



## **Digital Equity in California: Advancing a Statewide Broadband Action Policy**

Inclusivity is a cornerstone value for Californians. We take pride in raising expectations for acceptance, lowering barriers to opportunity and defining access as a fundamental right. Those commitments were reflected when voters overwhelmingly embraced Governor Newsom’s overarching goal of developing a “California for All.”

A pragmatic yet essential element of achieving that goal is providing access to the enriching world of the Internet through reliable and affordable high-speed broadband. Community anchor institutions, including hospitals, libraries, schools, public safety providers and local governments, need robust and resilient broadband to meet 21<sup>st</sup> Century needs.<sup>i</sup>

Yet, many areas remain unserved or underserved. One in eight homes in California still lacks access to high-speed broadband through a computing device or smartphone, with the burden falling disproportionately on poor neighborhoods and rural communities.<sup>ii</sup> This Digital Divide undermines public safety, education, economic development, personal health, and the overall well-being of individuals, communities and the State.

State Agency leaders and broadband stakeholders have identified the need for a highly articulated and well-resourced statewide policy to ensure broadband access for all Californians.<sup>iii</sup> As the Chief Executive of California, the Governor has the opportunity and responsibility to serve as the architect for such a platform. It is critical for the Administration to formulate and adopt a new statewide policy directive that drives broadband deployment in every corner of the State.

This Broadband Action Policy should:

- **Commence** with urgency and treat the situation like the true emergency that it is.
- **Communicate** that high-speed broadband access constitutes essential 21st Century infrastructure for economic competitiveness, quality of life, and protection of people, property and the environment.
- **Carry** a clear directive to all State Agencies that this Policy emanates directly from the Office of the Governor and must be elevated and embraced throughout State government.

- **Insist** that the State’s statutory deployment goal<sup>iv</sup> – providing broadband access to 98 percent of all households in each region by 2022 – become a priority action item for all State Agencies.
- **Promote** and incentivize the build-out of high-speed broadband infrastructure across all regions, regardless of geography and demographics, with adequate speed thresholds that recognize evolving and dynamic consumer and commercial applications.
- **Direct** that broadband deployment must become a specific screening criteria for State decision-makers, civil servants and private sector entities engaged in formulating State policies, programs and projects with potential for expanding broadband infrastructure. Encourage local government to do the same.
- **Provide** practical mechanisms and latitude to empower State Agencies to alter existing policies and practices, including permitting processes, that create obstacles and to create a culture within government that enables rather than inhibits swift and widespread broadband deployment. These efforts should include the State’s support and expansion of a means for validating broadband speeds reported by internet service providers.
- **Commit** the State to aggregate adequate resources to meet the deployment goals and allow for resilient networks.

Although many important public and private initiatives are under way to promote ubiquitous broadband access in California, the goal will be difficult to reach without focused direction from the Governor. Leadership from the top is powerful. It can overcome inertia. It can inspire problem-solving. It can create space for new voices and fresh ways of thinking. It can generate meaningful cross-sector collaboration, innovation and investment.

To embed accountability in the new statewide Broadband Action Policy, it will be critical for the Governor to tap a point person to work with both Agency secretaries and stakeholders in developing a plan for achieving ubiquitous access. Such a plan should identify responsibilities and deadlines within each State Agency, as well as the resources and legislative actions required to reach the deployment and access goals.

In formulating this Policy, the Governor need not start from scratch. As the Appendix to this statement shows, a deep reservoir of analysis already exists, which can serve as a framework for the Policy. The Appendix includes the California Emerging Technology Fund’s 2019 State of Connectivity recommendations to the California Broadband Council. Further guidance can be found in a proposed “Digital Equity For All—Guiding Principles” statement in development through the California Public Utilities Commission and California Department of Technology as the Chair of the California Broadband Council.<sup>v</sup>

Additional statewide models for the new Broadband Action Policy can be found in California’s “Health in All Policies” program and the 2015 Governor’s Environmental Goals and Policy Report, “A Strategy for California @ 50 Million; Supporting California’s Climate Change Goals.”<sup>vi</sup> These strategies articulate a statewide vision for the future and recognize that the challenges being addressed are greatly influenced by State policies, programs and decisions. Each strategy

identifies “key elements” or “pillars” that serve as guides and filters for operationalizing the work that must be done across State government.

