

# NOTICE OF FUNDING OPPORTUNITY

## CONNECTING MINORITY COMMUNITIES PILOT PROGRAM

### EXECUTIVE SUMMARY

#### A. Federal Agency Name

National Telecommunications and Information Administration (NTIA), U.S. Department of Commerce

#### B. Funding Opportunity Title

Connecting Minority Communities Pilot Program

#### C. Announcement Type

Amended

#### D. Funding Opportunity Number

NTIA-CMCPP-2021

#### E. Assistance Listing (CFDA Number)

11.028, Connecting Minority Communities Pilot Program

#### F. Key Dates

Complete applications must be received by [www.grants.gov](http://www.grants.gov) no later than 11:59 p.m. Eastern Standard Time (EST) on **December 1, 2021**.

Applicants should be aware, and factor in their application submission planning, that the [Grants.gov](http://Grants.gov) system periodically closes for routine maintenance. Applicants should visit [Grants.gov](http://Grants.gov) for information about any scheduled closures.

NTIA expects to complete its review, selection of successful applicants, and award processing by **March 1, 2022**. NTIA expects the earliest start date for awards under this Notice of Funding Opportunity (NOFO) to be **March 14, 2022**.

Applicants are strongly urged to read Section IV.D, Attachment of Required Documents, with great attention. Applicants should carefully follow the instructions and recommendations regarding attachments and use the Download Submitted Forms and Applications feature on [www.grants.gov](http://www.grants.gov) to check that all required attachments were contained in their submission. Applications submitted without the required documents will not pass the Initial Administrative Review.

When developing the submission timeline, please keep in mind that: (1) all applicants are required to have current registrations in the electronic System for Award Management (SAM.gov) and Grants.gov; (2) the free annual registration process in SAM.gov generally takes between three (3) and five (5) business days but can take more than three weeks; and (3) applicants will receive e-mail notifications over a period of up to two (2) business days as the application moves through intermediate systems before the applicant learns via a validation or rejection notification whether a federal agency's electronic system has received the application. (See [Grants.gov](https://www.grants.gov) for full information on application and notification through Grants.gov). Please note that a federal assistance award cannot be issued if the designated recipient's registration in SAM.gov is not current at the time of the award.

### **G. Application Submission Address**

Complete application packets must be submitted electronically through [www.grants.gov](https://www.grants.gov). Complete applications or portions thereof submitted by postal mail, courier, email, or by facsimile will not be accepted. See Section IV of this NOFO for detailed information concerning application submission requirements.

### **H. Funding Opportunity Description**

NTIA issues this NOFO to describe the requirements under which it will award grants for the Connecting Minority Communities (CMC) Pilot Program, authorized by the Consolidated Appropriations Act, 2021, Division N, Title IX, Section 902, Public Law 116-260, 134 Stat. 1182 (Dec. 27, 2020) ("the Act"). The Connecting Minority Communities Pilot Program provides new federal funding for the Assistant Secretary to make grants for the expansion of broadband internet access, connectivity, and digital inclusion. The Act authorizes new federal funding for the Assistant Secretary to make grants to eligible recipients in anchor communities: for the purchase of broadband internet access service or any eligible equipment, or to hire and train information technology personnel; to facilitate educational instruction and learning, including through remote instruction; to operate a minority business enterprise (MBE); or to operate a tax-exempt 501(c)(3) organization. The Act also authorizes grants to a consortium, led by an eligible recipient institution (i.e., educational institution), that includes an MBE or a tax-exempt 501(c)(3) organization. See Section I of this NOFO for the full Program Description.

### **I. Funding Instrument**

Grant.

### **J. Eligibility**

The Act defines an eligible recipient as: (1) a historically Black college or university (HBCU); (2) a Tribal College or University (TCU); (3) a Minority-serving institution (MSI); or (4) a consortium that is led by a historically Black college or university, a Tribal College or University, or a Minority-serving institution and that also includes: (a) an MBE; or (b) an

organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.<sup>1</sup>

Additionally, an eligible recipient must be in an “anchor community,” defined in part as having an estimated median annual household income of not more than two hundred and fifty percent (250%) of the poverty line.<sup>2</sup> A consortium is eligible for a grant under the Connecting Minority Communities Pilot Program if it is led by an eligible institution as defined above.

See Section III of this NOFO for additional information regarding the eligibility requirements for this program.

### **K. Anticipated Amounts**

NTIA will make up to \$268,000,000 available for federal assistance under the Connecting Minority Communities Pilot Program. NTIA expects to make awards under this program within the following funding range: \$500,000 to \$3,000,000, but this range is not a required minimum or maximum. The period of performance for grants issued pursuant to this program is two years, unless such period is otherwise extended in writing by the Grants Officer. See Section II of this NOFO for additional information pertaining to award amounts and to the period of performance for grants issued pursuant to this NOFO.

