From:	Bertuna, Dan
To:	BOCrfc2015
Subject:	Broadband Opportunity Council
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Attachments:	BOC Request for Comments_ICF International.pdf

ICF respectfully submits the attached comments to the Broadband Opportunity Council request for comment.

For any questions, please contact me directly.

Respectfully,

Dan Bertuna

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ICF International partners with its clients to conceive and implement solutions and services that protect and improve the quality of life.

June 10, 2015

Before the
UNITED STATES DEPARTMENT OF COMMERCE
NATIONAL TELECOMMUNICATIONS & INFORMATION ADMINISTRATION
Washington, DC

In the Matter of	)	
	)	
Broadband Opportunities Council	)	Docket No. 1540414365-5365-01
	)	
Request for Comment	)	
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Comments by ICF International to the Broadband Opportunity Council

(sent via email to BOCrfc2015@ntia.doc.gov)

ICF International applauds the Administration's efforts to help communities around the country gain access to fast and affordable broadband. A robust and accessible broadband network can unlock a variety of opportunities to support innovation, community and economic development, education, healthcare, public safety, and government services. While regional, state, and local governments play a vital role in supporting broadband that is affordable, reliable, abundant, and redundant, the federal government plays a very important role. From the FCC's Universal Service Fund programs to the Administration's Broadband Stimulus, to existing programs across many executive agencies, the federal government can play a role in accelerating broadband deployment and promoting the technology's adoption across the country. Through the efforts of the Broadband Opportunities Council (BOC), these executive branch agencies can ensure that broadband access and adoption is proactively addressed in existing federal programs which can have a multiplier effect for community's economic and social health. A coordinated and comprehensive broadband strategy will provide the foundation to effectively extend broadband infrastructure, support a reasonable standard of service, and facilitate affordable adoption of broadband services by more community anchor institutions, businesses, and residents.

ICF International

ICF International provides professional services and technology solutions that deliver beneficial impact in areas critical to the world's future. Since 1969, ICF has been serving government at all levels, major

corporations, and multilateral institutions. With more than 5,000 people operating worldwide out of more than 70 offices, we bring deep domain expertise, problem-solving capabilities, and a results-driven approach to deliver strategic value across the lifecycle of client programs. Our expanding capabilities in digital engagement are proving essential across all of our key markets: government, health, energy, environment, and transportation. And the ability to deliver digital solutions resides in a robust infrastructure. ICF has been involved with America's broadband issues for almost a decade. ICF's Housing and Community Development practice helps communities, governments, non-profits, and businesses leverage broadband infrastructure to meet community goals while improving the quality of life for residents. ICF staff have been involved with broadband feasibility studies and broadband network designs for fiber to the premise, cable, wireless, LTE, WiMAX, satellite, and combined solutions for communities throughout the U.S. ICF supported the U.S. Department of Agriculture (USDA) Rural Utilities Service (RUS) with the oversight of post-award project implementation for more than $3.5B in awards made under the Broadband Initiatives Program (BIP), which was created by the American Recovery and Reinvestment Act of 2009. ICF reviewed more than 2,000 grant applications and provided telecommunications, engineering, and finance expertise to assist RUS with feasibility assessments, network viability, and financial solvency reviews for projects that developed and expanded broadband networks serving rural communities. We remain a leading partner of choice, known for delivering value throughout the lifecycle of a program, project or initiative and prepare our clients for what lies ahead.

A. OVERARCHING QUESTIONS

1. How can the federal government promote best practices in broadband deployment and adoption? What resources are most useful to communities? What actions would be most helpful to communities seeking to improve broadband availability and use?

Federal agencies are aligned and organized around domain areas to make best use of resources and expertise. Fortunately and unfortunately, broadband cuts across all those agencies making consistency among best practices difficult to achieve and even more difficult to sustain. The President's Executive Order on Accelerating Broadband Infrastructure Deployment[1] requires the Department of Transportation to review dig once requirements to implement best practices to accommodate broadband deployment. This type of policy should be expanded and extended to agencies that fund infrastructure programs where the inclusion of conduit or dark fiber would have a minimal impact on the cost of the project but would pay tremendous dividends in terms of both time and money for expanding broadband access. Both NTIA and RUS have extensive lessons learned as a result of the BTOP and BIP programs and would be ideal candidates for a national broadband clearinghouse where both federal program managers and state and local planners could find information to assist with coordination among programs. A National Broadband Clearinghouse could bring together the many programs already consider broadband issues in their funding decisions. A Broadband Clearinghouse

