

February 2, 2022

Alan Davidson
Assistant Secretary of Commerce for Communications and Information
Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

Re: Comments on Implementation of the Infrastructure Investment and Jobs Act. Docket No. 220105-0002.

Dear Mr. Davidson,

The Baltimore-based [Robert W. Deutsch Foundation](#) invests in innovative people, projects, and ideas that improve the quality of life in Baltimore and beyond. For over thirty years the Foundation has brought a lens of racial equity, and a commitment to actions that challenge these inequities, to our grant making, priority setting, programming and strategic planning in the city.

Today we submit the following on behalf of the Foundation; graduates of our Digital Equity Leadership Lab (DELL); grantees; and members of Johnston Square Partners, an alliance of nonprofit stakeholders which include ReBUILD Johnston Square Neighborhood Organization, ReBUILD Metro, Baltimoreans United for Leadership Development (BUILD), Baltimore Arts Realty Corporation (BARCO) and St. Frances Academy.

We submit our responses in the spirit of H.R.3684 - Infrastructure Investment and Jobs Act, whose language calls for a systems-change approach. Specifically, we anchor our comments to the following:

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SEC. 60101. FINDINGS.

Congress finds the following:

- (1) Access to affordable, reliable, high-speed broadband is essential to full participation in modern life in the United States.
- (3) The digital divide disproportionately affects communities of color, lower-income areas, and rural areas, and the benefits of broadband should be broadly enjoyed by all.
- (5) The 2019 novel coronavirus pandemic has underscored the critical importance of affordable, high-speed broadband for individuals, families, and communities to be able to work, learn, and connect remotely while supporting social distancing.

SEC. 60303. SENSE OF CONGRESS.

It is the sense of Congress that—

- (2) digital exclusion—
 - (A) carries a high societal and economic cost;
 - (B) materially harms the opportunity of an individual with respect to the economic success, educational achievement, positive health outcomes, social inclusion, and civic engagement of that individual; and
 - (C) exacerbates existing wealth and income gaps, especially those experienced by covered populations;
- (5) Achieving digital equity is a matter of social and economic justice and is worth pursuing.

With regard to the questions posed by NTIA, we offer these responses:

1. What are the most important steps NTIA can take to ensure that the Bipartisan Infrastructure Law's broadband programs meet their goals with respect to access, adoption, affordability, digital equity, and digital inclusion?

Across the city of Baltimore, more than 40% of the population lacks home internet access, approximately 96,000 households¹, the majority of which are Black and Latinx. Black and Latinx residents are not only most impacted by Baltimore's digital divide, but are also most likely to suffer from educational setbacks, economic loss, and compromised health conditions associated with the COVID-19 pandemic. Income inequality, biased credit scoring and other forms of systemic racial discrimination are just some of the barriers Baltimore's low-income populations and communities of color continue to face. These households are denied the power of broadband to apply for jobs, pursue educational opportunities, participate in civic life and organize for social change. Clearly, the digital divide encompasses all the major social inequalities associated with an increasingly digitized world; and is both a result of and contributes to systemic inequalities faced by BIPOC communities.

According to the [National Equity Atlas](#), racial gaps in income cost the United States about \$2.5 trillion in 2015 demonstrating racial justice is not only a moral imperative, it's a financial one. As a result, ensuring a successful Bipartisan Infrastructure Broadband Program will require leaving behind the race-neutral approach that typifies programmatic evaluation. Rather, *we believe the most significant step the NTIA*

¹Abell Foundation. "Baltimore's Digital Divide: Gaps in Internet Connectivity and the Impact on Low-Income Residents." Updated May 2020. <https://abell.org/publications/baltimores-digital-divide-gaps-internet-connectivity-and-impact-low-income-city>

can take requires centering racial equity in all measurement and evaluation goals. At a minimum, we request the NTIA set standards and develop shared instruments that require the following for all NTIA Broadband Infrastructure programs:

- Data collection disaggregated by race, ethnicity, primary language, gender, disability status, geographic location, and socioeconomic status
- Federal spending tracked by race, income, and place to ensure investments address (vs. exacerbate) existing disparities
- A requirement that programs focus on the compounding effects of race and other identities (gender, disability, age) or circumstances (citizenship status, homelessness, incarceration) in order to truly meet the needs of the most vulnerable populations
- Require racial equity impact assessments to understand the racial equity implications of a proposed program or practice to best determine how it will impact pre-existing social inequities

2. Obtaining stakeholder input is critical to the success of this effort. How best can NTIA ensure that all voices and perspectives are heard and brought to bear on questions relating to the Bipartisan Infrastructure Law’s broadband programs? Are there steps NTIA can and should take beyond those described above?