The Act requires that NTIA set aside certain amounts of grant funds specifically for historically Black colleges or universities and student-focused broadband connectivity. Accordingly, NTIA will set aside at least 40 percent of the grant funds awarded pursuant to the Connecting Minority Communities Pilot Program for distribution to qualifying historically Black colleges or universities.<sup>3</sup> NTIA will also set aside at least 20 percent of grant funds awarded pursuant to the Connecting Minority Communities Pilot Program for eligible HBCUs, TCUs and MSIs to provide broadband internet access service and/or eligible equipment to their students.<sup>4</sup> These statutory set asides are not mutually exclusive (i.e., funds awarded to an HBCU to provide broadband internet access service and/or eligible equipment to its students would count toward both set asides).

### **L. Cost Sharing/Matching**

The Act authorizing the establishment of the Connecting Minority Communities Pilot Program does not contain a statutory cost sharing or matching funds requirement for this grant program. Therefore, NTIA will not require an eligible entity applying for a grant under the Connecting Minority Communities Pilot Program to provide a cost match and NTIA will not give favorable consideration to applications proposing voluntary cost share. However, applicants may propose to contribute a binding, voluntary committed non-federal cost share amount (as described in the

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<sup>1</sup> See Section 902(a)(8) of the Act.

<sup>2</sup> See Section 902(a)(1) of the Act.

<sup>3</sup> See Section 902(c)(1)(B)(vi) of the Act; 47 C.F.R. § 302.6(a)(2).

<sup>4</sup> See Section 902(c)(1)(B)(vii) of the Act; 47 C.F.R. § 302.6(a)(3).

definitional section of 2 C.F.R. 200.1) and, if they do propose such non-federal cost share, must document their capacity to provide such matching funds in their applications. Matching funds may be in the form of either cash or in-kind contributions consistent with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200.<sup>5</sup> See Section III.E of this NOFO for more information pertaining to the cost sharing requirements for this program, Section IV of this NOFO for the application requirements for this program, and Section V of this NOFO for Evaluation Criteria and Selection Factors for this program.

**FULL ANNOUNCEMENT TEXT**

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**I. Program Description**

NTIA issues this NOFO to describe the requirements under which it will award grants for the Connecting Minority Communities Pilot Program, authorized by the Consolidated Appropriations Act, 2021, Division N, Title IX, Section 902, Public Law 116-260, 134 Stat. 1182 (Dec. 27, 2020) (“the Act”). The purpose of the Connecting Minority Communities Pilot Program is to provide federal funding to eligible recipients in anchor communities: for the purchase of broadband internet access service or any eligible equipment, or to hire and train information technology personnel; to facilitate educational instruction and learning, including through remote instruction; to operate an MBE; or to operate a tax-exempt 501(c)(3) organization.

**A. Overview of the Connecting Minority Communities Pilot Program:**

Through the Connecting Minority Communities Pilot Program, NTIA will directly address the lack of broadband access, connectivity, adoption and equity at our nation’s Historically Black Colleges and Universities (HBCUs), Tribal Colleges and Universities (TCUs), and Minority-Serving Institutions (MSIs), and in their surrounding anchor communities. Accordingly, Congress has directed NTIA to provide grants to HBCUs, TCUs, and MSIs to facilitate educational instruction and learning, including through remote instruction; and to consortia including MBEs or tax-exempt 501(c)(3) organizations to operate that MBE or tax-exempt 501(c)(3) organization. Eligible recipients may use grant funds to: (1) purchase broadband

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<sup>5</sup> 2 C.F.R. Part 200, available at <http://go.usa.gov/SBYh>.

internet access service, including the installation or upgrade of broadband facilities on a one-time, capital improvement, basis to increase or expand broadband capacity and/or connectivity at the eligible institution; (2) purchase or lease eligible equipment and devices for student or patron use, subject to any restrictions and prohibited uses; and (3) hire and train information technology personnel who are a part of the eligible anchor institution, MBE, or tax-exempt 501(c)(3) organization.

The Connecting Minority Communities Pilot Program seeks to expand educational instruction and remote learning opportunities, spur economic development, create opportunities for employment and entrepreneurship, by building the digital capacity of the eligible institutions and furthering broadband access, adoption, and digital skills within those institutions and in their surrounding anchor communities.

NTIA believes that broadband is a critical conduit for economic development and opportunities and a gateway for increased productivity, growth, and economic access. NTIA recognizes the important role that HBCUs, TCUs, and MSIs play for their students and their communities. Yet many students, communities, and critical anchor institutions experience significant gaps in broadband access, adoption, digital skills, and equity, particularly within communities of color and vulnerable populations. The COVID-19 pandemic has further exacerbated these digital inequities for students, faculty, and staff of HBCU, TCU, and MSI anchor institutions and their surrounding communities. NTIA will collaborate with HBCU, TCU, and MSI anchor institutions to develop innovative solutions to address these digital gaps.

Section 902(c)(1)(A) of the Act required NTIA to promulgate rules establishing the Connecting Minority Communities Pilot Program, which NTIA has at 47 C.F.R. §§ 302.1-302.12 (86 FR 31638).<sup>6</sup> Section 902(c)(1)(B) of the Act requires that NTIA in these rules establish a method to: identify, determine, and verify applicant eligibility; identify which eligible recipients in anchor communities have the greatest unmet financial needs; and ensure that grants under the CMC Pilot Program are made to eligible recipients in a manner that best achieves the purposes of the CMC Pilot Program, among other requirements. More details on NTIA's method to establish and verify program eligibility are provided in Section III below.