[1] See https://www.whitehouse.gov/the-press-office/2012/06/14/executive-order-accelerating-broadband-infrastructure-deployment

could facilitate coordination between federal programs that can currently be used by organizations looking to broadband as a means to contribute to economic development, workforce development and healthcare delivery to highlight a select few applications that are enable with broadband. Multiple executive agencies have programs where, if funds were pooled or programs leveraged, a one-time investment in networks would pay dividends across multiple agencies. For example, the Health Resources and Services Administration (HRSA) under the U.S. Department of Health and Human Services funds telehealth projects[2] while the U.S. Department of Agriculture's Distance Learning and Telemedicine program[3] can be used by entities that provide education or health care through telecommunications. For an organization or community looking to fund a broadband network to be used to promote telehealth, both of these programs could be useful however the programs by themselves have different application criteria and timelines, and would require an applicant to report on two separate programs. The BOC should look at the feasibility of creating an evaluation framework that would enable an applicant or grantee to one program to more easily leverage the funding of a second program. This type of coordination is currently not possible and there is no incentive on behalf of either program to work together. The U.S. Economic Development Administrations (EDA) is leading a number of multi-agency initiatives focused on reducing bureaucratic barriers[4] to increase regional economic development efforts in communities across the nation and perhaps lessons-learned from this collaboration could be applied to broadband deployment.

B. ADDRESSING REGULATORY BARRIERS TO BROADBAND DEPLOYMENT, COMPETITION, AND ADOPTION

7. What federal programs should allow the use of funding for the deployment of broadband infrastructure or promotion of broadband adoption but do not do so now?

Planning for broadband infrastructure deployment is one of the biggest challenges for small and rural communities. This is a critical path issue when it comes to leveraging existing projects that may not be directly associated with broadband use. The Department of Housing and Urban Development has long allowed for planning funds to be used in the Community Development Block Grant (CDBG) program[5]. However many communities have not used these funds for broadband planning due to competing, and sometime more urgent and immediate needs for water and sewer infrastructure. The Department could make a big impact to rural broadband planning by encouraging communities (most likely State grantees who serve these regions) to develop regional and community broadband plans as part of the Consolidated Planning process. This would ensure that broadband needs are assessed at the earliest planning stages when it is easier to include empty conduit or dark fiber for future use.

[2] See http://www.grants.gov/web/grants/view-opportunity.html?oppId=276235
[3] See http://www.rd.usda.gov/programs-services/distance-learning-telemedicine-grants
[4] See http://www.eda.gov/about/multi-agency-initiatives.htm
[5] http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/communitydevelopment/programs

Broadband development may be treated as infrastructure, a public facility, or a private utility but the definition of the service area is critical in determining compliance with the national objective requirement. The population in the service area of the entire project must be considered. The CDBG program does not provide for an "allocation of benefit." If a project serving a large area does not meet the low- and moderate-income (LMI) criterion, a grantee cannot separate out the cost to serve a section of the overall area which is 51 percent LMI and then qualify that portion of the project as eligible under CDBG. In short, while CDBG funds are eligible to be used to support broadband deployment, the statutory requirement to meet a national objective restricts the practical ability of a grantee to carry out such activities.

C. PROMOTING PUBLIC AND PRIVATE INVESTMENT IN BROADBAND

13. What changes in Executive Branch agency regulations or program requirements could incentivize last mile investments in rural areas and sparsely populated, remote parts of the country?

Collecting broadband data is a moving target with the constant increase in speeds and the focus on speed to determine broadband versus digital subscriber lines (DSL) or plain old telephone service (POTS) lines. Furthermore, basing funding definitions on census blocks can be problematic, particularly for large census blocks that include large areas of difficult terrain where it is difficult to install broadband infrastructure. While we understand that the BOC is not tasked with reviewing or recommending actions under the purview of the Federal Communications Commission (FCC), there should be an effort to conduct actual, validated, coverage footprints so that unserved residents are not denied funding because they reside in a census block that is partially covered by an existing broadband service.

E. ISSUES RELATED TO STATE, LOCAL, AND TRIBAL GOVERNMENTS

21. How can the federal government support state, local, and tribal efforts to promote and/or invest in broadband networks and promote broadband adoption? For example, what type of capacity-building or technical assistance is needed?

Broadband plays a vital role in most communities across America; however, in Indian country, broadband is not readily accessible. Both native and non-native residents of communities of American Indian tribes and Alaska native villages are among the most unserved and underserved citizens in America with regard to telecommunications and broadband services. With more ready access, broadband could afford tribal nations across the United States great opportunities to promote economic development and growth and support overall tribal infrastructure, services, and cultural preservation. It could provide a platform for allowing tribal leaders to better communicate with their citizens; students to learn about their language, culture, and history; tribal members to train for new careers in the ever-evolving economy; and medical facilities to improve healthcare delivery and services. While access to broadband networks is a primary need, understanding the benefits of broadband adoption remains an important component in expanding broadband usage in Indian country. The BOC should consider recommending programs that provide extensive engagement with tribes, like temporary assistance for needy families (TANF), workforce development, and child welfare agencies, to include digital literacy

training as a standard training component for all recipients. The training could use the Digital Literacy Toolkit, created by NTIA, which shares best practices developed from broadband adoption and digital literacy projects funded by BTOP. By driving the benefits of broadband, tribal leaders can then better work with providers, or create their own as in the case of the Navajo Nation, to take advantage of other programs like the FCC's Tribal Mobility Fund which supports the deployment of mobile voice and broadband services to unserved tribal lands.

