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To: [BOCrfc2015](#)
Subject: Comments of the Benton Foundation to the Broadband Opportunity Council
Date: Wednesday, June 10, 2015 4:44:21 PM
Attachments: [Benton BOC Comments \(on Ways to Further Expand and Promote Broadband Deployment, Adoption, and Competition\).docx](#)
[Benton BOC Comments \(on Ways to Further Expand and Promote Broadband Deployment, Adoption, and Competition\).pdf](#)

Dear Broadband Opportunity Council,

Pursuant to the Broadband Opportunity Council Notice and Request for Comment (80 FR 23785), I am writing to submit written comments to the Council on behalf of the Benton Foundation. Please feel free to get in touch if you have any questions. Thank you.

Best,
Raphael

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**COMMENTS OF THE BENTON FOUNDATION
TO THE BROADBAND OPPORTUNITY COUNCIL**

The Benton Foundation (“Benton”) is pleased to submit the following comments in response to the Request for Comment (“RFC”) from the Broadband Opportunity Council (“BOC”) issued on April 29, 2015.¹ The Benton Foundation is a nonprofit organization that works to ensure that media and telecommunications serve the public interest and enhance our democracy.² We thank and applaud the White House for pursuing steps to encourage broadband deployment, adoption, and competition.

*In response to questions in sections A, B, D, and H of the RFC:*³

- I. Review data and glean lessons from previous and ongoing broadband deployment, adoption, and competition initiatives directed by the White House, the Federal Communications Commission (FCC), and the Departments of Agriculture and Commerce. Building upon the National Broadband Plan (NBP), devise new broadband deployment, adoption, and competition goals. Emphasize outreach efforts to facilitate broadband adoption. Develop uniform standards as well as outcome-based goals and metrics.**

With a focus on broadband infrastructure deployment, President Barack Obama signed Executive Order 13616 (“E.O.”) on June 14, 2012 to promote broadband deployment in federal lands, buildings and rights-of-way across the country.⁴ The E.O. established the Broadband Deployment on Federal Property Working Group. According to the Working Group’s progress report released in August 2013,⁵ it has undertaken efforts to coordinate consistent federal broadband procedures, streamline contracting and permitting pertaining to broadband infrastructure deployment, and to establish “Dig Once” requirements.⁶ Benton encourages the

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⁶ Dig Once refers to “requirements designed to reduce the number and scale of repeated excavations for the installation and maintenance of broadband facilities in ROW.”

BOC to identify infrastructure deployment opportunities based on experience and data from initiatives started by the E.O. as well as existing broadband deployment to federal buildings in rural areas.⁷ Benton encourages the BOC to also utilize existing data to identify traditionally unserved and underserved communities. Possible sources include the National Telecommunications and Information Administration (NTIA) and the FCC's National Broadband Map, the NTIA's Broadband Technology Opportunities Program and BroadbandUSA, and Rural Utilities Service's Broadband Loan Program. While continuing the important work on broadband deployment in needed regions, broadband adoption ought to be addressed at greater length in the BOC's upcoming endeavors.

As directed in the RFC, we do not comment about specific policy areas and programs under the FCC's purview. Nonetheless, we trust the BOC will heed policy lessons and rely on data from *all* relevant federal programs. The FCC's means-tested Lifeline program, currently being modernized to include support for broadband services,⁸ is, in particular, one useful source of data, as are the FCC's other universal service programs.⁹

Given that various federal broadband deployment and adoption programs have varying numerical goals and outcome measurements, we urge the BOC to set uniform standards as well as suggested frameworks for outcome-based goals and measurements that federal agencies may be able to adopt for future broadband policies.¹⁰

Benton has closely followed major federal efforts to expand the reach of broadband.¹¹ In particular, we believe the FCC's National Broadband Plan (NBP) shares the many fundamental visions and goals the BOC is aiming to advance today. Benton had proposed and long supported

⁷ For example, the Department of Interior (DOI) has substantial infrastructure in rural and tribal lands. As they update their broadband infrastructure, the DOI should consider creating opportunities for enhancing broadband use in unserved and underserved communities. Specifically, the Bureau of Land Management (BLM), when crafting its proposals for maintaining and improving broadband to federal buildings, should consider working with community anchor institutions and municipalities if such type of collaboration is feasible and may yield benefits.

