories to help them produce their State Digital Equity Plans (Question No. 26)*

NTIA appropriately points out that some states and territories will benefit from technical assistance in preparing their Digital Equity Plans. As discussed above in response to Question

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<sup>10</sup> One of the programs that the California Advanced Services Fund includes is the "Broadband Adoption Account." As described by the California Public Utilities Commission, this fund was "created via Assembly Bill 1665, provides grants to increase publicly available or after-school broadband access and digital inclusion, such as grants for digital literacy training programs and public education to communities with limited broadband adoption. The CPUC will give preference to programs and projects in communities with demonstrated low broadband access, including low income communities, senior citizen communities, and communities facing socioeconomic barriers to broadband adoption." <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/california-advanced-services-fund/casf-adoption-account>. See also <https://www.cetfund.org/>

No. 25, AARP urges that NTIA review suggestions from those entities that have been implementing programs to promote digital skills and advance equitable digital access. NTIA asks what steps, if any, it should take to monitor and assess digital equity program practices.

Connecting unconnected populations to the internet will take many years. Therefore, it would be helpful for NTIA to coordinate with states, municipalities, non-profit organizations, and community-based groups to collect, analyze and disseminate best practices through diverse communication channels (e.g., conferences, workshops, webinars, web site, etc.) during these years.

*Ensuring that State Digital Equity plans and states' BEAD plans are complementary and integrated (Question No. 27)*

NTIA aptly recognizes the link between access and adoption, and the need to ensure that states' digital equity plans are “complementary, sequenced and integrated appropriately to address the goal of universal broadband access and adoption.” Progress toward achieving universal access and facilitating adoption should go hand-in-hand. As stated earlier (with reference to Questions 19 through 21), AARP recommends that NTIA encourage states to coordinate their broadband deployment plans (and ultimately their awarding of deployment grants) with their digital equity plans.

NTIA can encourage states and sub-grantees to conduct grassroots-level surveys to overcome the paucity of local information about adoption. The FCC is gradually improving its mapping data regarding the availability of high-speed internet access service, but information about households' adoption of high-speed internet access is insufficiently detailed. In order to achieve digital equity, a plan needs to identify subscribership levels at a community-based level. State

digital equity plans should be informed by a robust understanding of where households are digitally excluded and about local barriers to more widespread adoption.

*Ensuring that State Digital Equity Plans Impact and Interact with other State Goals, especially with respect to covered populations (Question No. 28)*

State digital equity plans can contribute to the achievement of other state goals, especially as they pertain to the relevant populations. NTIA mentions, among other things, economic development as a concurrent goal. The nation’s investment of more than \$40 billion in new broadband infrastructure will require skilled labor that can build out robust high-speed internet access networks that satisfy industry standards. Marginalized populations – those intended to be assisted with digital equity plans, especially those with low and moderate incomes – may benefit from employment opportunities in broadband deployment that job training would facilitate.

Regarding other state goals, such as education and health, NTIA should encourage states to include representatives of these policy areas in the design of digital equity plans. Remote health care, in urban and rural areas, can help older adults age in place safely. Digital equity plans, therefore, should reflect the ideas and needs of the state’s leading voices in health care.

*Measurable objectives and best practices (Question No. 29)*

NTIA explains that the IIJA requires state digital equity plans to include “measurable objectives for documenting and promoting: (i) The availability of, and affordability of access to, fixed and wireless broadband technology; (ii) the online accessibility and inclusivity of public resources and services; (iii) digital literacy; (iv) awareness of, and the use of, measures to secure the online privacy of, and cybersecurity with respect to, an individual; and (v) the availability and affordability of consumer devices and technical support for those devices.” NTIA seeks

comment on the best practices that states should adopt for developing these objectives as well as the steps it should take to promote (or require) the adoption of such practices.

AARP recommends that NTIA encourage states to integrate detailed data collection, analysis, and reporting as part of their digital equity plans. For example, the availability and the adoption of fixed technology should be tracked separately from those for wireless technology. Based on the Emergency Broadband Benefit (“EBB”) Program data collected and reported by USAC, approximately two in three EBB participants depend on wireless service for their internet access.<sup>11</sup> In measuring progress toward achieving digital equity, it is important to assess whether all populations have access to services of comparable quality. For example, wireless broadband may have data caps and may be less reliable than wireline services. Those households that are not income-constrained in purchasing high-speed internet access likely subscribe to wireless service *and* to wireline (fiber, cable or DSL) internet access. By contrast, the fact that so many low-income households rely solely on wireless for their digital connection is likely because they cannot afford to subscribe both to wireless voice service and wireline high-speed internet access (and not, as some wireless providers may contend, because they “prefer” wireless access to the internet). States’ measurement of progress toward achieving goals should be sufficiently nuanced as to address the emergence of new kinds of digital divides where some populations have access to more robust and advanced technology than do other populations. Also, state digital equity

