

**Nebraska Information Technology Commission  
Community Council  
Thursday, April 1, 2021  
2:30 P.M. CT – 4:00 P.M. CT**

Zoom Videoconferencing –E-mail [anne.byers@nebraska.gov](mailto:anne.byers@nebraska.gov) for connection information

**Tentative Agenda**

2:30	Roll Call Notice of Posting of Agenda Notice of Nebraska Open Meetings Act Posting <b>Review and Approve Minutes of <a href="#">May 29, 2020</a> and <a href="#">November 12, 2020</a> meetings*</b> Public Comment
2:35	NROC and Economic Development Districts Broadband Speed Test Mapping and Planning— <i>Tom Bliss and Judy Petersen</i>  <a href="#">Lead for Nebraska</a> — <i>Rebecca Johnson and Brent Comstock, BCOM</i>  Discussion and Possible Action Item: Resources for Developing Digital Inclusion Plans— Updates on Broadband Legislation and Funding PSC Updates— <i>Cullen Robbins and Commissioner Ridder</i> Rural Broadband Task Force Update— <i>Anne Byers and Commissioner Ridder</i> Homework Gap and Library Broadband Update — <i>Tom Rolfes and Holly Woldt</i> Membership Other Updates
4:00	<b>Adjourn</b>

The Community Council will attempt to adhere to the sequence of the published agenda, but reserves the right to adjust the order and timing of items and may elect to take action on any of the items listed.

Meeting notices were posted on the Public Meeting and NITC websites on March 19, 2020. The agenda was posted on the NITC Website on March 19, 2020. \*Denotes action item.

**Virtual Meeting Information and Instructions**

**E-mail [anne.byers@nebraska.gov](mailto:anne.byers@nebraska.gov) for connection information**

This is a virtual meeting of the Nebraska Information Technology Commission Community Council conducted pursuant to Neb. Exec. Order No. 21-02 (<http://govdocs.nebraska.gov/docs/pilot/pubs/eofiles/21-02.pdf>).

No quorum of the body will be physically present together, and there will be no public in-person attendance. Anyone wishing to make a comment during the public comment portion of the meeting should contact Anne Byers at 402-471-3805 or [anne.byers@nebraska.gov](mailto:anne.byers@nebraska.gov).

**Nebraska Information Technology Commission  
Community Council  
Friday, May 29, 2020  
9:30 A.M. CT – 11:00 A.M. CT  
Zoom Videoconferencing**

**MINUTES**

**ROLL CALL NOTICE OF POSTING OF AGENDA NOTICE OF NEBRASKA OPEN MEETINGS ACT POSTING**

**Members Present:** Pam Adams, Chris Anderson, Jay Anderson, Rod Armstrong, Randy Bretz, Jessica Chamberlain, Steve Fosselman, Connie Hancock, Johnathan Hladik, Nichole Reiner for Allison Hatch, Tim Lindahl, Judy Petersen, Mary Ridder, Danny Rockhill, Mehmet Can Vuran, Holly Woldt and David Young.

**Members Absent:** Shonna Dorsey and Megan McGown

The meeting was called to order by co-chair Rod Armstrong at 9:30 a.m. Seventeen members were present, making a quorum. Meeting notices were posted on the Public Meeting and NITC websites on May 22, 2020. The agenda was posted on the NITC Website on May 22, 2020. A copy of the Nebraska Open Meetings Act was available at [https://nitc.nebraska.gov/documents/statutes/NebraskaOpenMeetingsAct\\_current.pdf](https://nitc.nebraska.gov/documents/statutes/NebraskaOpenMeetingsAct_current.pdf).

**PUBLIC COMMENT**

There was no public comment.

**APPROVAL OF FEBRUARY 19, 2020 MINUTES**

Johnathan Hladik made a motion to approve the February 19, 2020 minutes. Pam Adams seconded the motion.

**Roll call vote: Adams-Yes, C. Anderson-Yes, J. Anderson-Yes, Armstrong-Yes, Bretz-Yes, Chamberlain-Yes, Fosselman-Yes, Hancock-Yes, Hladik-Yes, Reiner-Yes, Lindahl-Yes, Petersen-Yes, Ridder-Yes, Rockhill-Yes, Vuran-Abstaining, Woldt-Yes, Young-Abstaining. Results: Yes-15,, No-0, Abstaining-2. Motion carried.**

**INTRODCUCTIONS AND MEMBERSHIP**

Nichole Reiner, chief strategist for the Nebraska Department of Economic Development, has been nominated to represent the Nebraska Department of Economic Development. She introduced herself to members and members also introduced themselves.

Jay Anderson made a motion to approve the nomination of Nichole Reiner. Tim Lindahl seconded the motion.

**Roll call vote: Adams-Yes, C. Anderson-Yes, J. Anderson-Yes, Armstrong-Yes, Bretz-Yes, Chamberlain-Yes, Fosselman-Yes, Hancock-Yes, Hladik-Yes, Reiner-Yes, Lindahl-Yes, Petersen-Yes, Ridder-Yes, Rockhill-Yes, Vuran-Yes, Woldt-Yes, Young-Yes. Results: Yes-17, No-0, Abstained-0. Motion carried.**

## Updates

**Nebraska Department of Economic Development.** Nichole Reiner shared information on a \$40 million broadband grant program announced by Governor Ricketts. The grant program is funded by the CARES Act and will provide funding to improve broadband so residents can work at home, participate in online learning and access health care through telehealth. More details will be available at a later date.