In advancing a Broadband Action Policy and aligning State Agency resources, it will be essential to recognize that “broadband is a green strategy” that reduces environmental impacts by offsetting vehicle trips. State Agencies should be empowered to embrace broadband and incorporate Digital Equity into their strategies and programs, emulating existing initiatives that recognize the inter-relationship of threats to California’s prosperity and opportunities for leveraged action. For example, the California Transportation Commission and California Department of Transportation (Caltrans) recognized the importance of broadband and its potential to offset vehicle trips in Corridor Planning Guidelines adopted last year. However, to ensure clarity and transparency in transportation planning, it is vital that the Administration and Legislature expressly declare that “mobility” is the outcome product of the State’s transportation system. Such an approach goes beyond construction and maintenance. It ensures people, goods and services are connected in ways that reduce congestion and decreases impacts on the environment – the very definition of “mobility.” In this context, the incorporation of broadband infrastructure into transportation projects becomes a logical and allowable expenditure. This also is consistent with the concept of “dig once” for all major infrastructure systems and which local governments can replicate within their transportation systems.

Finally, it must be recognized that the capacity (both download and upload speeds) of broadband infrastructure requires significant expansion and upgrading to meet the current and future needs of California’s residents and economic prosperity.<sup>vii</sup>

The Governor’s focus on reanimating the California Dream and creating a “California For All” is meaningful and significant. In this fast-paced, technology-driven world, such a dream cannot be achieved without ubiquitous broadband access for everyone. The State of California can and should be a driving force on this road to Digital Equity.

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<sup>i</sup> See, e.g., “Citizenville: How to Take the Town Square Digital and Reinvent Government, Gavin Newsom with Lisa Dickey, January 28, 2014.

<sup>ii</sup> Broadband Survey: Digital Divide Persists in California but Schools Are Helping to Improve Access for Students, California Emerging Technology Fund (CETF), March 12, 2019, [http://www.cetfund.org/files/002\\_CETF\\_2019\\_001\\_PR\\_AS2019\\_CA\\_Digital\\_Divide.pdf](http://www.cetfund.org/files/002_CETF_2019_001_PR_AS2019_CA_Digital_Divide.pdf); see also data and information available on the CETF website at <http://www.cetfund.org/annualreports/2010/digital-divide>

<sup>iii</sup> On June 19, 2019, the California Emerging Technology Fund partnered with California Forward to convene a Digital Inclusion Roundtable in Sacramento to mobilize policies and practices among State Agencies to promote deployment of broadband in underserved and unserved areas of California. The Roundtable built upon work at the 2018 Stakeholders Meeting on Strategic Corridors and 2018 California Economic Summit. Participants included representatives from state and local government, the League of California Cities, Rural County Representatives of

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California, Broadband Regional Consortia, Internet Service Providers, the California Council of Governments, tribal interests, and other local and regional stakeholders. The Roundtable identified the need for a statewide broadband action policy with clear direction from the Governor.

<sup>iv</sup> AB 1665, authored by Assembly Member Eduardo Garcia and approved by Gov. Jerry Brown October 15, 2017.

<sup>v</sup> Please also see “Catalyst for Action: 10 Years of Achievement in Closing the Digital Divide 2007-2017” at [http://www.cetfund.org/files/CETF\\_2017decadeAR\\_LP10\\_forweb.pdf](http://www.cetfund.org/files/CETF_2017decadeAR_LP10_forweb.pdf). This CETF “Decade Report” contains a framework for overall goals for broadband deployment and adoption.