Additionally, Section 902(c)(1)(B)(iii) of the Act requires that an eligible recipient that receives a grant award to provide broadband internet access service or eligible equipment to students must, as a condition of that grant, prioritize students in need, as measured by the following criteria:

- (1) Students who are eligible to receive Federal Pell Grants;
- (2) Students who receive any other need-based financial aid from the Federal government, a State, or the eligible recipient;
- (3) Students who are qualifying low-income consumers for the purposes of the program carried out under 47 C.F.R. Part 54, Subpart E, or any successor regulations;

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<sup>6</sup> See Connecting Minority Communities Pilot Program Final Rule, 86 FR 31638 (June 15, 2021), available at <https://www.govinfo.gov/content/pkg/FR-2021-06-15/pdf/2021-12454.pdf>.

- (4) Students who are low-income individuals as that term is defined in section 312(g) of the Higher Education Act of 1965 (20 U.S.C. 1058(g)); or
- (5) Students who have been approved to receive unemployment insurance benefits under any Federal or State law since March 1, 2020.

The Act also requires that any grant recipient that lends or provides eligible equipment to students or patrons must prioritize the lending or providing of such equipment or devices to students or patrons that the recipient believes do not have access to such equipment. NTIA will factor such information as it considers applications eligible for award, and will require applicants to certify compliance with these statutory requirements in their applications, and grantees to certify compliance on an annual basis.<sup>7</sup>

The Act requires that NTIA set aside certain amounts of grant funds specifically for historically Black colleges or universities and student-focused broadband connectivity. Accordingly, NTIA will set aside at least 40 percent of the grant funds awarded pursuant to the Connecting Minority Communities Pilot Program for distribution to qualifying historically Black colleges or universities.<sup>8</sup> NTIA will set aside at least 20 percent of grant funds awarded pursuant to the Connecting Minority Communities Pilot Program for eligible HBCUs, TCUs, and MSIs to provide broadband internet access service and/or eligible equipment to their students.<sup>9</sup> These statutory set asides are not mutually exclusive (i.e., funds awarded to an HBCU to provide broadband internet access service and/or eligible equipment to its students would count toward both set asides).

Applicants may request funding for projects that have at least one of the following purposes:

- i. Builds the broadband and IT capacity of eligible HBCU, TCU, and MSI institutions;
- ii. Provides broadband education, awareness, training, access, equipment, and support to students and patrons at eligible institutions, MBEs, and tax-exempt 501(c)(3) organizations in anchor communities;
- iii. Provides subsidized broadband access and equipment to qualified low-income/in-need students and communities;
- iv. Improves use of broadband services by eligible MBEs and community-based organizations to deliver digital skills, digital inclusion, workforce development programs, and technology services in anchor communities;

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<sup>7</sup> See 47 C.F.R. §§ 302.7(b)-(c), 302.8; Appendix A to this NOFO: Certification regarding Compliance with Statutory and Programmatic Requirements.

<sup>8</sup> See Section 902(c)(1)(B)(vi) of the Act; 47 C.F.R. § 302.6(a)(2).

<sup>9</sup> See Section 902(c)(1)(B)(vii) of the Act; 47 C.F.R. § 302.6(a)(3).

- v. Stimulates the adoption and community use of broadband services for telehealth, remote learning, telework and entrepreneurship, economic growth, and job creation in anchor communities;
- vi. Builds digital skills and IT workforce capacity in HBCU, TCU, and MSI institutions, anchor communities, and MBE and tax-exempt consortia members, including STEM/STEAM, coding, cybersecurity, technician, and work-based learning programs;
- vii. Assesses the needs of HBCU, TCU, and MSI anchor institutions and surrounding anchor communities and conducts planning related to online education, digital inclusion, workforce, and digital skills development; and/or
- viii. Gathers data and conducts evaluation of the digital inclusion, broadband access and adoption, and professional development programs funded by the grant to determine their effectiveness and document best practices.

Additionally, where applicants plan to use grant funds for allowable capital expenses to improve and/or expand broadband connectivity and access, NTIA encourages the submission of project proposals that deploy or utilize future-proof infrastructure. Since this is a pilot program, NTIA welcomes innovative approaches to technology training, workforce development, and community engagement around broadband, broadband access, and connectivity. To further replicate and scale these programs, applicants will be expected to evaluate, track and document their program outcomes and best practices.

NTIA has set the initial award period as no more than two years from the receipt of grant funds. The Assistant Secretary, however, may extend the initial award period if the eligible recipient certifies that (1) it has a plan for the use of the grant funds, (2) the execution or implementation of the project is underway, or (3) extenuating circumstances require an extension of time to allow the project to be completed.

NTIA issues this NOFO to: invite eligible recipients to submit applications for the Connecting Minority Communities Pilot Program; provide information on the amount of funding available for award; discuss how it will allocate funds to qualifying applicants; give instructions on the application process; and describe the evaluation criteria for application review and the factors for award selection. The definitions applicable to this NOFO are set forth below.