Chris Anderson asked about community eligibility and shared his experience with having a provider say that they were planning to build out infrastructure in the community to provide broadband, but not following through. Their promise to build out discourages other providers from offering service.

**Nebraska Public Service Commission (PSC).** Commissioner Ridder and Cullen Robbins gave the following updates:

- The PSC approved an E-Rate Special Construction Matching Program for schools and libraries which do not have fiber.
- The PSC also approved a \$1 million broadband adoption program to reimburse telecommunications carriers for providing service to low-income families as a part of the response to the COVID-19 emergency.
- The docket to explore implementing a reverse auction of Nebraska universal service funds is moving forward. Draft rules are in place and a hearing was held in May.
- The PSC is looking at opening a docket to look at modernizing the contribution method for business connections to the Nebraska Universal Service Fund. Residential consumers now pay a \$1.75 per connection surcharge. Businesses still pay a surcharge of 6.95%.
- The FCC has moved back the date of the Rural Digital Opportunity Fund reverse auction by one week.
- Commissioner Ridder toured the Valentine area to view CenturyLink's progress on rebuilding the exchange with fiber.

**Homework Gap and Library Update.** Holly Woldt reported that libraries are excited about the NUSF 117 E-Rate Special Construction Matching Program. Ninety-one libraries have been identified as unserved or underserved. The Nebraska Library Commission is working to prepare libraries for the program, including evaluating what updates may need to be made to the library's network equipment.

The Nebraska Library Commission received \$175,000 in funding from the CARES Act. The funds will be awarded to libraries by July 1.

**AIM Code School.** Rod Armstrong shared that AIM has successfully moved its code school courses online in response to the COVID-19 pandemic. Ten students at Omaha South have been participating in the program. Two students were selected for internships as Union Pacific. AIM is also providing custom corporate training to upscale call center employees to programmers. The program is called Callers to Coders.

**Broadband Case Studies.** Anne Byers gave an update on the broadband case studies. Eight case studies showing strategies and models that communities can use to improve broadband availability are being developed. The case studies include Gothenburg, Seward County, Ravenna, Lincoln, Norfolk, Imperial, Paige Wireless, and Lancaster County. Members liked the case studies Jay Anderson suggested Stealth Broadband would also be a good case study.

## **ACTION ITEMS\***

Ms. Byers explained that the NITC is beginning the process of updating the Statewide Technology Plan. Each NITC advisory council is asked to submit one or more action items to be included in the Statewide Technology Plan. The community council approved the following action item in February:

**Work with the Nebraska Department of Economic Development and other stakeholders to explore the development of a collaborative broadband outreach effort.**

**Lead:** NITC Community Council and Nebraska Department of Economic Development

**Timeframe:** 2020-2021

**Funding:** Leveraging existing resources

Anne Byers asked council members to more fully flesh out the above action item. She also suggested including an action item on the case studies:

**Develop a series of case studies illustrating successful strategies and models that communities can use to improve broadband.**

**Lead:** NITC Community Council

**Timeframe:** 2020

**Funding:** Leveraging existing resources

**Targets/Deliverables:**

1. A booklet of at least 8 case studies
2. A marketing/social media plan to share information on the case studies

Judy Peterson suggested reaching out to the directors of the economic development districts because they are the boots on the ground. Charlotte Narjes and Connie Hancock suggested reaching out to the University of Nebraska Community Vitality Educators. Ms. Byers also suggested reaching out to the League of Nebraska Municipalities.

Randy Bretz suggested writing a series of stories focusing on the impact of broadband. He offered to help write articles and asked members for suggestions of people to interview. .

As it was already nearly 11:00, Rod Armstrong suggested that Ms. Byers share a draft of action items with members via e-mail.

## **ADJOURNMENT**

With no other business, the chair adjourned the meeting at 11:00 a.m.

Meeting minutes were prepared Anne Byers.

**Nebraska Information Technology Commission  
Community Council**

**Thursday, Nov. 12, 2020  
1:30 P.M. CT**

**1526 Building, Second Floor Conference Room B, 1526 K Street, Lincoln, NE  
Zoom Videoconferencing**

**MINUTES**

**ROLL CALL NOTICE OF POSTING OF AGENDA NOTICE OF NEBRASKA OPEN MEETINGS ACT POSTING**

**Members Present via Zoom:** Pam Adams, Jay Anderson, Rod Armstrong (joined late), Randy Bretz, Jessica Chamberlain, Connie Hancock (joined late), Johnathan Hladik, Nichole Reiner, Tim Lindahl, Judy Petersen, Cullen Robbins for Mary Ridder, Danny Rockhill, Mehmet Can Vuran, Holly Woldt and David Young.

**Members Absent:** Chris Anderson, Shonna Dorsey and Megan McGown

The meeting was called to order by Anne Byers at 1:30 p.m. Thirteen members were present via videoconferencing. A quorum was not present.

Meeting notices were posted on the Public Meeting and NITC websites on Oct. 28, 2020. The agenda was posted on the NITC website on Oct. 28, 2020. A copy of the Nebraska Open Meetings Act was available on the table next to Anne Byers and at [https://nitc.nebraska.gov/documents/statutes/NebraskaOpenMeetingsAct\\_current.pdf](https://nitc.nebraska.gov/documents/statutes/NebraskaOpenMeetingsAct_current.pdf).

