GOVERNOR'S BROADBAND DEVELOPMENT COUNCIL

Minutes of June 14, 2022 Meeting

Videoconference Meeting

2:00 PM

VIDEOCONFERENCE MEETING

GOVERNOR'S BROADBAND DEVELOPMENT COUNCIL MEMBERS IN ATTENDANCE:

Judge Marty Lucke (Chair), Jennifer K. Harris (Vice Chair), Juli A. Blanda, James M. "Mike" Easley, Steven E. "Steve" Johnson Ph.D., Akbar Kara, Thomas J. "Tom" Kim M.D., Lindsey A. Lee, Kirk Petty, Joseph G. "Greg" Pittman, Edward "Kenny" Scudder, Hatch Smith Jr., William "Bill" Sproull, Greg Conte

 STAFF IN ATTENDANCE:

Adriana Cruz, Larry McManus, Lindsey Aston, Sonia Gaillard

The Governor's Broadband Development Council ("Council") proceeded on posted agenda items in the order as follows:

Agenda Item I.   CALL TO ORDER

Judge Marty Lucke, Chairman of the Council, called the meeting to order at 2:08 P.M.

Agenda Item II.   CHAIR WELCOME, REMARKS AND ROLL CALL

Recognized the roll was called and members present are listed.

Agenda Item III.   COUNCIL MEMBER UPDATES

Chair Lucke acknowledged the return of Council Member Greg Pittman.

Agenda Item IV.   DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF MINUTES FROM THE COUNCIL MEETING ON APRIL 29, 2022 (DRAFT AVAILABLE AT HTTPS://GOV.TEXAS.GOV/BUSINESS/PAGE/GOVERNORS-BROADBAND-DEVELOPMENT-COUNCIL)

Action: Council Member Bill Sproull moved to approve the minutes from the Council meeting on April 29, 2022.

The motion was seconded by Kirk Petty.

The motion carried unanimously.

Agenda Item V.   COMMENTS BY RUSS HANSER, DIRECTOR OF COMMUNICATIONS POLICY INITIATIVES, NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION (NTIA), PROVIDING INFORMATION RELATING TO THE NTIA'S BROADBAND EQUITY, ACCESS, AND DEPLOYMENT PROGRAM; ENABLING MIDDLE MILE BROADBAND INFRASTRUCTURE PROGRAM AND DIGITAL EQUITY PROGRAM; THEIR RESPECTIVE NOTICE OF FUNDING OPPORTUNITY; AND COUNCIL REVIEW, DISCUSSION, CONSIDERATION AND/OR POSSIBLE ACTION REGARDING SAME (SLIDE AVAILABLE IN TAB 1 AND IN AGENDA POSTED ON THE COUNCIL WEBPAGE: HTTPS://GOV.TEXAS.GOV/BUSINESS/PAGE/GOVERNORS-BROADBAND-DEVELOPMENT-COUNCIL)

The Council engaged in a discussion with Russ Hanser regarding NTIA's Broadband Equity, Access, And Deployment Program; Enabling Middle Mile Broadband Infrastructure Program and Digital Equity Program; and their respective notice of funding opportunity.

Agenda Item VI.   COMMENTS BY GREG CONTE, DIRECTOR OF THE TEXAS BROADBAND DEVELOPMENT OFFICE, TEXAS COMPTROLLER OF PUBLIC ACCOUNTS, PROVIDING AN UPDATE FROM HIS OFFICE AND COUNCIL REVIEW, DISCUSSION, CONSIDERATION AND/OR POSSIBLE ACTION REGARDING SAME

The Council engaged in a discussion with Greg Conte regarding updates of his office's newest developments. Two of the items discussed included the Texas Broadband Plan 2022 that will be available for download on the Texas Broadband Development Office's website beginning June 15, 2022 and the Texas Broadband Listening Tour which stopped in 12 communities to gain Texans' insights about internet access and collect input to develop the state's first broadband plan.

Agenda Item VII.   DISCUSSION AND UPDATE REGARDING COUNCIL PROCEDURES GOING FORWARD (INCLUDING STATUS OF COUNCIL ROSTER AND POSTING OF MEETING RECORDINGS)

The Council and Adriana Cruz, Executive Director of Economic Development and Tourism at the Governor's Office, discussed sharing Council roster information with the Council and that meeting recordings will be made available by way of Public Information Request.