<sup>vi</sup> For more information, please see the California Department of Public Health’s Health in All Policies page at <https://www.cdph.ca.gov/Programs/OHE/Pages/HiAP.aspx> and the Environmental Goals and Policy Report at [http://opr.ca.gov/docs/EGPR\\_Nov\\_2015.pdf](http://opr.ca.gov/docs/EGPR_Nov_2015.pdf)

## APPENDIX



**California Emerging Technology Fund  
 Recommendations to California Broadband Council  
 for State Agencies Consideration of Long Term Goals  
 March 21, 2019**

<b>Broadband Task Force Report:  <i>State of Connectivity</i>            Recommendations</b>	<b>Examples of Prospective Long-Term Goals            for Consideration by            California Broadband Council</b>
<p>Build out high-speed broadband infrastructure to all Californians.</p>	<ul style="list-style-type: none"> <li>➤ Recognize that the Internet For All Now Act of 2017 set forth in Findings and Declarations that high-speed Internet access is essential 21<sup>st</sup> century infrastructure for economic competitiveness and quality of life and that there is a need for world-class infrastructure throughout California to support other major infrastructure investments, and thereby protect lives, property and the environment.</li> <li>➤ Acknowledge that the imperative for 21<sup>st</sup> century world-class broadband throughout the state will require improved technologies, higher bandwidth upload and download speeds than the threshold set in AB1665.</li> <li>➤ Reaffirm the commitment to technology-neutral public policy and underscore the need to deploy specific technologies based on functionality for purpose and consumers.</li> <li>➤ Define adequate “threshold speed” as a dynamic concept that should continuously evolve to support prevalent consumer applications for the spectrum of customers.</li> </ul>

	<ul style="list-style-type: none"> <li>➤ Ensure that State’s statutory deployment goal of providing access to 98% of all households in each region at or above the specified threshold speeds is achieved by 2022 by identifying opportunities for the State to align and integrate activities among State Agencies and by encouraging collaboration among Internet Service Providers (ISPs).</li> <li>➤ Explore with the CPUC strategies to assure adequate bandwidth to all customers along the path of deployment to last-mile unserved households, especially for public agencies, anchor institutions, and major employers.</li> <li>➤ Recognize that competitive world-class broadband infrastructure requires ubiquitous high-speed Internet access beyond the current 98% deployment goal, and that additional resources will be needed to reach Tribal Lands, optimize precision agriculture (provide wireless connectivity into the fields), and install permanent access at county fairgrounds for emergency response and public safety.</li> </ul>
<p>Develop model permitting standards and encourage collaboration among providers.</p>	<ul style="list-style-type: none"> <li>➤ Consult CSAC, LCC, and RCRC and recommend reference materials for “smart communities” and post them on the CBC website, including <i>Intelligent Community Self-Assessment</i> and <i>CETF Resource Guide for Local and Regional Government Leaders</i>. Request assistance from CSAC, LCC and RCRC to distribute information and encourage “smart communities” to help drive broadband deployment and adoption.</li> <li>➤ Consider convening and/or support other efforts to bring together all stakeholders, including State Agencies, ISPs, Local Governments, CPUC, and Regional Consortia to explore potential for reaching agreement on accelerating deployment of advanced communications networks,</li> </ul>

	including streamlining of permitting, coupled with Digital Inclusion.
Increase the use and adoption of broadband and computer technology.	<ul style="list-style-type: none"> <li>➤ Recommend that the Administration and Legislature set a goal for broadband adoption, such as 90% statewide by 2022 (with no less than 80% by any demographic group) and 95% by 2027.</li> <li>➤ Recognize that there are 3 significant barriers to broadband adoption by low-income households and disadvantaged communities: (a) cost; (b) relevance; and (c) digital literacy. Further, acknowledge that the “cost” barrier includes both the price of Internet service and a device.</li> <li>➤ Acknowledge that education (K-12 and higher education, particularly community colleges) and workforce preparation programs can overcome all 3 barriers and should be encouraged to incorporate computer and Internet navigation skills into their programs.</li> <li>➤ Review the status of implementation of the Executive Order on Digital Literacy and delineate next steps.</li> <li>➤ Acknowledge that schools in low-income neighborhoods need additional resources and extraordinary intervention to successfully incorporate computing and broadband technologies into teaching, learning, and parent engagement.</li> <li>➤ Request the California Department of Education, California Board of Education, California Collaborative for Education Excellence, and State Workforce Development Board to provide an analysis and action plan for accelerating broadband adoption through education and workforce training programs.</li> </ul>
Encourage and reward broadband innovation and research.	<ul style="list-style-type: none"> <li>➤ Request that the Department of Technology, State Library (including Research Bureau), CPUC, and CENIC (including all interested research institutions, particularly CalIT2) develop recommendations for goals, metrics and</li> </ul>