**B. Definitions.**—The following definitions are applicable to the Connecting Minority Communities Pilot Program:

- a. ***Anchor Community*** means any area that—
  - (1) except as provided in the definition of Certain Tribal Colleges or Universities below, is not more than 15 miles from a historically Black college or university, a Tribal College or University, or a Minority-serving institution; and

(2) has an estimated median annual household income (based on U.S. Census Bureau American Community Survey data) of not more than 250 percent of the poverty line, as that term is defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)).<sup>10</sup> NTIA will use data from the most recent time period for which both household income and poverty line data are available.

b. ***Certain Tribal Colleges or Universities*** means, with respect to a Tribal College or University that is located on land held in trust by the United States, the Assistant Secretary, in consultation with the Secretary of the Interior, may establish a different maximum distance for the purposes of designating an anchor community if the Assistant Secretary is able to ensure that, in establishing that different maximum distance, each anchor community that is established as a result of that action is statistically comparable to other anchor communities described in the definition of Anchor Community above.<sup>11</sup>

After consultation with the Secretary of the Interior and review of the relevant statistical data, the Assistant Secretary has determined that, for TCUs located on land held in trust by the United States that are also located within a reservation, the boundary of the reservation on which the TCU falls will be substituted for the 15-mile buffer to create an Area of Interest (AOI) for each institution. The AOI will be used to define the institution's anchor community boundary.

c. ***Assistant Secretary*** means the Assistant Secretary of Commerce for Communications and Information and Administrator of the National Telecommunications and Information Administration (NTIA).<sup>12</sup>

d. ***Broadband internet access service*** has the meaning given the term in 47 C.F.R. § 8.1(b), or any successor regulation.<sup>13</sup>

e. ***Commission*** means the Federal Communications Commission.<sup>14</sup>

f. ***Connected device*** means a laptop computer, tablet computer, or similar device that can connect to broadband internet access service.<sup>15</sup>

g. ***Director*** means the Director of the Office.<sup>16</sup>

h. ***Eligible equipment*** means—

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<sup>10</sup> See Section 902(a)(1)(A) of the Act.

<sup>11</sup> *Id.* at § 902(a)(1)(B).

<sup>12</sup> *Id.* at § 902(a)(2).

<sup>13</sup> *Id.* at § 902(a)(3).

<sup>14</sup> *Id.* at § 902(a)(4).

<sup>15</sup> *Id.* at § 902(a)(5).

<sup>16</sup> *Id.* at § 902(a)(6).



- (1) a Wi-Fi hotspot;
- (2) a modem;
- (3) a router;
- (4) a device that combines a modem and router;
- (5) a connected device; or
- (6) any other equipment used to provide access to broadband internet access service.<sup>17</sup>

i. **Eligible recipient** means—

- (1) a historically Black college or university;
- (2) a Tribal College or University;
- (3) a Minority-serving institution; or
- (4) a consortium that is led by a historically Black college or university, a Tribal College or University, or a Minority-serving institution and that also includes—
  - a. a minority business enterprise; or
  - b. an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.<sup>18</sup>

j. **Historically Black college or university** has the meaning given the term “part B institution” in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).<sup>19</sup>

k. **Minority-serving institution** means any of the following:

- (1) An Alaska Native-serving institution, as that term is defined in section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)).
- (2) A Native Hawaiian-serving institution, as that term is defined in section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)).
- (3) A Hispanic-serving institution, as that term is defined in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)).
- (4) A Predominantly Black institution, as that term is defined in section 371(c) of the Higher Education Act of 1965 (20 U.S.C. 1067q(c)).
- (5) An Asian American and Native American Pacific Islander-serving institution, as that term is defined in section 320(b) of the Higher Education Act of 1965 (20 U.S.C. 1059g(b)).
- (6) A Native American-serving, nontribal institution, as that term is defined in section 319(b) of the Higher Education Act of 1965 (20 U.S.C. 1059f(b)).<sup>20</sup>

l. **Minority Business Enterprise** means a business which is owned or controlled by one or more socially or economically disadvantaged persons (as defined in 15 C.F.R. § 1400.2, or any successor regulation).<sup>21</sup>

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<sup>17</sup> *Id.* at § 902(a)(7).

<sup>18</sup> *Id.* at § 902(a)(8).

<sup>19</sup> *Id.* at § 902(a)(9).

<sup>20</sup> *Id.* at § 902(a)(10).

<sup>21</sup> *Id.* at § 902(a)(11).

- m. **Office** means the Office of Minority Broadband Initiatives established pursuant to the Consolidated Appropriations Act, 2021, Division N, Title IX, Section 902(b)(1).<sup>22</sup>
- n. **Pilot Program** means the Connecting Minority Communities Pilot Program established under the rules promulgated by the Assistant Secretary.<sup>23</sup>
- o. **Tribal College or University** has the meaning given the term in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).<sup>24</sup>
- p. **Wi-Fi** means a wireless networking protocol based on Institute of Electrical and Electronics Engineers standard 802.11, or any successor standard.<sup>25</sup>
- q. **Wi-Fi hotspot** means a device that is capable of—
  - (1) receiving broadband internet access service; and
  - (2) sharing broadband internet access service with another device through the use of Wi-Fi.<sup>26</sup>

## II. Federal Award Information

### A. Funding Availability

NTIA will make up to \$268,000,000 available for federal assistance under the Connecting Minority Communities Pilot Program.