- Elevate trusted community institutions as champions of the Broadband Infrastructure Program, recognizing places of worship, philanthropic institutions, Historically Black Colleges and Universities, Hispanic Serving Institutions (sic), neighborhood associations and nonprofits as leaders in broadband equity, driven by public interest values instead of profit margins
- Create a Statewide Community Stakeholder Database whereby local leaders can submit qualifications and designs for engagement strategies they are uniquely suited to lead. This “pay it forward” approach can serve as a catalyst for communities across the country, generating new ideas and approaches, fostering collaboration, as well as seeding important relationships for additional infrastructure programs

18. The Bipartisan Infrastructure Law provides that BEAD funding can be used in a variety of specific ways, including the provision of service to unserved and underserved areas, connection of community anchor institutions, data collection, installation of service within multi-family residential buildings, and broadband adoption programs. The law also permits the Assistant Secretary to designate other eligible uses that facilitate the program’s goals. What additional uses, if any, should NTIA deem eligible for BEAD funding?

The wealth gap between white and BIPOC households has only grown during the COVID pandemic as millions of Black and Latinx households faced unemployment and health emergencies that required using their personal savings. Loss was especially acute among women, BIPOC communities, and low-wage workers. Moving forward, targeted interventions—both policies and projects—will be necessary to reverse this deepening divide. Unfortunately, a lack of access to affordable and reliable broadband limits the possibilities, as families living in communities with limited internet can’t take classes, work online, bank online, apply for jobs online, reskill or start a small business online.

As such, we encourage the NTIA to focus on a constellation of measures which together, could strengthen the scaffolding families need to increase their resiliency, while also increasing jobs and opportunities for workers in every sector of the economy.

Prevent Digital Redlining

- Projects designed to establish clear rules that prevent Digital Redlining, i.e. assure equal access to broadband and prevent discrimination of access based on income, race, ethnicity, color, religion, or national origin

Expand the definition of anchor institutions

- Beyond the traditional anchor institutions such as schools, libraries and health care, broadband funds should be used to connect and develop the following institutions which are critical to neighborhoods and their residents: parks; rec centers; halfway homes and residential programs; shelters; places of worship; neighborhood associations and centers; public gardens and markets; makerspaces; artist housing, and more
- Prioritize community partners with flexible hours, especially those which operate beyond a traditional 9-5 schedule, and who have the capacity to provide evening and weekend programming and access, as well as accommodate the often changing needs of shift-workers
- Prioritize traditional anchor institutions whose projects are the result of intentional partnership co-creation and collaboration with community

Hire locally & pay justly

- Broadband infrastructure related jobs should be required to hire locally, with an emphasis on the communities of color who are most impacted by the digital divide in their locality; at least 51% of the jobs should go to local residents
- Jobs funded through the infrastructure bill should be required to pay an actual living wage, which is often higher than \$15/hr

Prioritize families at the margins

- Families at the margins deserve recognition, additional support, and specific programs designed to address their unique needs. Here we recognize the following: BIPOC families; families with mixed immigration status; refugee and asylee families; families with incarcerated members; children and youth in foster care or under state supervision; unhoused families, and those experiencing homelessness; Queer and Trans families, families in shelters, half-way homes and/or residential programs

Ensure youth/youth serving organizations are supported, connected & empowered

- Address the disconnection and isolation that youth experience, and which the COVID-19 pandemic has exacerbated, limiting access to caring and supportive adults
- Invest in the skills and competency development of youth living in low-income communities, with a goal of creating a resilient workforce that will contribute to economic recovery and long-term sustainability for Baltimore
- Recognize the impact COVID has had on youth leadership and mentoring. Young people want and need mentors, but COVID has limited the number of volunteers available, and the digital divide prevents youth from engaging in virtual programming