**REVIEW OF MINUTES**

Members had no revisions to the minutes. Minutes will be approved at the next meeting.

**PUBLIC COMMENT**

There was no public comment.

**DISCUSSION ITEMS AND UPDATES**

**NROC and Economic Development Districts Broadband Planning—*Tom Bliss***

Tom Bliss from the Southeast Nebraska Economic Development District shared information on the broadband planning grant that the Nebraska Regional Officials Council (NROC) and the regional economic development districts received from the Economic Development Administration. An RFP for a crowdsourcing broadband mapping initiative was sent out to consultants. GeoPartners responded and was selected. GeoPartners has worked with Ohio, Kentucky, Washington, and Minnesota to collect and analyze information from crowd-sourced broadband speed tests. Information collected by GeoPartners will be used to determine which areas have had the greatest participation in the speedtest project and would be good sites to collect additional information through UNK's Rural Measures project. Each district is responsible for encouraging residents to do speed tests. Can Vuran asked how the University of Nebraska could help. Anne Byers suggested setting up a meeting with members of the University of Nebraska's Rural Prosperity team to see if there were opportunities for collaboration.

A member asked if 5G will benefit rural areas. Can Vuran explained that 5G is not designed for rural areas.

Anne Byers also shared information on the precision ag demo held on Oct. 15 in Arnold and Sutherland. LoRaWAN which is a low bandwidth technology for sensors or other internet of things devices was one of the technologies featured.

### **Rural Broadband Remote Access Grants Update—*Nichole Reiner***

On October 8, Governor Ricketts announced the award of over \$29.5 million in funding for broadband projects which will connect 17,600 households. The total cost of the projects funded is \$41.5 million. Projects must be completed by Dec. 30, 2020.

### **Rural Measures—*Tim Obermier and Angela Hollman***

Tim Obermier shared information on the Rural Measures project which distributes Raspberry Pi devices to households to do speed tests. The devices are connected directly to the network and provide for more accurate speed tests than speed tests done by going to a website or using an app. They have found that speed decreases as distance from town increases. Several organizations are interested in partnering with the Rural Measures team including the University of Nebraska's Rural Prosperity initiative, Purdue University, and the Nebraska Department of Economic Development.

### **PSC Update—*Cullen Robbins***

Cullen Robbins provided an update on the Public Service Commission's activities:

- The PSC's wireless fund received applications for funding for 20 towers from two providers.
- The PSC has opened a docket to update the contribution method for businesses services to a per connection fee.
- The Rules and Regulations for a reverse auction were reviewed by the Attorney General's Office. The Attorney General's Office recommended removing the community-based option. The rules and regulations have been revised and have been resubmitted to the Attorney General's Office.
- The PSC also approved an order (NUSF 99 P.O. 2) which reformed the distribution method for price cap carriers.

### **Homework Gap and Library Broadband Update —*Tom Rolfes and Holly Woldt***

Tom Rolfes reported that he has worked with the Nebraska Department of Education on the Digital Learning Guidance document, September's Digital Equity Month, and the Request For Information (RFI) to document providers' best residential education internet service. He has also worked with the Nebraska Rural Community Schools Association to co-develop a "playbook" for superintendents to collect and map student address data, and then increase the level of student home internet to help mitigate the Homework Gap.

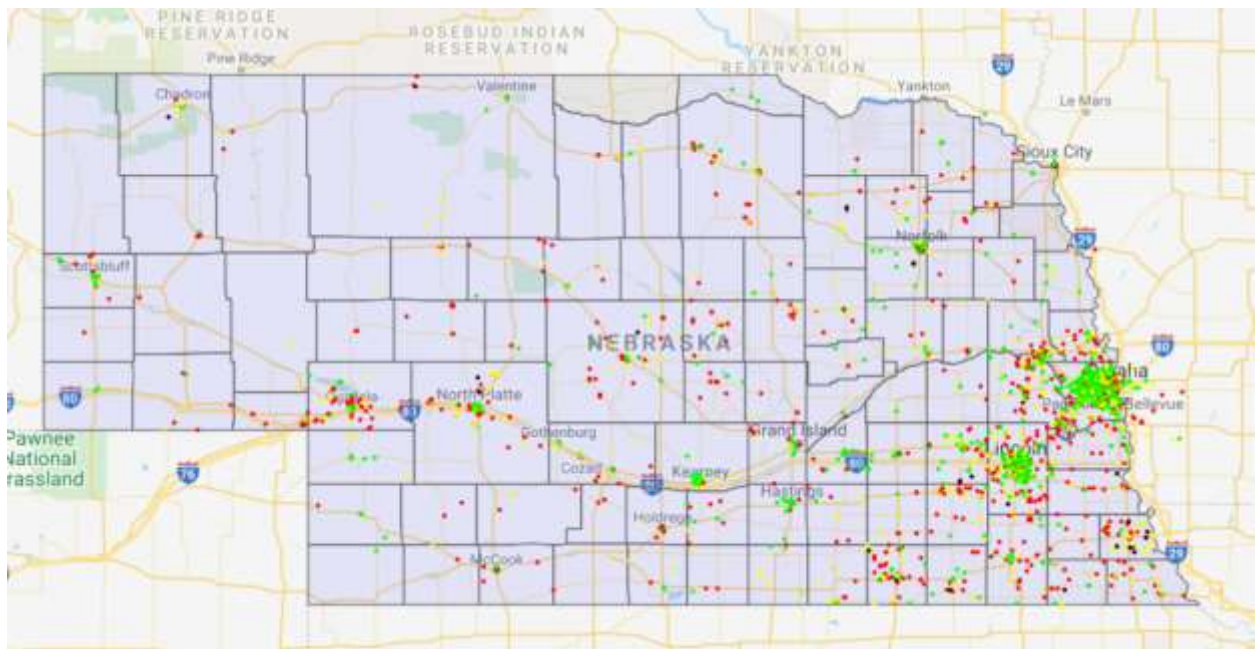
Holly Woldt shared that libraries in Nebraska average a 70% E-Rate discount. Only 16% of libraries apply for E-Rate. The Nebraska Library Commission conducted 10 hours of training on using E-Rate and applying for the PSC's new special construction matching program. Four libraries are taking the first step and issuing RFPs for fiber construction.