### B. Project/Award Period

The initial award period for the Connecting Minority Communities Pilot Program is no more than two years from the receipt of grant funds.

**1. Extensions:** The Assistant Secretary may extend the initial two-year award period for an eligible recipient that proposes to use the grant funds for program purposes if the eligible recipient certifies that:

- (i) the eligible recipient has a plan for use of the grant funds;
- (ii) the execution or implementation of the project is underway; and/or
- (iii) extenuating circumstances require an extension of time to allow the project to be completed.

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<sup>22</sup> *Id.* at § 902(a)(12).

<sup>23</sup> *Id.* at § 902(a)(13).

<sup>24</sup> *Id.* at § 902(a)(14).

<sup>25</sup> *Id.* at § 902(a)(15).

<sup>26</sup> *Id.* at § 902(a)(16).

**2. Petition for Extension:** The eligible recipient may submit a request for an extension of the two-year award period with its application or not later than ninety (90) calendar days before the end of the award period.

### **C. Award Amount**

NTIA will make the amounts appropriated under the Connecting Minority Communities Pilot Program available to eligible recipients, as defined in Section I.B.i of this NOFO, to implement pilot program projects, as outlined in Section I of this NOFO.

NTIA expects to make awards under this program within the following funding range: \$500,000 to \$3,000,000. This range is not a required minimum or maximum, but eligible recipients requesting amounts for projects outside of this range must provide a reasonable explanation for the variance in their project size.

Given the limited amount of funding available to award for this pilot program and the potentially large number of eligible recipients that may submit applications for this grant program, to determine whether an application merits an award, NTIA will consider eligible applications that best achieve the statutory purposes and funding requirements set forth by the Act, evaluated in accordance with the objective evaluation criteria contained in Section V.A of this NOFO.

### **D. Treatment of Unallocated Funds**

If necessary, the Assistant Secretary will reallocate any funds that remain available after awarding grants to eligible recipients that submitted approved applications during the initial round of funding for the Connecting Minority Communities Pilot Program, or any unused funds that are returned by recipients, through a subsequent NOFO. Any subsequent NOFO will be published by NTIA and publicly accessible via [www.grants.gov](http://www.grants.gov).

### **E. Type of Funding Instrument**

The funding instrument for awards made pursuant to the NOFO will be a grant.

## **III. Eligibility Information**

### **A. Eligible Applicants**

An applicant must be an eligible recipient as defined in Section I.B.i of this NOFO. Specifically, the term “eligible recipient” means: a historically Black college or university; a Tribal College or University; a Minority-serving institution; or a consortium that is led by a historically Black college or university, a Tribal College or University, or a Minority-serving institution and that also includes an MBE or an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and that is exempt from tax under section 501(a) of such Code. The consortium does not need to be documented in a formal legal agreement at the time of application submission but should be expressed in the application as a general intent to cooperate or partner in implementing the project proposed for an award. For each consortium application,

the applicant must submit a Letter of Commitment from each participating MBE or tax-exempt 501(c)(3) organization that clearly states the scope of work to be undertaken by the member of the consortium and its relevance to the proposed project. Additionally, an MBE or tax-exempt 501(c)(3) organization may participate in more than one consortium.

### **B. Designation of Lead Applicant**

An HBCU, TCU, or MSI must serve as the lead applicant (*e.g.*, in a consortium application) and would enter into the grant agreement with NTIA and assume primary operational and financial responsibility for completing the project should an award be made.

### **C. Eligibility Methodology**

Section 902(c)(1)(B) of the Act requires that NTIA establish a method to identify, determine, and verify applicant eligibility; to identify which eligible recipients in anchor communities have the greatest unmet financial needs; and to ensure that grants under the Pilot Program are made to eligible recipients in a manner that best achieves the purposes of the Pilot Program. The program rules for applicant eligibility are located at 47 C.F.R. § 302.3.

Accordingly, NTIA has developed the following methodologies and supporting rationales utilizing publicly available data, information, processes, and calculations from the agency's Geographic Information System platform - National Broadband Availability Map (NBAM) and in consultation with several Federal agencies including the U.S. Department of Education, National Center for Education Statistics (NCES), Minority Business Development Agency (MBDA), U.S. Census Bureau and the Internal Revenue Service (IRS).