⁸ In response to question D16 of the RFC, the FCC's Lifeline program is a current federal program within the Executive Branch that should allow the use of funding for broadband adoption.

⁹ The [High Cost Program](#) provides support to eligible telecommunications companies that in turn offer rates and service comparable to those available in urban areas. The [Rural Health Care Program](#) provides support to eligible rural health care providers that qualify for reduced rates. The [Schools and Libraries \(E-rate\) Program](#) provides discounts to eligible schools and libraries that qualify for reduced rates.

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many of the NBP's recommendations prior to its unveiling in March 2010.¹² Since then, Benton has developed tools to track implementation of the NBP, keeping tabs on each specific recommendation.¹³ About half of the NBP's recommendations concern federal departments and agencies other than the FCC, many of which fall under the BOC umbrella. NBP recommendations that these agencies and departments have not completed should be accorded attention by the BOC. Benton encourages the BOC to complete existing NBP goals where possible or relevant. Despite the fact that more than five years have lapsed since the official release of the NBP, it would be imprudent to discount the Plan's relevance and recommendations in achieving the goals of the BOC.

In particular, we call the BOC's attention to the following NBP recommendations:

- “Recommendation 4.2: The FCC and the U.S. Bureau of Labor Statistics (BLS) should collect more detailed and accurate data on actual availability, penetration, prices, churn and bundles offered by broadband service providers to consumers and businesses, and should publish analyses of these data.
- Chapter 9: Adoption and Utilization
 - Recommendation 9.8: The Executive Branch should convene a Broadband Accessibility Working Group to maximize broadband adoption by people with disabilities.
 - Recommendation 9.14: The Executive Branch, the FCC and Congress should consider making changes to ensure effective coordination and consultation with Tribes on broadband related issues.
- Recommendation 13.5: The Department of Labor should accelerate and expand efforts to create a robust online platform that delivers virtual employment assistance programs and facilitates individualized job training. Creating a broadband-enabled job training and search.”

Benton also encourages the BOC to develop a broadband adoption committee to work with non-governmental organizations to develop specific recommendations or action plans for each of the agencies involved in the BOC. The committee should include an array of diverse actors, especially those who speak for underrepresented communities. This allows the BOC to tap into

¹² Jonathan Rintels, *An Action Plan for America: Using Technology and Innovation to Address Our Nation's Critical Challenges*. A report for the new administration from the Benton Foundation, Benton Foundation, 2008, available at http://benton.org/sites/benton.org/files/Benton_Foundation_Action_Plan.pdf.

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existing networks and communities of stakeholders, avoiding redundant efforts in promoting broadband adoption.¹⁴

*In response to questions in sections B, E, and F of the RFC:*¹⁵

II. The BOC should prioritize vulnerable communities and communities with limited or no broadband.

Section F of the RFC asks what can be done for vulnerable communities and communities with limited or no broadband. In our work, Benton has traditionally focused on vulnerable populations, including veterans, seniors, minorities, people with disabilities, at-risk youth, low-income individuals and families, the unemployed, non-English speakers, and communities in rural areas, rural tribal lands, and urban underserved areas. Benton fully supports the BOC's proposed direction of promoting efficiency and cutting redundancy among federal processes governing broadband deployment, adoption, and competition. Given the vast swath of potential interagency collaborative efforts that the BOC can choose to advance, Benton suggests being very mindful of vulnerable communities in prioritizing interagency collaborative efforts.

The Broadband Deployment on Federal Property Working Group had provided a list of interagency collaborative efforts to accelerate implementation of broadband deployment.¹⁶ The list of cooperative efforts should be evaluated, and, if necessary, updated or consolidated. With vulnerable populations in mind, Benton suggests the following for consideration:

- Greater liaison between the Department of Veterans Affairs and other federal agencies running broadband adoption programs that meet the crucial telecommunications needs of transient, homeless, and unemployed veterans in order to access healthcare and seek employment;¹⁷
- The Department of Housing and Urban Development (HUD) should draw expertise from the NTIA, FCC, and RUS to enhance broadband adoption in existing public housing

¹⁴ Responsive to question A5 of the RFC.

¹⁵ Our comments in this section are responsive to Questions B6, 8, 10, 11, E18, 21 and F22, 23 in the RFC.