The meeting was adjourned at 3:10 p.m.

# Broadband Updates

## Economic Development Districts announce broadband mapping initiative

The Nebraska Regional Officials Council (NROC) and regional economic development districts announced the launch of a statewide broadband mapping initiative. Every Nebraskan is encouraged to take the [one-minute speed test](#) from any internet-enabled device, including cell phones. Below is a map showing speed test results. For more information, speed test results and the full NROC press release click here: <https://www.nebraskaspeedtest.org/>



## 2021 Broadband Bills—Nebraska Legislature

Eleven broadband bills have been introduced this session.

### General File

#### **LB338 - Provide powers and duties for the Public Service Commission regarding redirection of funding for broadband services**

Introduced by Senator Bostelman

[https://www.nebraskalegislature.gov/bills/view\\_bill.php?DocumentID=44317](https://www.nebraskalegislature.gov/bills/view_bill.php?DocumentID=44317)

Placed on General File with AM110

Bostelman Priority Bill

#### **LB388 - Adopt the Nebraska Broadband Bridge Act**

Introduced By Senator [Friesen](#) At the request of the Governor

[https://www.nebraskalegislature.gov/bills/view\\_bill.php?DocumentID=43697](https://www.nebraskalegislature.gov/bills/view_bill.php?DocumentID=43697)

[Placed on General File with AM530](#)

[Hilgers Priority Bill](#)

#### **LB498 - Require the Public Service Commission to implement a broadband service testing and mapping program**

Introduced by Senator DeBoer

[https://www.nebraskalegislature.gov/bills/view\\_bill.php?DocumentID=44425](https://www.nebraskalegislature.gov/bills/view_bill.php?DocumentID=44425)

Placed on General File with AM363

### In Committee

#### **LB398 - Change provisions relating to broadband speeds and service**

Introduced by Senator Bostelman

Bostelman AM 339 filed

[https://www.nebraskalegislature.gov/bills/view\\_bill.php?DocumentID=44316](https://www.nebraskalegislature.gov/bills/view_bill.php?DocumentID=44316)

#### **LB455 - Adopt the Broadband Pole Attachment Act**

Introduced by Senator Friesen

[https://www.nebraskalegislature.gov/bills/view\\_bill.php?DocumentID=43909](https://www.nebraskalegislature.gov/bills/view_bill.php?DocumentID=43909)

#### **LB456 - Adopt the Nebraska Enhancing Broadband Act**

Introduced by Senator Friesen

[https://www.nebraskalegislature.gov/bills/view\\_bill.php?DocumentID=44123](https://www.nebraskalegislature.gov/bills/view_bill.php?DocumentID=44123)

#### **LB460 - Authorize leasing of dark fiber and eliminate certain powers of the Public Service Commission**

Introduced by Senator Brandt

[https://www.nebraskalegislature.gov/bills/view\\_bill.php?DocumentID=44089](https://www.nebraskalegislature.gov/bills/view_bill.php?DocumentID=44089)

#### **LB498 - Require the Public Service Commission to implement a broadband service testing and mapping program**

Introduced by Senator DeBoer

[https://www.nebraskalegislature.gov/bills/view\\_bill.php?DocumentID=44425](https://www.nebraskalegislature.gov/bills/view_bill.php?DocumentID=44425)

Placed on General File with AM363

#### **LB520 - Provide for applications for the collocation of certain wireless facilities**

Introduced by Senator Friesen

[https://www.nebraskalegislature.gov/bills/view\\_bill.php?DocumentID=44363](https://www.nebraskalegislature.gov/bills/view_bill.php?DocumentID=44363)



**LB600 - Provide and change powers and duties of public power districts and electric cooperatives regarding broadband facilities and infrastructure**

Introduced by Senator Brandt

[https://www.nebraskalegislature.gov/bills/view\\_bill.php?DocumentID=44482](https://www.nebraskalegislature.gov/bills/view_bill.php?DocumentID=44482)

[AM 148 filed](#)

**LB604 - Adopt the Nebraska Accelerated Broadband Deployment Grant Program Act and change telecommunications provisions**

Introduced by Senator Geist

[https://www.nebraskalegislature.gov/bills/view\\_bill.php?DocumentID=44021](https://www.nebraskalegislature.gov/bills/view_bill.php?DocumentID=44021)

