



February 4, 2022

The Honorable Alan Davidson
Assistant Secretary of Commerce for Communications and Information and
Administrator
National Telecommunications and Information Administration
Department of Commerce
1401 Constitution Ave. NW,
Washington, DC 20230

**RE: Comments of ACT | The App Association to the National
Telecommunications and Information Administration (NTIA) on Broadband
Grant Programs, Docket No. NTIA-2021-0002**

Dear Assistant Secretary Davidson:

We write on behalf of ACT | The App Association to provide comments to the National Telecommunications and Information Administration (NTIA) regarding its implementation of the Infrastructure Investment and Jobs Act (the Act), including the Broadband Equity, Access and Deployment (BEAD) program, the Middle-Mile Broadband Infrastructure Program, and the Digital Equity Planning Grant Program.¹

The App Association represents over 5,000 small and medium-sized software application developers and connected device companies across the globe. Our members leverage the connectivity of smart devices to produce groundbreaking software solutions that impact Americans' everyday lives. We are committed to American leadership in modalities like 5G and support a regulatory environment that promotes the deployment of updated broadband infrastructure. The App Association's members are at the forefront of the mobile revolution in both rural and urban areas, innovating across a variety of sectors including healthcare, agriculture, finance, and entertainment, providing the touchpoint for the internet of things (IoT) across consumer and enterprise use cases. App Association member companies lead the \$1.7 trillion app economy in the United States and employ 5.9 million Americans.² The App Association's members rely on far-reaching and fast mobile internet connections to

¹ *Infrastructure Investment and Jobs Act Implementation*, 87 Fed Reg 1123 (Jan. 10, 2022).

² <https://actonline.org/wp-content/uploads/2020-App-economy-Report.pdf>.

meet market needs and to develop internet of things (IoT) across consumer and enterprise use cases. The small business tech developer community we represent is committed to advancing an equitable digital ecosystem that provides the opportunities for entrepreneurship for, and enhanced access to, America's underserved communities. The App Association therefore represents interests from both (1) private sector tech developers and related private sector interests (such as content companies, online video distributors, and venture capital); as well as (2) tech entrepreneurship support organizations that support, incubate, finance and mentor diverse tech start-up organizations and businesses.

The App Association supports NTIA's commitment to effectively allocate \$48 billion to fund the various programs created in the Act. Realizing Congressional goals in the Act, and the future of the U.S.' digital economy, will require a robust and sustainable internet infrastructure. NTIA's grant programs can, and should, reinforce the United States to remain a global leader in broadband connectivity policy and provide advanced broadband capabilities to American businesses and consumers, particularly those in underserved communities. Strong broadband networks will directly benefit our country's diverse community of app developers and internet of things (IoT) innovators, as well as America's general small business communities looking to better leverage the internet to grow and create new jobs. Over 20 million Americans currently lack access to adequate broadband, leaving them stranded on the wrong side of a widening digital divide amid the COVID-19 pandemic. App Association economic analysis shows that deployment of next generation wireless networks will create 8.5 million jobs in the United States over the next five years, enabling improvements in economic productivity, employment, and consumer value.³ 5G will affect the labor market through direct and indirect means; while the additional labor required to build out the network to deploy 5G will certainly create the most immediate demand for new jobs, the broadest impact on the labor market comes from new employment opportunities through the way 5G will enable new applications, services, ways of doing business, and general growth of businesses. Workers enabled by this will earn more than \$560 billion during that time, create \$1.7 trillion in additional output, and add over \$900 billion to U.S. gross domestic product (GDP).⁴

³ James Prieger, "An Economic Analysis of 5G Wireless Deployment: Impact on U.S. and Local Economies" (Feb. 2020), *available at* <https://ecfsapi.fcc.gov/file/10417521421416/ACT%20Ex%20Parte%20Notice%20re%205G%20Economic%20Analysis%202020.pdf>.

⁴ *Id.*

Given the integral role of small tech firms in advancing equity and diversity in digital communication services and products for populations that are historically underserved, including persons who live in rural areas, NTIA's programs must prioritize helping consumers and entrepreneurs adversely affected by persistent poverty or inequality, to access, leverage, and benefit from the wide range of opportunities made possible by advanced broadband capabilities. In our annual *State of the App Economy* report,⁵ we explore how the ever-evolving IoT ecosystem impacts companies, even those unaffiliated with the information and communication technology sector. Many App Association members are located in, and support, underserved communities across the country. The future of the app economy will depend on the strength and density of 5G networks, which are supported by myriad spectrum bands and different types of infrastructure, including small cell deployment, that seamlessly work together.