Agenda Item VIII.   DISCUSSION OF THE 2022 ELECTRONIC REPORT DUE TO THE GOVERNOR, THE LIEUTENANT GOVERNOR, AND THE MEMBERS OF THE LEGISLATURE FROM THE COUNCIL UNDER SECTION 490H.007 OF THE TEXAS GOVERNMENT CODE

The Council discussed logistics of putting the report together, including subcommittee membership and allotting enough time in a development timeline for everyone on the Council to consider the final report. OOG staff will assist with developing a timeline.

Agenda Item IX.   **REVIEW, DISCUSSION, CONSIDERATION AND OR POSSIBLE ACTION ON COUNCIL NEXT STEPS FOR FOLLOWING MEETING(S)**

Chairman Lucke shared that the next meeting will be a hybrid in-person/videoconference meeting, planned for July 28, 2022 from 2-4pm in Austin, TX.

Vice Chair Harris shared her and Chair Luke's interest in having more policy conversations going forward.

Agenda Item X.   **COMMENT WITHOUT DELIBERATION**

Public comment may be received on any matter under the Council's jurisdiction without regard to whether the item was posted on the agenda. No public comments were received.

Agenda Item IX.   **ADJOURNMENT**

Chairman Lucke called the meeting to a close at 3:37 PM.

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County Judge Marty Lucke, Chair   Date

TAB 1

INTERNET FOR ALL

FUNDED BY THE BIPARTISAN INFRASTRUCTURE LAW

ADMINISTERED BY THE DEPARTMENT OF COMMERCE'S NATIONAL
TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

JUNE 2022

"We'll make sure every single, every single, American has access to high-quality, affordable, high-speed Internet," Biden said during his speech. "When I say affordable, I mean it. Americans pay too much for Internet service. We're going to drive down the price for families who have service now and make it easier for families who don't have affordable service to be able to get it now."

-PRESIDENT JOE BIDEN

The Bipartisan Infrastructure Law is a once-in-a-generation investment in infrastructure and competitiveness

Bipartisan Infrastructure Law

- $1.2T bill passed by Congress and signed into law by President Biden on November 15, 2021
- Largest ever investments in high-speed Internet, rail and transit, clean energy, and water
- Allocated funding to over 350 distinct programs across more than a dozen federal departments and agencies

This historic legislation will:

- Deliver clean water to all families and eliminate the nation's lead service lines
- Ensure every American has access to affordable, reliable, high-speed Internet
- Repair and rebuild roads and bridges
- Improve transportation options and reduce greenhouse emissions
- Upgrade our nation's airports and ports to strengthen our supply chains

- Make the largest investment in passenger rail since Amtrak's creation
- Build a national network of electric vehicle chargers
- Upgrade power infrastructure to deliver clean, reliable energy
- Make infrastructure resilient against the impacts of climate change, cyber-attacks, and extreme weather events
- Deliver the largest investment in tackling legacy pollution in US history

Please see Build.gov for more details on the Bipartisan Infrastructure Law

INTERNET FOR ALL

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The Bipartisan Infrastructure Law invests ~$65B to ensure everyone in America has access to high-speed Internet

FUTURE

Goal is to build infrastructure that provides reliable high-speed Internet access to all Americans for today and tomorrow…

…with a focus on making high-speed Internet affordable and reliable so everyone can participate in the economy...

… and providing the resources needed to equitably expand the adoption and use of the Internet so everyone can experience the benefits.

Bipartisan Infrastructure Act invests roughly $65B into high-speed Internet efforts through 7 federal programs:

Administered by NTIA
- Broadband Equity, Access, and Deployment (BEAD) Program ($42.45B)
- Digital Equity Planning, Capacity and Competitive Grants ($2.75B)
- Tribal Broadband Connectivity Program ($2.00B)
- Middle Mile Broadband Infrastructure Program ($1.0B)

Administered by other federal agencies
- Affordable Connectivity Program ($14.2B)
- Rural Broadband Programs at the Department of Agriculture ($2.0B)
- Private Activity Bonds ($0.6B)

INTERNET FOR ALL

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High-speed Internet helps individuals and our country

These are some of the ways that high-speed Internet has transformed our world:

Maximizing savings for education
The Internet is not a luxury, it's a necessity. Students are asked to utilize Internet to complete homework assignments, do research, apply to college or trade schools. Students who don't have access in their home are left out and left behind.