Expand the definition of youth to 24 years

- Youth, up to age 24², should be eligible for affordable internet programs, regardless of school or family status. Given that affordable internet services and devices remain a primary barrier for low-income households, youth living in poverty are at high risk for social disconnection, which can lead to increased health disparities, risky behaviour and, ultimately, an increased lack of

² The United Nations, for statistical purposes, defines 'youth', as those persons between the ages of 15 and 24 years.

opportunity

Fund Comprehensive Mapping

- Support for the development of tools that enable communities to create comprehensive broadband maps, providing a critical source of information that is locally owned, non proprietary and accurate

Increase symmetrical upload and download speeds

- NTIA should require higher symmetrical upload and download speeds for companies applying for grants, including minimum speeds of 100/10

Fund Municipal Broadband Networks

- Prioritize support for broadband networks owned or operated by local governments, nonprofits, and/or other public interest providers who put people before profits

Resource the Creative Community

- Culture and creativity are fundamental to resilient communities. Recognizing the important role performance, design, music, visual arts, poetry, makers and more contribute to the social and economic viability of a city, broadband programs should ensure the creative members of a community are included in the design of broadband networks and benefit directly from the increased opportunity for connection and collaboration it can create

19. Community engagement is critical to eliminating barriers to broadband access and adoption. NTIA views strong involvement between states and local communities as key to ensuring that the broadband needs of all unserved and underserved locations are accounted for in state plans submitted for funding. What requirements should NTIA establish for states/territories to ensure that local perspectives are critical factors in the design of state plans?

Authentic community engagement requires a process of co-creating solutions to pre-existing inequities in partnership with the people and communities who best know, through their lived experiences, the barriers to opportunity they face. Ensuring this kind of engagement requires, as Reverend. Dr. William Barber III says, “relationships... [which are] transformative, not transactional.” In order to ensure Broadband Infrastructure projects enable connective tissue that outlives the immediacy of the timeline, we must ensure projects seed relationships of mutual respect, acknowledging the value and necessity of community based perspectives in the formulation of visionary and durable solutions.

Embracing the belief that diversity of thought, experience and perspective leads to increased innovation, we urge the following:

Ethnic Media Outreach

- Require targeted media outreach to ethnic media to ensure low-income households are reached through trusted messengers via broadcast and print media;

Language Access

- Ensure all state recipients understand the importance of meaningful language access, and are held to the requirements of the two main drivers of Language Access in Maryland; Title VI of the Civil Rights Act of 1964 and Maryland’s Equal Access to Public Services - Individual with Limited English Proficiency Act
- Ensure all recipients of NTIA funding in Baltimore City are additionally required to meet or exceed the language access needs for the predominant ESOL (English Speakers of Other Languages)

languages used by students/families in the Baltimore City public school system, even if these differ from state requirements³

Local Town Halls

- Require states to partner with local municipalities to host Broadband Town Halls in “majority minority cities”(sic), such as Baltimore City, so that community anchor institutions, civic leaders and local and state officials can hear directly from impacted community members about their programmatic needs

Sincerely,



amalia deloney
Vice President & Director of Digital Equity

On behalf of:
(in alphabetic order)

Baltimore Arts Realty Corporation
Baltimore Community Foundation
Baltimoreans United in Leadership Development (BUILD)
BmoreArt
Central Baltimore Partnership
Code in the Schools, Inc.
Media Rhythm Institute
MENTOR MD|DC
Motor House
Mt. Sinai Baptist Church
NE Leaders
Open Works
Parks & People Foundation
PCs for People Maryland
Rebuild Johnston Square Neighborhood Organization
ReBUILD Metro, Inc.
St. Francis Academy
The City Neighbors Foundation
The 6th Branch
Turn Around Tuesday

³ Baltimore City’s core languages are Spanish, French, Korean, Chinese and Arabic. This is based on the federal formula which requires support to 1% or 1,000 or more people that speak English “less than very well.”

29th Street Community Center

Village Learning Place

Wide Angle Youth Media