**LB656 - Authorize municipalities to provide broadband and Internet services**

Introduced by Senator Wayne

Indefinitely postponed

[https://www.nebraskalegislature.gov/bills/view\\_bill.php?DocumentID=44356](https://www.nebraskalegislature.gov/bills/view_bill.php?DocumentID=44356)

## **Rural Broadband Task Force Update**

The next Rural Broadband Task Force meeting will be on May 17 at 3:00. The bulk of the work of the task force is done by its subcommittees. Here is a list of recent subcommittee meetings:

### **NUSF Subcommittee**

January 12, 2021

Speakers/Topics:

Nichole Reiner, DED—Remote Access Rural Broadband Grants (CARES Act)

Public Service Commission Updates

**Agriculture Subcommittee**—Friday, Jan. 22 9:30-11:30

**Panel Discussion: Determine the current and future connectivity needs of agriculture in Nebraska**

**Panelists:**

- Dr. Terry Griffin, Kansas State Ag Econ
- Steve Tippet, RealmFive Agriculture
- Professor Gus Hurwitz, UNL College of Law

**Broadband Technologies Subcommittee**—Wednesday, Jan. 27, 2021 noon-12:30

Satellite Broadcast and Communications Association

**NUSF Subcommittee**—Tuesday, Feb. 3, 2021, 3:00-4:30

NextLink and Microsoft Airband

American Broadband

**Agriculture Subcommittee**—Friday, April 16

## **2020 Consolidated appropriations bill includes broadband funding**

The federal stimulus act passed in December 2020 includes funding for broadband, including creating a \$300,000,000 broadband grant program within the Department of Commerce. To put some perspective on the available funding, if each state received a grant of equal size, each state would receive \$6,000,000. Rural broadband projects can cost millions. For example, American Broadband received a \$3,105,462 USDA ReConnect grant to build out fiber in Rock County and a \$5,734,822 USDA ReConnect grant to build out fiber in Northeast Nebraska. The Remote Access Rural Broadband Grants funded by the CARES Act ranged from \$66,000 to \$3,284,000.

Eligible applicants have to be a partnership of a state or one or more political subdivisions and a telecommunications provider. Applicants can only submit one application. The Notice of Funding Availability is expected to be released in early to mid-March.

Here is a list of other funding included in the act:

### **NTIA:**

- \$45.5M (NTIA) salaries and expenses
  - \$7.5M (NTIA) to continue the National Broadband Availability Map (NBAM)
- \$1B (NTIA) Infrastructure and adoption activities in tribal areas
- \$285M (NTIA) for digital inclusion efforts in minority communities

### **FCC:**

- \$3.2B (FCC) \$50/month household subsidy for broadband service
- \$1.9B (FCC) reimbursements to replace network components covered by the Secure and Trusted Communications Networks Reimbursement Program
- \$250M (FCC) COVID-19 Telehealth Grant Program
- \$65M + \$33M (FCC) for broadband mapping

### **USDA:**

- \$635M (USDA) ReConnect program
- \$60M (USDA) DLT grants
- \$35M (USDA) Community Connect grants

### **US DEPARTMENT OF EDUCATION:**

- \$81.88B for continuation of CARES Act programs, allocated as follows:
  - \$4.1B for Governors Emergency Education Relief (GEER) fund
  - \$54.3B for Elementary and Secondary School Emergency (ESSER) fund
  - \$22.7B for Higher Education Emergency (HEER) fund

The Act included an extension of CARES Act spending deadline to December 31, 2021.

## FCC announced results of the RDOF reverse auction on Dec. 7.

Over \$60 million in support over 10 years was awarded to 10 providers to serve 43,435 locations in Nebraska in the first phase of the Rural Digital Opportunity Fund (RDOF) reverse auction. All or nearly all of the locations in Nebraska will receive 1 Gbps service. LTD Broadband LLC and AMG Technology Investment Group LLC (NextLink) were the big winners in Nebraska. LTD Broadband LLC was awarded \$33,228,644.40 over 10 years to serve 28,729 locations. AMG Technology Group LLC was awarded \$25,350,146.70 over 10 years to serve 13,919 locations.

Nationally, LTD Broadband LLC was the big winner, winning \$1,320,920,718.60 in support over 10 years to serve 528,088 locations in 15 states. CCO Holdings, LLC (Charter Communications) was awarded \$1,222,613,870.10 to serve 1,057,695 locations in 24 states. The Rural Electric Cooperative Consortium was awarded \$1,104,395,953.00 to serve 618,476 locations in 22 states.

Space Exploration Technologies Corp. was awarded \$885,509,638.40 to serve 642,925 locations in 35 states. Nebraska was not one of the states in which SpaceX was awarded support.