Stimulating growth in the economy
By connecting the workplace, we can better connect businesses to consumers. And new markets can increase sales and create jobs. High-speed Internet helps American businesses compete for talent and business in the global marketplace.

Lowering costs for health
Telehealth reduces hospital visits and cuts down hospital stay time. Hospitals with high-speed Internet save money because they have lower administration costs. And by offering telehealth, they save money while improving patient health.

Strengthening ties in our community
High-speed Internet connects us to services we need. It helps first responders save lives. It lets us connect with our elected officials. And it strengthens our ties to our neighbors. One in four Americans get online alerts about local issues. And one in five use digital tools to stay in touch with their community.

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Affordable, reliable, high-speed Internet has remained elusive for too long

The "digital divide" refers to the gap between those who have access to high-speed Internet and those who have limited or no access, driven by three key barriers

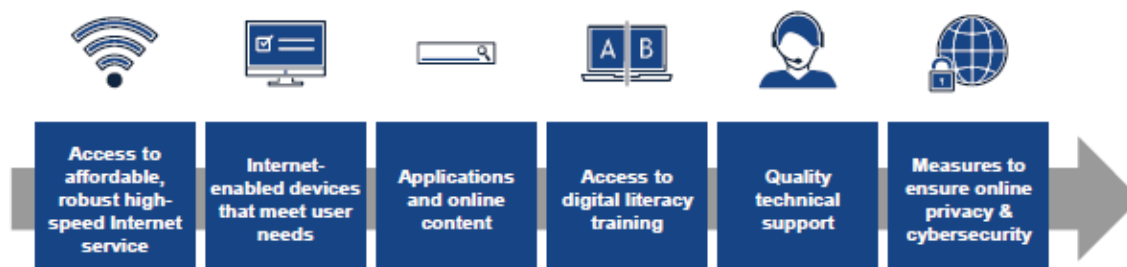| Access	Affordability	Adoption and Digital Literacy
Many Americans live in areas that are not covered by high-speed Internet service providers or where service is not reliable	Many American households cannot afford to pay for the costs of devices or monthly service	Many Americans are not aware of available service offers or lack the digital skills to participate online

This gap is particularly acute for communities of color, Tribal nations, lower-income areas, and both urban and rural communities

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Americans require a range of Internet tools and services to maximize the benefits of high-speed Internet access

| Access to affordable, robust high-speed Internet service | Internet-enabled devices that meet user needs | Applications and online content | Access to digital literacy training | Quality technical support | Measures to ensure online privacy & cybersecurity |

High-speed Internet is important for full participation in the modern world

Why do we need Internet?
- Too many Americans have been left out or left behind because they do not have access to affordable, reliable high-speed Internet
- Access to Internet plays a critical and growing role in the ways in which Americans work, play, learn, receive healthcare, participate in democracy, and more

Why do we need it to be fast?
- Internet speeds are measured by how much data a connection can transfer per second
- Data goes in two directions, so every Internet connection will have download and upload speeds
- Downloading or uploading large files with low network speed may take significant time
- Quality of connection may impact speed of delivery for telemedicine or remote learning

What is broadband?
- "Broadband" refers to always on, high-speed Internet that is faster than traditional dial-up
- It may use a variety of technologies: fiber-optic, Cable Modem/Hybrid fiber-coaxial, digital subscriber line (DSL), or terrestrial fixed wireless
- Federal Communications Commission defines broadband Internet as having download speeds of 25 megabits per second (Mbps) and upload speeds of 3 Mbps

High-speed Internet gives people freedom to live, work, and learn what they want, when they want

Students will have opportunities to learn outside the classroom

American small businesses will be able to fully participate in the economy

Patients will have access to telehealth services to improve their health

Americans will be more readily connected to civil services and resources

Business owners will have freedom to sell their goods to a wide range of buyers

Farmers will access agricultural technology and connections needed to help them thrive

Consumers will have more purchasing options

Americans will be able to access a wide variety of entertainment options

Americans will be able to connect to more family, friends, and loved ones

Americans will be able to more easily practice their faith

People will have access to good-paying jobs and opportunities

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NTIA will administer ~$48B through four programs that drive high-speed Internet access, affordability, and adoption

