

The Honorable Evelyn Remaley
Acting Assistant Secretary of Commerce
for Communications and Information
National Telecommunications and Information Administration
1401 Constitution Ave. NW
Washington, DC 20230

December 02, 2021

Dear Acting Administrator Remaley:

The Information Technology Industry Council (ITI)¹ strongly commends the Biden Administration for taking steps to rebuild and modernize our national infrastructure through strong leadership in guiding the *Infrastructure Investment and Jobs Act* toward final passage. The law provides historic funding dedicated to closing the digital divide and ensuring access to the digital economy for all Americans, and it will be a lasting legacy for policymakers. These investments in U.S. digital infrastructure will help to meet the demands of the 21st Century and improve the lives of Americans for decades to come.

Digital infrastructure forms the foundation that allows Americans to realize the economic and social benefits that flow from a well-connected online economy, including access to virtual healthcare services, online education, small business development resources, and remote working opportunities, among others. Following many months of the global pandemic, little doubt remains regarding the importance of Internet connectivity for nearly all areas of life and across all sectors of the economy. By making these significant investments in digital infrastructure, the U.S. government has demonstrated an eagerness to accelerate American leadership in critical technologies for the future to spur economic growth and job creation, incentivize domestic investment, and meet the current and future needs of all Americans.

¹ ITI is the premier global advocate for technology, representing the world's most innovative companies, including companies directly involved in manufacturing fiber optic cable and wireless communications equipment, along with companies that provide a range of services for the broadband communications industry. Founded in 1916, ITI is an international trade association with a team of professionals on four continents. We promote public policies and industry standards that advance competition and innovation worldwide. Our diverse membership and expert staff provide policymakers the broadest perspective and thought leadership from technology, hardware, software, services, and related industries.

To achieve the strongest possible outcomes and create lasting value for any infrastructure investments, we offer the following recommendations for the National Telecommunications and Information Administration (NTIA) to consider as you work to implement the *Infrastructure Investment and Jobs Act* (IIJA).

First, our industry applauds the IIJA's establishment of a technology neutral approach to achieving ubiquitous, affordable, high-speed broadband. The statute properly focuses on buildout requirements that achieve speeds and latency capable of providing robust connectivity for years to come, without picking certain technologies over others. Next generation wireless network technologies including fixed wireless service, satellite broadband, 5G, and Open Radio Access Networks (Open RAN), among other innovative communications technologies, can provide flexible and robust network solutions alongside fiber optic cable. The Middle Mile network program is another area where a variety of technology solutions should be considered, as well as the opportunity to provide wireless backhaul services that can support 5G.

Whether building out to unserved or underserved communities, or bridging needed middle mile connections, the solutions proposed by all States and Territories should have the flexibility to incorporate any combination of technology that can meet the performance requirements that the IIJA and NTIA regulations specify. We urge NTIA to make clear to States that this range of innovative technologies can be included in applications for grants funding commercial ICT options. This flexibility should also facilitate projects for States seeking to demonstrate new use cases and innovative solutions to connect individuals and small businesses from across the country to the digital economy.

Second, given the breadth of programs that will be established or receive additional funding through the IIJA and the urgency of the digital infrastructure needs across the country, NTIA should work closely with industry and consumer advocates throughout the process of crafting the Notice of Funding Opportunity (NOFO) and meeting other procedural benchmarks in order to facilitate a timely and effective flow of funding. While current supply chain challenges may have a practical bearing on the speed with which funded networks can be deployed, Americans in all areas of the country are eagerly awaiting the promise of better access through projects funded under the Broadband, Equity, Access, and Deployment Program. We encourage NTIA to establish timely interim benchmarks geared toward distribution of funding to awardees as soon as practicable.

As policymakers look to encourage expeditious deployment of the IJJA by policymakers, we further urge you to ensure that broadband projects can easily incorporate and benefit from commercial information and communications technologies (ICT). We are concerned that due to domestic content requirements in the law, projects could face unnecessary delays and be unable to access best-in-class, global technology. ITI is strongly urging Congress to take legislative action and the Commerce Department to ensure this shortcoming is addressed so that the infrastructure funding can be distributed to eligible entities as effectively and efficiently as possible, with the widest possible benefits fully realized.

Further, we expect that States will simultaneously be developing broadband and digital inclusion plans alongside cybersecurity plans as they also compete for security and resiliency funding from other federal agencies pursuant to the IJJA. We would encourage NTIA to keep this in mind as the NOFO is crafted and to consult with industry and federal stakeholders, including the Department of Homeland Security (DHS) and Cyber and Infrastructure Security Agency (CISA). Along with historic investments in buildout, the IJJA is also facilitating significant investments in security that could be coupled with State broadband plans to ensure that newly deployed networks are also protected against attacks.

Finally, we are pleased that the IJJA includes significant funding for Digital Equity Capacity Grants to the states. This funding is critical for ensuring all Americans, and especially vulnerable populations such as low-income families and seniors, have the means, skills, and devices necessary to securely access broadband services. Simply building out connectivity is unfortunately insufficient, as we know many Americans face additional barriers to adopting broadband, making consumer education and training vital to successfully connecting all Americans. We urge NTIA to meet the statutory deadline for issuing the NOFO within 180 days so that planning for the use of this funding can occur alongside deployment plans and further urge NTIA to prioritize State plans that not only fund digital literacy efforts but also look to remove barriers for securely accessing connected devices. Together, these investments could make significant progress toward closing the digital divide and ensuring access to virtual applications and services for all consumers who seek to use them.

Thank you for your attention to these important issues. Your efforts will help to close the digital divide and strengthen U.S. broadband infrastructure across rural, suburban, and urban communities alike. We stand ready to assist as the implementation process moves forward, and we remain at your disposal to further discuss these important issues at your request.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Oxman". The signature is fluid and cursive, with the first name "Jason" being more prominent than the last name "Oxman".

Jason Oxman
President & CEO