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¹⁷ In a related vein, and responsive to question B8 of the RFC: The VA's Pension Benefits (or some otherwise means-tested) Program may be included on eligibility lists of federal programs that make broadband more widely available to low-income Americans, such as the FCC's Lifeline Program. The BOC should undertake overarching efforts that enhance coordination between and among federal means-tested programs, with the aim of creating a list of common programs that federal agencies running means-tested programs can use to determine eligibility and verify enrollment. Uniformity reduces redundancy for the various governmental agencies and removes unnecessary barriers for low-income Americans to exercise their communications needs.

units, single occupancy residences, nursing homes, and other buildings serving vulnerable populations;¹⁸

- Streamline permitting processes with regards to infrastructure deployment along transmission and transportation corridors that requires cooperation between the Department of Transportation (DOT) and the Department of the Interior (DOI);
- Many provisions outlined in the Affordable Care Act (ACA) expand the use of electronic health records, the use of telemedicine, and related health information technologies and systems. The success of new initiatives and reforms covering enrollment, assisted living facilities, older Americans, and medically underserved communities in rural areas is often dependent on the availability of high-speed broadband to healthcare providers and users. In meeting the goals of the ACA, the Department of Health and Human Services (HHS) should consider collaborating with other federal agencies;
- The Department of Education, HUD, the NTIA, and the Institute of Museum and Library Services worked together on FCC webinars in May 2015 addressing digital literacy and broadband adoption issues affecting seniors.¹⁹ Such collaborative efforts should be reviewed, continued, and, where appropriate, expanded to low-adoption communities beyond the elderly.

Benton urges the BOC not to overlook outreach efforts that stress the relevance and significance of adopting broadband, a particularly daunting task among vulnerable populations that are disconnected or tangentially hanging on to our increasingly digitally-connected society. As the President points out in the Memorandum establishing the BOC, affordable, reliable access to high-speed broadband is “no longer a luxury” but “a necessity” to all Americans.²⁰ Therefore, we encourage the BOC, in its outreach efforts to boost broadband adoption and to focus on vulnerable populations. Many of those who stand to benefit the most from the BOC’s efforts are often those who are not well-connected and hard to reach to begin with.²¹ Efforts to promote broadband adoption should take this into account and find ways for members of disadvantaged communities to overcome the barriers to adoption. The BOC should review the FCC’s efforts to

¹⁸ One of HUD’s longest continuously run programs, the Community Development Block Grant program, may benefit from an augmented focus on broadband via coordination between HUD and other relevant agencies.

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²¹ Affordability, lack of perceived relevance, and lack of computer skills are commonly-identified broadband adoption barriers that disparately impact vulnerable communities. See, e.g., United States Government Accountability Office, *Intended Outcomes and Effectiveness of Efforts to Address Adoption Barriers Are Unclear* (GAO-15-473), June 2015, at 11-16.

address the broadband adoption barrier of cost for low-income Americans,²² and complement such efforts by addressing other broadband adoption barriers such as relevance and training wherever possible. Broadband deployment strategies will not spell overall success for the nation if we leave behind an echelon that grows further disconnected and disenfranchised. Adoption efforts must prioritize vulnerable populations.

Finally, we recognize that there have been federal efforts to remove state-level barriers to high-speed community broadband in certain municipalities. We encourage the BOC to develop policies that are compatible with communities making independent choices to provide robust and consumer-friendly broadband offerings to its members.²³

III. Conclusion

Benton acknowledges and commends ongoing good work already underway by individual members of the BOC. We particularly look forward to how the NTIA's BroadbandUSA and the RUS's revamped Broadband Loan Program can bring high-speed broadband to unserved and underserved areas. There is much merit to fostering more overarching coordination between federal departments to expand availability of broadband, but these merits only have substantive meaning for all of society if vulnerable populations are not left behind. While the entire nation stands to gain from enhanced broadband deployment, adoption, and competition, we must not forget which communities need it the most.

Respectfully submitted,

/s/

Amina Fazlullah, Director of Policy
Raphael Leung, Policy Research Fellow

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*In response to questions in sections B, E, and F of the RFC:*¹⁵

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units, single occupancy residences, nursing homes, and other buildings serving vulnerable populations;¹⁸

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Finally, we recognize that there have been federal efforts to remove state-level barriers to high-speed community broadband in certain municipalities. We encourage the BOC to develop policies that are compatible with communities making independent choices to provide robust and consumer-friendly broadband offerings to its members.²³

III. Conclusion

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Respectfully submitted,

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