Nationally, concerns have been raised about the ability of RDOF winners to deploy the speeds they promised to deploy. A bipartisan letter signed by Senator Fischer and Congressman Fortenberry urged the FCC to validate that Rural Digital Opportunity Fund providers have the technical, financial, managerial, operational skills, capabilities, and resources to deliver the services that they have pledged. Here is a link to the letter:

[https://www.ntca.org/sites/default/files/documents/2021-01/Bicameral%20Letter%20on%20RDOF%20\(Clyburn%2C%20Walberg%2C%20Klobuchar%2C%20Thune\).pdf](https://www.ntca.org/sites/default/files/documents/2021-01/Bicameral%20Letter%20on%20RDOF%20(Clyburn%2C%20Walberg%2C%20Klobuchar%2C%20Thune).pdf)

Here is information on the winning bidders for Nebraska locations:

<b>RDOF Results Bidder</b>	<b>Total Assigned Support Over 10 Years</b>	<b>Number of Locations Assigned</b>
AMG Technology Investment Group LLC (NextLink)	\$25,350,146.70	13,919
CenturyLink, Inc.	\$326,802.00	69
Cox Communications, Inc.	\$643,867.00	185
Grain Communications Opportunity Fund (Great Plains)	\$19,816.40	116
Hamilton Long Distance Company	\$128,560.30	167
LTD Broadband LLC	\$33,228,644.40	28,729
Pinpoint Bidding Coalition	\$31,254.00	32
Skywave Wireless, Inc. (Small provider in West Point area)	\$57,660.00	12
Windstream Services LLC, Debtor-In-Possession	\$579,530.00	195
Wisper-CABO 904 Consortium (Cable One)	\$11,256.00	11
<b>Nebraska TOTAL</b>	<b>\$60,377,536.80</b>	<b>43,435</b>

You can see maps of the awarded areas at:

- FCC Interactive Map <https://www.fcc.gov/reports-research/maps/rdof-phase-i-dec-2020/>
- Nebraska Broadband Map <https://broadbandmap.nebraska.gov>

# A Running Start on New Broadband Maps

March 16, 2021

By [Jessica Rosenworcel](#) | Acting Chairwoman

It is more apparent than ever that broadband is no longer nice to have. It's need to have. Yet we know that in some parts of this country finding a reliable connection to the online world is not easy. But exactly how many people face this problem? Where do they live? And what technology could work best to connect them? We need answers to these basic questions so we can close the gap between the digital haves and have nots.

To do this, we have to start with accurate broadband maps. But the ones this agency has used in the past are not up to the task. They didn't get the job done.

So now we need to set up a new method for collecting information to build a comprehensive, user-friendly dataset on broadband availability—one that will consider input from state and local governments, Tribal nations, and consumers, supplementing information we gather from carriers. We must also develop, test, and launch IT systems to collect and verify these data. Then we will create—for the first time—a publicly accessible, data-based nationwide map of locations where broadband is truly available throughout the United States.

We have talked about doing this for years and years, but the agency failed to get it done. Congress even prodded the FCC a year ago to fix this situation with a new law—the Broadband DATA Act—and then late last year provided the funding to implement it.

In a matter of weeks we have already made progress and there's much more going on behind the scenes:

**First**, in my first meeting as Acting Chairwoman, I announced the formation of the Broadband Data Task Force to coordinate and expedite the design and construction of new systems for collecting and verifying data to carry out the law and more accurately measure and reflect our broadband needs. When I assumed office, one of the first things I did was assess the status of this effort. What I learned was that we had a lot of work to do and hadn't yet begun many of the steps required to actually build a collection system. So I made creation of the Broadband Data Task Force a priority in order to kick-start this work.

**Second**, we launched an effort to put the right mix of tools and talent in place. We procured an expert data architect and design firm to work with the Commission's own data and IT systems specialists. This is important because these experts will design the complex web of databases, systems and public-facing portals that can support the new Broadband Data Collection data and the several public-facing maps we will generate.

**Third**, we moved quickly to issue a Request for Information to jump start the contracting process for the creation of the Broadband Serviceable Location Fabric, a common dataset of all locations in the United States where fixed broadband internet access service can be installed. This dataset will be one of the building blocks of our data collection and will help give us an accurate and comprehensive picture of the availability of fixed broadband service throughout the country.

**What's Coming Next?** This is the best part. In the coming days we'll be launching a new tool for consumers and others interested in learning more about our mapping efforts. It will allow consumers to share their experience with the Task Force to let us know when broadband has (and has not) reached where they live. Opening communication with consumers early in this process is so important because the best broadband map won't be built in Washington, it will be built by all of us, with input from everyone, everywhere.

Stay tuned for more progress reports as we move quickly to meet this challenge.

Jessica

**Media Contact:**

Anne Veigle, (202) 418-0506

Anne.Veigle@fcc.gov

**For Immediate Release**

**FCC ANNOUNCES NEW OUTREACH TO COLLECT CONSUMER  
BROADBAND AVAILABILITY EXPERIENCES**

***Seeks Input from Consumers to Share Stories About Disparities in Access to  
Broadband to Inform Broadband Data Collection***

WASHINGTON, March 22, 2021—The Federal Communications Commission today announced it will begin collecting first-hand accounts on broadband availability and service quality directly from consumers as part of its Broadband Data Collection program. A new webpage, [www.fcc.gov/BroadbandData](http://www.fcc.gov/BroadbandData), explains the FCC’s program and provides direct links to consumer resources including a new “share your broadband experience” option. As the Commission develops the tools needed to enhance the accuracy of its existing broadband maps, this new [form](#) provides a way for consumers to share their broadband experiences. Stories shared by consumers will help to inform the work of the FCC’s crossagency [Broadband Data Task Force](#).

“Far too many Americans are left behind in access to jobs, education, and healthcare if they do not have access to broadband,” said Acting FCC Chairwoman Jessica Rosenworcel.

“Collecting data from consumers who are directly affected by the lack of access to broadband will help inform the FCC’s mapping efforts and future decisions about where service is needed.”