	strategies to encourage and reward broadband adoption.
Create a statewide e-health network.	<ul style="list-style-type: none"> <li>➤ Convene all stakeholders to reorganize a collaborative for a statewide e-health network with a California-based non-profit with all Directors residing in California that will harness the expertise of medical centers to provide quality healthcare in rural and urban medically-underserved communities.</li> <li>➤ Set a goal of enrolling at least 2,000 providers in the e-health network.</li> <li>➤ Establish a research framework and evaluation methodology to monitor and measure population outcomes and determine the cost-effectiveness.</li> </ul>
Leverage educational opportunities to increase broadband use.	<ul style="list-style-type: none"> <li>➤ Encourage ISPs to increase advertising and community media as trusted messengers.</li> <li>➤ Encourage ISPs to collaborate with CBOs as the “trusted messenger and honest broker” to reach the digitally-disadvantaged populations.</li> <li>➤ Request CPUC to gather input and analyze funding needed in the CASF Adoption Account to achieve the statewide goal for adoption.</li> </ul>
Continue State-level and statewide leadership.	<ul style="list-style-type: none"> <li>➤ Request all related State Agencies to align goals and optimize the incorporation of broadband in an Action Plan submitted to and approved by the CBC.</li> <li>➤ Convene meetings with CSAC, RCRC, LCC, Regional Consortia, and Local Governments in a workshop to explore other strategies to accelerate broadband deployment and adoption.</li> </ul>

**Internet For All Now Act of 2017 (AB1665 – Chapter 851)**

The Legislature finds and declares both of the following:

(1) The availability of high-speed Internet access, referred to generically as “broadband” and including both wired and wireless technologies, is essential 21st century infrastructure for economic competitiveness and quality of life. Economic studies confirm that the use of broadband technologies increases economic productivity as a foundation for increased efficiency in organizational operations and enhanced profitability in business.

(2) Broadband infrastructure is also vital to the operation and management of other critical infrastructure, such as energy generation systems and the electrical grid, water supply systems, and public safety and emergency

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response networks. There is a need for world-class broadband infrastructure throughout California to support these major infrastructure investments, and thereby to protect lives, property, and the environment.

(b) It is the intent of the Legislature that California be a national leader and globally competitive in the deployment and adoption of broadband technology and in implementing quality universal access for all residents.

(c) It is the intent of the Legislature that California achieve the goal specified in paragraph (1) of subdivision (b) of Section 281 of the Public Utilities Code by fostering private investment, maximizing California's ability to obtain available federal funds, and administering the California Advanced Services Fund to fund broadband infrastructure where private investments and federal funds are not available and not use moneys in that fund to overbuild the broadband infrastructure.

(d) It is the intent of the Legislature that the Public Utilities Commission develop strategies with recipients of moneys from the Connect America Fund to leverage those moneys to serve unserved areas identified in the April 2017 California Advanced Services Fund Annual Report and to leverage investments in anchor institutions to encourage cost-effective deployment to unserved households.

(e) It is the policy of the state to encourage collaboration among stakeholders and to promote public-private partnerships to harness the expertise and strengths of all partners to serve the public interest.

SEC. 3. Section 281 of the Public Utilities Code is amended to read:

281. (a) The commission shall develop, implement, and administer the California Advanced Services Fund program to encourage deployment of high-quality advanced communications services to all Californians that will promote economic growth, job creation, and the substantial social benefits of advanced information and communications technologies, consistent with this section and with the statements of intent in Section 2 of the Internet For All Now Act (Assembly Bill 1665 of the 2017–18 Regular Session).