NTIA will administer ~$48B of funding from the Bipartisan Infrastructure Law				FCC to administer $14.2B
BEAD	**DIGITAL EQUITY**	**TRIBAL**	**MIDDLE MILE**	For Affordable Connectivity Program, which replaced the EBB program
$42.45B	**$2.75B**	**$2.00B**	**$1.00B**	**USDA to administer $2.0B**
Broadband Equity, Access & Deployment Program	**Digital Equity Act**	**Tribal Connectivity Technical Amendments**	**Enabling Middle Mile Broadband Infrastructure**	Via the Rural Utilities Service
A program to get all Americans online by funding partnerships between states or territories, communities, and stakeholders to build infrastructure where we need it to and increase adoption of high-speed Internet.	Three programs that provide funding to promote digital inclusion and advance equity for all. They aim to ensure that all communities can access and use affordable, reliable high-speed Internet to meet their needs and improve their lives.	A program to help tribal communities expand high-speed Internet access and adoption on tribal lands.	A program to expand middle mile infrastructure, to reduce the cost of connecting unserved and underserved areas.	**Private Activity Bonds $0.6B** — Authorizes State and local governments to use private activity bonds for rural broadband

BEAD program will provide ~$42.45B for infrastructure planning and implementation

Funding pool
$42.45B

A program to get all Americans online by funding partnerships between states or territories, communities, and stakeholders to build infrastructure where we need it to and increase adoption of high-speed Internet.

PROGRAM HIGHLIGHTS
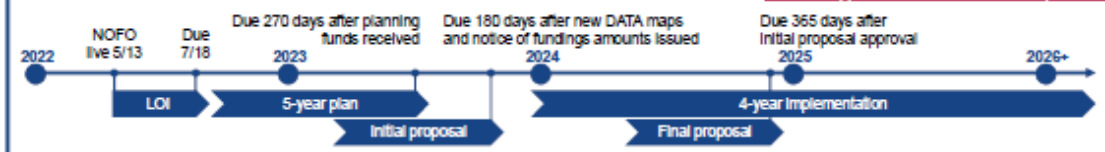
Entities eligible to apply for this program include:
- All 50 States
- The District of Columbia and Puerto Rico
- Other Territories: U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands

Example eligible uses of funds include:
- Planning for deployment of Internet
- Deploying or upgrading Internet
- Installing Internet in multi-tenant buildings
- Implementing adoption and digital equity programs
- Workforce and job training

ESTIMATED TIMELINE

Timeline approximate unless exact date specified

NOFO live 5/13	Due 7/18	

- 2022
- Due 270 days after planning funds received — 2023
- Due 180 days after new DATA maps and notice of fundings amounts issued — 2024
- Due 365 days after Initial proposal approval — 2025
- 2026+

- LOI
- 5-year plan
- Initial proposal
- 4-year implementation
- Final proposal

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Digital Equity Act created three programs to promote digital equity and inclusion

Funding pool
$2.75B

Three programs that provide funding to promote digital inclusion and advance equity for all. They aim to ensure that all communities can access and use affordable, reliable high-speed Internet to meet their needs and improve their lives.

PROGRAMS HIGHLIGHTS

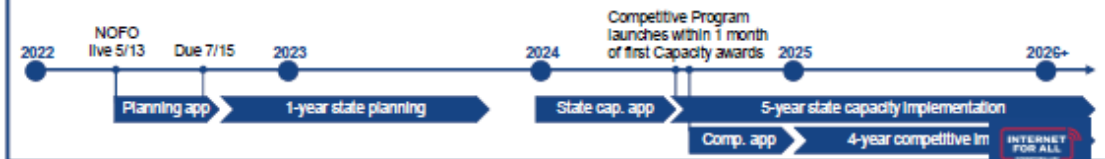The Digital Equity Act created three programs:

State Planning
- $60M formula funding program to develop digital equity plans

State Capacity
- $1.44B formula funding program to implement plans & promote digital inclusion