In addition to enabling consumers to share their experiences, the new web page will serve as an informational hub for the Broadband Data Collection program, highlighting milestones and providing updates for consumers, state, local, and Tribal government entities, and other industry stakeholders. The page contains links to reports and educational materials, as well as FCC releases related to the program. Once launched, information about the new Broadband Data Collection reporting systems will also be posted to the page.

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**Media Relations: (202) 418-0500 / ASL: (844) 432-2275 / Twitter: @FCC / [www.fcc.gov](http://www.fcc.gov)**

*This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official*

- *action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).*

**Broadband Funding Opportunities in the  
American Rescue Plan Act of 2021  
(Version 1 — March 17, 2021)**

**Robert Bocher  
Senior Fellow, American Library Association**

Below is a high level summary of sections in the American Rescue Plan (ARP) Act<sup>1</sup> that include funding for broadband. Only the E-rate's new \$7.17 billion "Emergency Connectivity Fund" is more narrowly focused on broadband and internet connectivity. As outlined below, the \$360 billion in assistance to State, county, municipal and Tribal governments<sup>2</sup> can be used for a wide variety of purposes, besides broadband. Obviously the American Rescue Plan Act has more specific language on the various conditions that impact fund distribution, priorities and use and readers are encouraged to review the actual language of the law as needed.

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**SECTION 2001: ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF (ESSER) FUND (pp. 16-20).**

- *Appropriations:* \$122.775 billion to remain available through September 30, 2023. This funding will be allocated to State Education Agencies (SEAs) which will then allocate not less than 90 percent of the funds to local educational agencies (LEAs). The state and local allocations are based on the formula found in Title I of the Elementary and Secondary Education Act (ESEA) of 1965. (Note: SEAs and LEAs are familiar with this formula.) This program is under the authority of the Department of Education.
- *Timing or Regulations:* Each State Education Agency shall make allocations to local education agencies in an expedited manner and, to the extent practicable, not later than 60 days after the receipt of such funds. (Note: It is assumed the Department of Education will use the same process it used to administer the \$54.3 billion in ESSER funds allocated in the December 2020 Consolidated Appropriations Act.<sup>3</sup>)
- *Allowable Use of Funds:* At least 20 percent of the funds shall be used to address learning loss as a result of the pandemic. The remaining funds can be used for a wide variety of purposes including to address the unique needs of low-income students and to purchase educational technology (including hardware, software, and connectivity) for students served by the local educational agency.

<sup>1</sup> This summary and its section and page citations is based on the version of the law at <https://www.congress.gov/117/bills/hr1319/BILLS-117hr1319enr.pdf>. Last checked, March 17, 2021.

<sup>2</sup> The Senate Democrats have a specific breakdown of this funding to the various units of government, see: <https://www.democrats.senate.gov/final-state-and-local-allocation-output-030821>.

<sup>3</sup> As of March 15 the Wisconsin Dept. of Public Instruction had not received any information from the Dept. of Education on the ESSER funds in the ARP Act.



**SECTION 2023: INSTITUTE OF MUSEUM AND LIBRARY SERVICES (IMLS) (p. 27).**

- *Appropriations:* \$200 million to remain available until expended. The Director of the Institute shall award not less than 89 percent of such funds to State Library Agencies (SLAs) using the formula in section 221(b) of the Museum and Library Services Act. (Note: SLAs are familiar with this formula.) Most of the \$200 million will ultimately be allocated by the SLAs to local public libraries. This program is under the authority of the Institute of Museum and Library Services.
- *Timing or Regulations:* Not specifically defined. However, the IMLS has already been in contact with some state libraries about details of the fund award.
- *Allowable Use of Funds:* While there is no specific language in the American Rescue Plan Act on what these funds can be used for, specific uses are defined in the existing statutes covering IMLS and State Library Agencies. Assisting libraries with broadband connectivity and expanding digital network access is an eligible use.

**SECTION 7402: FUNDING FOR E-RATE SUPPORT FOR EMERGENCY EDUCATIONAL CONNECTIONS AND DEVICES (pp. 106-107).**

- *Appropriations:* \$7.171 billion to remain available through the official COVID–19 emergency period or September 30, 2030.<sup>4</sup> The funding, known as the “Emergency Connectivity Fund,” is to come from the U.S. Treasury and not the Universal Service Fund. Not more than 2 percent of the fund (\$143.4 million) is available to the Universal Service Administrative Company (USAC) to administer the Emergency Connectivity Fund. This program is under the authority of the Federal Communications Commission (FCC) and it will be administered by the Universal Service Administrative Company (USAC).
- *Timing or Regulations:* No later than 60 days after enactment of the ARP Act the FCC shall promulgate regulations on use of the Emergency Connectivity Fund. A public comment period is not required in the law but the FCC released a Public Notice seeking comments on March 16.<sup>5</sup> The initial comments are due on April 5 and reply comments are due April 23. (Note: While regulations must be done in 60 days this does not mean an actual application process will begin in 60 days.)
- *Allowable Use of Funds:* Funds can be used to purchase eligible equipment<sup>6</sup> and advanced telecommunications and information services (i.e., internet access). 100 percent of the costs associated with such purchases shall be covered. However, reimbursements may not exceed an amount the FCC determines is reasonable. The Emergency Connectivity Fund can be used by schools and libraries at locations outside of a school or library building. (Note: Allowing E-rate funds to be used for off-campus broadband connectivity is supported by many school and library organizations.)