F. ISSUES RELATED TO VULNERABLE COMMUNITIES AND COMMUNITIES WITH LIMITED OR NO BROADBAND

23. How can the federal government make broadband technologies more available and relevant for vulnerable populations?

While rural America experiences a lack of broadband access, this scenario is not limited to sparsely populated areas. In many urban low-income communities, broadband access and adoption is lagging behind. The rate of change in broadband adoption is actually slowing down for the lowest income households.[6] The Pew Research Center recently published a study that five million households with school-age children do not have high-speed Internet service at home, constituting nearly 20 percent of families with children between six and 17 years.[7] Cost remains a significant factor in broadband adoption with roughly half of Americans who rely on smartphones for broadband access cancelling their cell phone service because of financial hardship.[8] While the FCC is beginning its process to reform the Lifeline program, the Administration should look to implement several pilot programs to determine how taking an approach that focuses on a specific neighborhood or development would impact low-income residents. While the FCC's Low Income Pilot Program focused on how a variety of marketing efforts, speed offerings and price points impact low income broadband adoption, they did not involve diverse stakeholder groups, like community anchor institutions, housing authorities or digital literacy advocates to work with low-income residents. The Administration should bring together low-income housing developers, internet service providers, digital literacy trainers to determine a cost-effective and sustainable model to provide broadband access to residents. Included in the pilot should be the primary application that would be considered a driver for broadband adoption. This could be workforce training, distance learning or healthcare. Working with providers who have access to federal funds, the pilot would serve as a test bed to evaluate and determine, with empirical evidence, which specific policies and regulations create challenges to implement broadband services across multiple, existing federal

[6] Computer and Internet Use in the United States: 2013 (American Community Survey Reports, Nov. 2014), Table 1, available at: http://www.census.gov/history/pdf/2013computeruse.pdf.
[7] John Horrigan, *The Numbers Behind the Homework Gap* (Pew Research Center FacTank blog, April 20, 2015), available at: http://www.pewresearch.org/fact-tank/2015/04/20/the-numbers-behind-the-broadband-homework-gap/ African-American and Latino families in this category trail white Americans by 10 percentage points.
[8] Pew Research Center, U.S. Smartphone Use in 2015 at 14 (April 1, 2015) available at: http://www.pewinternet.org/2015/04/01/us-smartphone-use-in-2015/

programs. Including research and evaluation criteria into the pilot will ensure that data collected could be used in future program modifications to make it easier to deliver services to low-income residents.

G. ISSUES SPECIFIC TO RURAL AREAS

26. Because the predominant areas with limited or no broadband service tend to be rural, what specific provisions should Executive Branch agencies consider to facilitate broadband deployment and adoption in such rural areas?

The USDA Rural Development's multiple programs offer loans, grants and loan guarantees to support essential services such as housing, economic development, health care, first responder services and equipment, and water, electric and communications infrastructure.[9] USDA Rural Development's Rural Utilities Programs provide a variety of loans and grants to build and expand broadband networks. Loans to build broadband networks and deliver service to rural households and businesses provide capital for rural telecommunications companies, broadband providers, wireless companies and fiber-to-the-home providers. While these programs have done a tremendous amount to spur broadband deployment, the RUS Electric Program helps nearly 700 borrowers in 46 states finance safe, modern, and efficient infrastructure. The resulting loan portfolio of approximately $46 billion is managed by the Electric Program RUS-financed electrical systems provide service to more than 90 percent of the Nation's counties that are identified as suffering from persistent poverty, out-migration, or other economic hardships.[10] With the geographic coverage provided by the RUS borrowers, a Technical Assistance program focused on working with RUS borrowers to deploy broadband infrastructure across existing rights-of-way throughout their service territories would serve as the middle mile transport network that ISPs and other providers could use to provide services to rural communities. RUS has the expertise and programmatic structure with field offices and a staff of General Field Representatives (GFRs) to best implement a program that could be modeled on the success of the Comprehensive Community Infrastructure (CCI) component of the BTOP program.

Respectfully Submitted,

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[9] See http://www.rd.usda.gov/about-rd
[10] See http://www.rd.usda.gov/programs-services/all-programs/electric-programs