Competitive
- $1.25B to implement digital equity and inclusion activities

Example eligible uses of funds include:
- Developing digital equity plans; states must develop a plan to be eligible for state capacity grants
- Making awards to other entities to help make digital equity plans
- Improving accessibility and inclusivity of public resources
- Implementing digital equity plans and related activities
- Providing digital literacy and digital skills education
- Facilitating the adoption of high-speed Internet

ESTIMATED TIMELINE

Timeline approximate unless exact date specified

NOFO live 5/13	Due 7/15	

- 2022
- 2023
- 2024
- Competitive Program launches within 1 month of first Capacity awards — 2025
- 2026+

- Planning app
- 1-year state planning
- State cap. app
- 5-year state capacity implementation
- Comp. app
- 4-year competitive im

Technical amendments and new funding will strengthen current Tribal Broadband Connectivity Program

Funding pool
$2.00B

A program to help tribal communities expand high-speed Internet access and adoption on tribal lands.

— PROGRAM HIGHLIGHTS —

New funding will be used for additional new grants and to fully fund grants from first round of awards

Amendments to original program:

- Relaxes time requirements of original program
- Allows infrastructure grantees to spend up to 2.5% of the total project cost for related planning, feasibility and sustainability studies
- Preserves unused allocated funds for other Tribal broadband projects instead of reverting to the Treasury

ESTIMATED TIMELINE — Timeline approximate unless exact date specified

2022	2023	2024	2025	2026+

Rolling funding | Tribal BIL apps | Implementation

Implementation
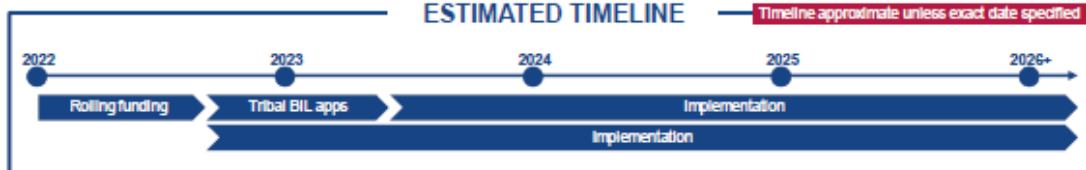
Middle Mile Grant Program will invest in the construction, improvement or acquisition of middle mile infrastructure

Funding pool
$1.00B

A program to expand middle mile infrastructure, to reduce the cost of connecting unserved and underserved areas.

— PROGRAM HIGHLIGHTS —

Middle mile infrastructure refers to the mid-section of Internet infrastructure that carries large amounts of data at high speeds over long distances and connects the "backbone" of Internet infrastructure to the "last mile", which connects to end users

Entities eligible to apply include a wide variety of entities, incl. but not limited to government entities, utilities, companies, and non-profits that provide Internet services

Example uses of funds:

- Construction, improvement or acquisition of facilities and equipment
- Engineering design, permitting and work related to projects
- Personnel costs, including salaries and benefits
- Other costs necessary to program's activities

ESTIMATED TIMELINE — Timeline approximate unless exact date specified

2022	NOFO live 5/13	Due 9/30	2023	Rolling awards no earlier than 3/1	2024	2025	2026+

Apps

5-yr deployment

Source: California Department of Technology, "What is the middle mile"?

There are many ways stakeholders may get involved in the programs

Illustrative, non-exhaustive

Telecom provider
- Apply to be a BEAD subgrantee or apply directly for Middle Mile
- *Note: Telecom providers may include government owned entities*

Tribal government
- Coordinate, consult, and partner with states during BEAD planning
- Apply for a Middle Mile, Tribal Broadband, or Digital Equity capacity and competitive grants

Community anchor institution
- Benefit from BEAD funding for faster Internet
- Apply for Digital Equity competitive grant
- Advocate for community interests across programs

Local government
- Collaborate with state to develop Digital Equity plan and during BEAD planning
- Apply for a Middle Mile or Digital Equity capacity and competitive grants

Community orgs
- Serve as a thought partner as states design their outreach strategies
- Advocate for community interests across programs

Individual
- Participate in digital skill and literacy courses funded by programs
- Contact local reps for more information

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Additional resources about the programs

1. Visit the InternetForAll.gov for additional information on federal funding programs

2. Engage with your State or territory regarding their plans to improve high-speed Internet access

3. Submit questions to InternetForAll@ntia.gov

4. Attend future NTIA webinars, including program-specific application guidance webinars for applicants

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