

TC-1

Resolution on Ensuring that Federal and State Entities Collaborate, Share Data, and Track Progress on Closing the Digital Divide Utilizing Various Federal Programs including the Infrastructure Investment and Jobs Act and the American Rescue Plan Act of 2021.

Whereas the federal government has made a historical investment to deploy high speed broadband to help close the “Digital Divide”;

Whereas the largest share of broadband funds allocated by the federal government will be administered by the National Telecommunications and Information Administration (“NTIA”) as a grant program to support the states in awarding competitive grants to support deployment, mapping, and adoption of broadband service;

Whereas the Infrastructure Investment and Jobs Act (“Infrastructure Act”) reflects that the federal government and states have been long-term partners in deploying broadband to unserved and underserved populations;

Whereas in past resolutions, NARUC has consistently supported federal-state partnerships in broadband deployment program implementation, data sharing and reporting, including during the Federal Communications Commission’s (“FCC’s”) Connect America Fund Phase II (“CAF II”) and the Rural Digital Opportunity Fund (“RDOF”);

Whereas the Government Accountability Office (“GAO”) has reviewed federally funded broadband deployment programs and repeatedly recommended improvements to those programs’ design and monitoring of clear indicators for the effectiveness and progress of deployments, including with respect to NTIA’s Broadband Technology Opportunity Program (“BTOP”) and the United States Department of Agriculture, Rural Utilities Service’s Broadband Innovation Program (“BIP”);

Whereas the GAO has recommended the use of best practices by federal entities in awarding broadband funding grants and monitoring the effectiveness of those deployment investments, including by incorporating transparency protocols, collection of mapping data, state challenge processes, and the monitoring of project performance;

Whereas consistent with the Infrastructure Act, states should design rules for awarding broadband grants based upon national guidelines on unserved and underserved locations based on the maps the FCC is required to create under the Broadband Deployment Accuracy and Technological Availability Act, 47 U.S.C. § 641 et. seq. (“Broadband DATA Act”);

Whereas the GAO has reported to Congress that the FCC is taking necessary steps to accurately map locations that lack access to broadband and is developing a process to work with state, local, and tribal entities to ensure the accuracy, transparency and equitable distribution of funds relying upon the Broadband DATA Act maps; *and*

Whereas broadband mapping by state and federal entities should be guided by the FCC’s rules as established under the Broadband DATA Act and that state and local mapping efforts should use consistent mapping parameters as established by the FCC; *now therefore be it*

Resolved that the Board of Directors of the National Association of Regulatory Utility Commissioners, convened at its 2022 Winter Policy Summit in Washington, DC, urges the FCC, NTIA, and other federal agencies awarding broadband funding to work with states and community stakeholders to ensure that broadband grant awards are uniform; *and be it further*

Resolved that NARUC urges the FCC, NTIA, other federal agencies and states that are awarding broadband funding to use the FCC's guidance on broadband mapping and the collection and sharing of program performance data, so that states can consistently determine and design programs to reach remaining unserved and underserved locations based on national guidelines for defining such locations; *and be it further*

Resolved that NARUC urges the FCC, NTIA and other federal agencies awarding broadband funding to adopt GAO's guidance regarding data collection, tracking expenditures of federal dollars, and monitoring the progress and overall performance of federally-funded broadband projects.

Passed by the Committee on Telecommunications February 15, 2022.

Adopted by the NARUC Board of Directors on February 16, 2022.