#### **1. NTIA method to identify and verify that an applicant is a HBCU, TCU, or MSI eligible recipient.**

NTIA will analyze available data to establish HBCU, TCU, and MSI program eligibility as follows:

- a. Eligible institutions of higher education are designated by type and are included in one of the seven categories outlined by the U.S. Department of Education as authorized by the Higher Education Act of 1965.
- b. Where the school type has been legislatively defined and a list of institutions is available from the Federal government, as is the case for HBCUs and TCUs, NTIA will use the data/information provided by the NCES to verify their historical designation.
- c. Where the U.S. Department of Education provides eligibility criteria, but does not publish a definitive list of institutions (for example, Asian American and Native American Pacific Islander-serving institutions (AANAPISI), Hispanic-serving institutions (HSI), Predominantly Black institutions (PBI), Alaska Native-serving institution/Native Hawaiian-serving institutions (ANNH), and Native American-

serving, non-Tribal institution (NASNTI) designations), NTIA has defined the universe of eligible institutions as those institutions that the U.S. Department of Education defines as eligible or potentially eligible in that category within the U.S. Department of Education’s most recently released Eligibility Matrix.<sup>27</sup>

**2. NTIA method to identify anchor communities that are within a 15-mile radius of each eligible HBCU, TCU, or MSI and that meet the estimated median annual household income of not more than 250 percent of the poverty line.**

To identify anchor communities surrounding an otherwise qualifying institution in which the “estimated median annual household income [is] not more than 250 percent of the poverty line,” NTIA will use median household income estimates from the most recent U.S. Census Bureau’s American Community Survey (ACS) for each census tract falling wholly or partially within the applicable area (so long as corresponding poverty threshold data is also available for that time period, to ensure comparison of similar datasets).<sup>28</sup> Census tracts are the smallest geographic units for which median household income estimates are available, enabling more precise identification of the eligible areas defined in the statute. Currently, the most recent available data estimates are from 2015-2019. For each relevant census tract, NTIA will compare the median household income estimate with the most recent poverty thresholds published by the Census Bureau (so long as corresponding household income data is also available for that time period, as discussed above). Currently, the most recent available data is from 2019.

For purposes of this pilot program, NTIA will use the weighted average poverty threshold that corresponds to the mean household size in each tract.<sup>29</sup> If the mean household size is between two whole numbers, NTIA will round up to the next whole number to determine the applicable weighted average poverty threshold. This will help to ensure that the program’s eligibility standards include as many communities in need as possible. If the median household income of a census tract does not exceed 2.5 times the applicable weighted average poverty threshold, that tract will be considered part of the anchor community. NTIA notes that the median household income data sets have a small margin of error that may affect the potential eligibility of certain census tracts.<sup>30</sup> For more information regarding how the CMC Pilot Program addresses the

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<sup>27</sup> Currently, this is the 2020 Eligibility Matrix, but NTIA will update this approach to include the U.S. Department of Education’s 2021 Eligibility Matrix, and any subsequent Eligibility Matrix, as applicable, upon release. See U.S. Dep’t of Education, Office of Postsecondary Education, Eligibility Designations and Applications for Waiver of Eligibility Requirements, <https://www2.ed.gov/about/offices/list/ope/ides/eligibility.html> (last visited June 14, 2021).

<sup>28</sup> See Section 902(a)(1) of the Act.

<sup>29</sup> For any future iteration of the CMC Pilot Program, NTIA plans to use the latest Census Bureau data and information regarding median household incomes and poverty thresholds, as that data becomes available.

<sup>30</sup> ACS estimates are based on a sample and are subject to sampling error. The margin of error measures the degree of uncertainty caused by sampling error. The margin of error is used with an ACS estimate to construct a confidence interval about the estimate. The interval is formed by adding the margin of error to the estimate (the upper bound) and subtracting the margin of error from the estimate (the lower bound).

challenge process, margin of error, and the option for an applicant to submit data to support the eligibility of certain census tracts, see Sections IV.C and V.B.1 of this NOFO.

A further breakdown of NTIA’s approach is as follows:

- a. The 250 percent threshold will be determined for household size based on the most recent poverty thresholds available from the U.S. Census Bureau, so long as household size data for that time period is also available.<sup>31</sup>
- b. The 250 percent poverty threshold by household size will then be applied to the average household size in each census tract according to the most recent American Community Survey data available, so long as poverty threshold data for that time period is also available.
- c. Utilizing capabilities within the NBAM platform, a 15-mile buffer will be drawn around each eligible institution as described above.
- d. A digital overlay will be used to select all census tracts for each anchor community boundary. If any part of a census tract falls within the boundary, NTIA will include that entire census tract in order to avoid excluding potentially eligible communities. The median household income in each anchor community census tract will be compared to the 250 percent poverty threshold as defined above to determine if the anchor community tract does not exceed the prescribed poverty threshold.

As stated above, in determining anchor community eligibility, NTIA will be as inclusive as possible in the application of the Census Bureau’s poverty threshold for qualifying census tracts. Accordingly, NTIA will use the following calculations to determine a census tract’s anchor community eligibility status utilizing the Census Bureau’s poverty thresholds and average household size data:

250% Poverty Threshold	Census 2019 Poverty Threshold	Average Household Size
\$32,528	\$13,011	1 or less
\$41,303	\$16,521	>1 and <=2
\$50,838	\$20,335	>2 and <=3
\$65,430	\$26,172	>3 and <=4

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It is expected with 90 percent confidence that the interval will contain the full population value of the estimate. The Census Bureau provides more information regarding its estimates and margins of error along with percentages and percent margins of error on its website. See American Community Survey, Data Profiles-Economic Characteristics, <https://www.census.gov/acs/www/data/data-tables-and-tools/data-profiles/> (last visited June 15, 2021).

<sup>31</sup> See U.S. Census Bureau, Poverty Thresholds, <https://www.census.gov/data/tables/time-series/demo/income-poverty/historical-poverty-thresholds.html> (last visited June 15, 2021).