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<sup>11</sup> As of year-end 2021, 66.8 percent of the 9,048,536 EBB participants relied on mobile wireless for their internet connection, in comparison with 32.7 percent who relied on wireline (DSL, cable, and fiber), and 0.6 percent on fixed wireless and satellite. <https://www.usac.org/about/emergency-broadband-benefit-program/emergency-broadband-benefit-program-enrollments-and-claims-tracker/additional-ebb-program-data/>

plans should demonstrate how states will monitor progress in broadband adoption.<sup>12</sup> Generally, state digital equity plans should include specific and detailed descriptions of the data that they intend to track, how they intend to collect that data, and how they intend to report that data. NTIA should encourage multiple ways of gathering data (e.g., from providers, from users, through surveys, from community-based organizations, and through crowd-sourcing).

#### Digital Equity Coordination Requirements

*Steps NTIA should take to ensure that states consult with relevant groups and monitor and assess practices (Question No. 30)*

NTIA’s criteria for state Digital Equity Plans should explicitly include requirements for coordination and collaboration with the diverse groups that NTIA identifies. States should be required to describe and document in their plans their outreach to these diverse groups and evidence that they have incorporated the ideas and concerns of these groups in their state equity plans. States’ outreach should occur in the primary languages spoken in the various regions of their states. Under the ACP, the FCC, states, and community-based organizations will be conducting extensive outreach including to many of these communities. States should integrate their digital equity planning with their ACP outreach.

*States’ fulfillment of the mandate to coordinate with local governments and other political subdivisions in the development of State Digital Equity Plans (Question No. 31)*

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<sup>12</sup> States might, for example, describe plans to require providers to submit community-level data on adoption or describe plans for surveys to be conducted among the relevant populations, and also could describe plans to monitor whether providers are offering and publicizing subsidized equipment through the ACP, as well as the numbers of households obtaining equipment subsidies.

AARP recommends that NTIA seek evidence of states’ coordination with local governments, county governments, and associations of such governments. Evidence could take the form of workshops, conferences, surveys, as well as statements by such entities.

### **Conclusion**

The \$48 billion program that NTIA is overseeing is unprecedented. The size of the state-specific allocations of monies that NTIA will be awarding to individual states and territories greatly exceed that of the broadband deployment grant programs that many states have established with their own internal funds. Setting the right tone and criteria at the outset by requiring states to provide evidence of prudent spending, which is informed by collaboration by diverse stakeholders, is essential to achieve the IIJA’s ambitious goals.

It is vital that NTIA’s prior experience administering broadband grants, further informed by the FCC’s management of the nation’s multi-billion-dollar high cost funds, lead to prudent use of the \$48 billion. In addition, the pre-IIJA efforts of many states to establish guidelines and accountability for state deployment grants can provide a solid foundation for states’ upcoming disbursement of BEAD deployment grants.

Achieving digital equity will continue to be a challenge for the foreseeable future and entails the collaboration of many diverse stakeholders at all levels of government, community-based organizations, and commercial providers. Partnering with the FCC and with states, NTIA can ensure that relevant data are collected, analyzed, and reported in a timely manner so that digital equity plans can be implemented effectively. Congress has established an important goal of ensuring universal broadband service for low-income households, aging adults, incarcerated individuals, veterans, individuals with disabilities, individuals with a language barrier, racial and

ethnic minorities, and rural inhabitants. Unlike the more straightforward 20<sup>th</sup> century challenge of ensuring that all households subscribe to telephone service, the 21<sup>st</sup> century challenge of ensuring that all households subscribe to (and have the skills to navigate) high-speed internet access depends on coordination and collaboration among wide-ranging stakeholders.

Affordability is a major barrier to broadband adoption. Decades of experience with the Lifeline program (and energy assistance programs) show that far fewer eligible households participate in low-income assistance programs than are eligible to do so. NTIA should require state digital equity plans to explain, in detail, how states will support community-based outreach for, and assist enrollment in, the Affordable Connectivity Program. Here, too, data collection, analysis, and reporting at the community level can guide outreach plans, particularly where there is a large mismatch between the numbers of eligible households and the numbers of participating households.<sup>13</sup>

States bring unique perspectives on and familiarity with the challenges of deploying high-speed internet access within their boundaries and the equally important challenges of facilitating their residents' adoption and successful use of that internet access. Ultimately, each state will need to determine how best to structure its administration and oversight of the sizeable deployment grant monies. While there is no one-size-fits-all, as is discussed earlier in these comments, AARP urges that NTIA disseminate best practices and lessons learned from around the country.

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<sup>13</sup> AARP participated in the FCC's ACP proceeding, and realizes that ACP efforts are being separately administered by the USAC. However, digital equity plans, which the NTIA will review, should reflect states' ACP efforts.