Building on the above, the App Association offers the following recommendations to NTIA:

- **A Policy Development Process that is Inclusion of All Viewpoints and Needs:** We encourage NTIA to work with as diverse a set of stakeholders as possible to shape grant program requirements and commend NTIA's collaborative approach initiated through this call for written views and its listening sessions. We further support NTIA's efforts to work other federal agencies to ensure that new grants authorized by the Act build on, and learn from, lessons learned in effectively deploying broadband to underserved communities.
- **Technology Neutrality:** No two communities in America are identical, and there are numerous broadband technologies that can be used to meet and sustain connectivity needs for communities of underserved Americans depending on their unique needs. To ensure that grants are used most effectively to respond to local needs, requirements should be flexible and avoid technology and/or modality mandates. For some deployments, laying fiber may be the most effective path to success, while in others (such as where macro sites alone will not be sufficient to manage traffic congestion) small cell deployment can add density to a network to help manage increasing traffic. NTIA's grant requirements should reflect modality/technology neutrality across its requirements for deployments.

⁵ *Id.*

- **Alignment with Existing Federal Definitions and Metrics:** We urge NTIA to align its definitions and requirements with existing agencies and requirements where possible. For example, we support NTIA's reliance on the Federal Communications Commission's definition of broadband. Further, sector-specific agencies can offer immense help to NTIA in addressing certain underserved populations and use cases (e.g., the Office of the National Coordinator for Health IT's efforts on social determinants of health can assist in identifying populations facing healthcare disparities). NTIA is strongly encouraged to build on and align with existing federal agency insights and approaches, not only to leverage these other agencies' expertise, but to avoid the confusion that can be caused by conflicting federal definitions.
- **Improved Mapping's Role in Fairly Determining Need in NTIA Grants:** NTIA determinations of need in evaluating and overseeing grant applications should ultimately lead to connecting the most underserved Americans as possible. Better broadband maps, developed in collaboration with the FCC, will drive more efficient and equitable access to broadband. More accurate and granular mapping, supplemented by new insights provided in areas such as social determinants of health, can best identify unconnected and underserved communities.
- **Flexibility in Requirements for States and Territories:** America faces a growing digital divide across a wide range of populations, in both urban, suburban, and rural areas of the country, and all should benefit from the grants authorized by the Act. States and territories should also use competitive bidding processes to minimize costs when determining funding awards and amounts. NTIA can best support states administering grants by enabling their ability to flexibly shape and manage programs, within the technology neutral parameters set by NTIA, to best meet the unique and evolving needs of their populations. NTIA should provide support to states and territories in the leadup to grant awards and as those authorities administer the grants they receive. A partnership between NTIA and its state and territory grantees, and the communities the Act is intended to benefit, will result in the most effective leveraging of funding, which may include building onto existing public and/or private programs intended to address digital equity and inclusion.

While providing this flexibility, NTIA can also assist states and territories through the development of guidance and use cases. For example, we urge NTIA to encourage streamlined approaches to broadband infrastructure deployment at the state and local levels.

- **Ensuring Transparency and Oversight while Minimizing Compliance Burdens:** As the ongoing public health emergency of COVID-19 continues to exacerbate the existing need for broadband, particularly in rural and low-income communities, we urge NTIA to include program rules that allow rapid deployment and implementation while avoiding overburdensome administrative/compliance requirements. We urge NTIA to draw on its extensive experience in administering the Broadband Infrastructure Program (BIP) and Broadband Technology Opportunities Program (BTOP), among other programs, to ensure transparency and oversight while avoiding overburdening grantees with reporting obligations. Further, states and territories should be encouraged to develop grant administration plans that prioritize transparency, build on existing resources at all levels, and that consistently consult with their underserved communities.

In representing the small app developer community, we commit to continued collaboration with NTIA to bring broadband connectivity to all Americans, especially those in unserved and underserved communities. We welcome the opportunity to meet with you to discuss the above.

Sincerely,



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