\$77,553	\$31,021	>4 and <=5
\$87,823	\$35,129	>5 and <=6
\$100,040	\$40,016	>6 and <=7
\$111,153	\$44,461	>7 and <=8
\$132,188	\$52,875	More than 8

**3. NTIA method to determine a comparable maximum distance for a TCU anchor community located on land held in trust by the United States that is statistically comparable to anchor communities defined as not more than 15 miles from an HBCU, TCU, or MSI.**

In the Act, Congress also directed that NTIA may establish, in consultation with the Secretary of the Interior, a separate anchor community boundary for those Tribal schools located on land held in trust by the United States, if NTIA can ensure that each anchor community that is established is statistically comparable to other anchor communities within the Connecting Minority Communities Pilot Program.<sup>32</sup> After consultation with the Secretary of the Interior and upon review of the applicable data and information for the purposes of Connecting Minority Communities Pilot Program consideration, NTIA will apply this standard as follows: for TCUs located on land held in trust by the United States that are also located within a reservation, the boundary of the reservation on which the TCU falls will be substituted for the 15-mile buffer to create an Area of Interest (AOI) for each institution. The AOI will be used to define the TCU’s anchor community boundary.

**4. NTIA method to identify which eligible recipients have the greatest unmet financial need.<sup>33</sup>**

To determine which eligible recipients have students with the greatest unmet financial need, each applying eligible HBCU, TCU, or MSI institution must provide the following information in their application for funding (or as much of the information as is reasonably available to the institution), to include any supplementary information to explain the data:<sup>34</sup>

- (i) Student population size;
- (ii) Number and percentage of students that are eligible to receive Federal Pell Grants;

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<sup>32</sup> See Section 902(a)(1)(B) of the Act.

<sup>33</sup> NTIA has interpreted that this requirement refers to both the “eligible institution” and the “students that attend the eligible institutions” and therefore, for ease of application, will analyze student need data in addressing this statutory requirement. See Section 902(c)(1)(B)(i) of the Act; see also 47 C.F.R. §§ 302.4(a)(1)(i), 302.6(a)(1).

<sup>34</sup> NTIA understands that institutions of higher education may not have ready access to student data regarding low-income status and approvals to receive unemployment insurance benefits (student need measurements (iv)-(vi) above). Therefore, applicants may submit information to address these standards to the extent practicable (i.e., the institutions have access to and can report this information).

- (iii) Number and percentage of students that receive other need-based financial aid from the Federal government, a State, or that institution;
- (iv) Number and percentage of students that qualify as low-income consumers;<sup>35</sup>
- (v) Number and percentage of students that are low-income individuals;<sup>36</sup> and
- (vi) Number and percentage of students that have been approved to receive unemployment insurance benefits under any Federal or State law since March 1, 2020.

NTIA will analyze the submitted information for each of these criteria and will develop an assessment of each institution's student-body-based unmet financial needs. These assessments will be compared across all submitted applications during the merit review phase and program eligibility determinations will be made based on an evaluation of the data provided and accompanying explanatory information. Final recommendations for project approval and grant funding will be made for those eligible anchor institutions that have demonstrated the highest unmet financial need.

**5. NTIA method to verify that a designated Minority Business Enterprise or a tax-exempt 501(c)(3) organization applying as a member of a consortium is an eligible recipient.**

NTIA will require that a consortium applicant that is an MBE self-certify that it is an MBE-designated entity. *See* Appendix B to this NOFO: Certification For CMC Pilot Program Consortium Applicants - Minority Business Enterprises.

For consortium applicants that claim tax-exempt 501(c)(3) status, NTIA will utilize the Internal Revenue Service's 501(c)(3) certification portal/database to verify the organization's 501(c)(3) status. The IRS Tax Exempt Organizations Search portal is available for applicant and public access at: <https://apps.irs.gov/app/eos/allSearch?einTerm=27-2898736>. NTIA also retains the right to require that a consortium applicant submit evidence of the tax-exempt 501(c)(3) status of its consortium member(s) (*e.g.*, IRS tax-exempt determination letter).

**D. Announcement of Eligible Recipient Anchor Community Qualifying Areas**

In the interests of promoting transparency and strengthening the selection process, NTIA has developed a publicly available and searchable CMC Anchor Community Eligibility Dashboard (CMC Dashboard) that lists the eligible recipient institutions (by type) and shows the qualifying census tracts within a 15-mile radius of each institution. The CMC Dashboard was developed utilizing NTIA's National Broadband Availability Map (NBAM) platform, and contains publicly available data from the U.S. Census Bureau and the U.S. Department of Education. The CMC Dashboard reflects NTIA's application of the anchor community eligibility methodology as

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<sup>35</sup> As defined under 47 C.F.R. part 54, subpart E, or any successor regulations.

<sup>36</sup> As defined in section 312(g) of the Higher Education Act of 1965 (20 U.S.C. 1058(g)).



described in Section III.B.2 above.<sup>37</sup> The posting of this dashboard will provide potential applicants (eligible recipient institutions) the opportunity to view NTIA’s anchor community eligibility determinations (based on household size and poverty threshold calculations) that an eligible recipient could designate for program activities.