I look forward to implementing this program so we can help ensure that no child is left offline. --Acting FCC Chair, Jessica Rosenworcel.

<sup>4</sup> Section 7402(c)(2)(A) states the funding will remain available until September 30, 2030. But Section 7402(a) states that funding will be available just during the official COVID–19 emergency period which the federal government declared on January 27, 2020. This indicates that funding may be retroactive to this date. Section 7402(d)(5)(B) states the funding will end on the June 30 that first occurs after the date that is one year after the date on which the COVID-19 emergency period ends.

<sup>5</sup> Wireline Competition Bureau Seeks Comment on Emergency Connectivity Fund.... (DA No. 21-317). (Dkt No 21-93). Released: 3-16-21. <https://docs.fcc.gov/public/attachments/DA-21-317A1.pdf>.

<sup>6</sup> “Eligible equipment” means wi-fi hotspots, modems, routers, devices that combine a modem and router, and connected devices (e.g., laptops, tablets).

**SECTION 602: CORONAVIRUS STATE FISCAL RECOVERY FUND (pp. 220-225).**

- *Appropriation:* \$219.8 billion to remain available through December 31, 2024. From this funding payments will be made to States, territories, and Tribal governments to mitigate the fiscal effects of the COVID-19 emergency. Of this amount: \$195.3 billion shall be reserved for direct aid to each State and the District of Columbia; \$4.5 billion shall be reserved for the territories; \$20 billion shall be reserved for Tribal governments. This program is under the authority of the Department of the Treasury.
- *Timing or Regulations:* The Secretary of the Treasury shall have the authority to issue any regulations necessary to carry out this section. To receive payments, the State or territory shall provide the Secretary with a signed certification. Once this certification is filed the Secretary shall make the payment to the State or territory within 60 days.
- *Allowable Use of Funds:* In response to any negative economic impacts of the COVID–19 pandemic the funds can be used for a wide variety of purposes including assistance to households, small businesses, and nonprofits. In addition, funds can be used to make necessary investments in water, sewer, or broadband infrastructure. Funds can cover the costs of eligible uses incurred by December 31, 2024.

**SECTION 603: CORONAVIRUS LOCAL FISCAL RECOVERY FUND (pp. 225-230).**

- *Appropriation:* \$130.2 billion to remain available through December 31, 2024. From this funding payments will be made to metropolitan cities, non-entitlement units of local government,<sup>7</sup> and counties to mitigate the fiscal effects of the COVID-19 emergency. Of this amount: \$45.57 billion shall be reserved for metropolitan cities with allocations based on the formula used by the Housing and Community Development Act of 1974 (i.e., Community Development Block Grants); \$19.53 billion shall be reserved for States to distribute to non-entitlement units of local government based on population; \$65.1 billion shall be reserved to make payments directly to counties based on their population. This program is under the authority of the Department of the Treasury.
- *Timing or Regulations:* Funding will be allocated in two tranches. To the extent practicable, the first tranche will be allocated to each metropolitan city, State and county not later than 60 days after the date of the ARP Act. The second tranche shall be allocated not earlier than 12 months after the date on which the first tranche is paid.
- *Allowable Use of Funds:* In response to any negative economic impacts of the COVID–19 pandemic the funds can be used for a wide variety of purposes including assistance to households, small businesses, and nonprofits. In addition, funds can be used to make necessary investments in water, sewer, or broadband infrastructure. Funds can cover the costs of eligible uses incurred by December 31, 2024.

We are ready to work on implementing the support for state, local and tribal governments.  
--Treasury Secretary, Janet Yellen

**Section 604: CORONAVIRUS CAPITAL PROJECTS FUND (pp. 230-231).**

- *Appropriation:* \$10 billion to remain available until expended. From this funding payments will be made to States, territories, and Tribal governments to carry out critical capital projects. Each state

<sup>7</sup> Non-entitlement areas are cities with populations less than 50,000 (except cities that are designated principal cities of Metropolitan Statistical Areas) and counties with populations of less than 200,000.

will receive a minimum of \$100 million and \$200 million will be allocated to territories and Tribal governments. The remaining \$4.8 billion will be allocated to states based on population, rural population and household poverty. This program is under the authority of the Department of the Treasury.

- *Timing or Regulations:* The Secretary of the Treasury shall establish a process to apply for grants to access the funding not later than 60 days after enactment of the ARP Act.
- *Allowable Use of Funds:* Funds can be used to enable States, territories, and Tribal governments to carry out critical capital projects directly enabling work, education, and health monitoring, including remote options, in response to the COVID-19 pandemic.

**Section 605: LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND (pp. 231-233).**

- *Appropriation:* \$2 billion to remain available until September 30, 2023. Of this amount \$1.5 billion is for eligible counties with funds to be allocated based on a variety of economic factors such as poverty rate, household income and unemployment rate. In addition, \$500 million is for eligible Tribal governments in amounts that take into account the economic conditions of each Tribe. (Note: County and Tribal eligibility are defined in this section.) This program is under the authority of the Department of the Treasury.
- *Timing or Regulations:* Not specified.
- *Allowable Use of Funds:* An eligible county or an eligible Tribal government may use the funds provided for any governmental purpose other than lobbying.

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