CMC applicants and the general public can view, search, and access their own “anchor community” profiles for all eligible recipient institutions (i.e., HBCUs, TCUs, ANNH, PBI, ANNAPISI, HSI and NASNTI) at <https://broadbandusa.ntia.gov/cmcdashboard>.

The CMC Dashboard is for informational purposes only and is intended solely to assist potential applicants in better understanding the CMC Pilot Program and the eligibility requirements set forth in the Final Rule for this program and this NOFO. The CMC Dashboard does not and is not intended to supersede, modify, or otherwise alter applicable statutory or regulatory requirements, or the specific requirements set forth in the Final Rule and NOFO. In all cases, statutory and regulatory mandates, and the requirements set forth in the Final Rule and NOFO, shall prevail over any inconsistencies contained in the CMC Dashboard.

### **E. Cost Sharing or Matching**

The Act authorizing the establishment of the Connecting Minority Communities Pilot Program does not contain a statutory cost sharing or matching funds requirement. Accordingly, NTIA will not require an eligible recipient applying for a grant under the Connecting Minority Communities Pilot Program to provide a binding cost share match and NTIA will not give favorable consideration to applications proposing voluntary cost share. However, applicants may propose to contribute a voluntary committed non-federal cost share amount and, if they do propose such non-federal cost share, must document their capacity to provide such matching funds in their applications. Matching funds may be in the form of either cash or in-kind contributions consistent with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200.<sup>38</sup> Non-federal cost share committed to an award by an eligible recipient will be treated as voluntary committed cost sharing (as defined in 2 C.F.R. § 200.1) and will be a binding commitment under the award. The failure of an eligible recipient to meet its voluntary committed cost share may result in a proportional decrease in federal grant funds.

In-kind contributions, which include third party in-kind contributions, are non-cash donations of property, goods, or services, which benefit a federally assisted project, and which may count toward satisfying the non-federal matching requirement of a project’s total budgeted costs when

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<sup>37</sup> To determine the center of the 15-mile radius, NTIA utilizes the eligible recipient’s official address as reported to and provided by the U.S. Department of Education and the National Center for Education Statistics’ national database, available at <https://nces.ed.gov/collegenavigator/> (last visited June 15, 2021). If any part of a census tract falls within the 15-mile boundary, NTIA will consider that entire census tract eligible for the purposes of the CMC Pilot Program, in order to avoid excluding potentially eligible communities.

<sup>38</sup> See 2 C.F.R. Part 200, available at <http://go.usa.gov/SBYh>. See also 2 C.F.R. § 200.306.

such contributions meet certain criteria.<sup>39</sup> In-kind contributions must be allowable and allocable project expenses. The rules governing allowable in-kind contributions are very detailed and encompass a wide range of properties and services. NTIA encourages applicants to thoroughly consider potential sources of in-kind contributions that, depending on the particular property or service and the applicable federal cost principles, could include employee or volunteer services; equipment; supplies; indirect costs; computer hardware and software; and use of facilities. It is important to note that federal funds may not be used as non-federal match, except as expressly provided by federal statute.<sup>40</sup>

## **F. Other**

**1. Eligible and Ineligible Uses of Project Funds** – See Section IV.J of this NOFO for information concerning the eligible and ineligible uses of project funding (including non-federal cost share) under the Connecting Minority Communities Pilot Program.

**2. Single Application** — An eligible recipient (including a consortium) may submit only one application for the Connecting Minority Communities Pilot Program.

## **IV. Application and Submission Information**

### **A. Address to Request Application Package**

Application forms and instructions are available on the Grants.gov website ([www.grants.gov](http://www.grants.gov)). To access these materials, go to <http://www.grants.gov>, select “How to Apply for Grants,” and then select “Search for Opportunity Package.” Enter the CFDA number (11.028) and/or the funding opportunity number (NTIA-CMCP-2021). Select “Grant Opportunity Package,” and then follow the prompts. To download the instructions, go to “Preview Opportunity Package” and select “Download Instructions.” NTIA recommends that applicants visit Grants.gov prior to filing their applications so that they fully understand the process and requirements. Failure to properly register and apply for funds under the Connecting Minority Communities Pilot Program by the deadline established in this NOFO may result in an eligible recipient losing this grant opportunity. Applications are accepted until the deadline and are processed as received. Application packages, or portions thereof, submitted by email, paper, or facsimile will not be accepted.

With respect to electronic methods for providing information about funding opportunities or accepting applicants’ submissions of information, NTIA is responsible for compliance with Section 508 of the Rehabilitation Act of 1973, as amended by the Workforce Act of 1998.

### **B. Content and Form of Applications**

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<sup>39</sup> See 2 C.F.R. § 200.306.

<sup>40</sup> See *id.*

Applications for the Connecting Minority Communities Pilot Program must be complete and follow the format described in this NOFO. A complete application packet consists of the following forms and required submissions, which are discussed in more detail below.

### **1. Standard Form 424: Application for Federal Assistance**

This is the title page (SF-424). This form (and all additional forms requiring a signature) must be signed by the applicant's authorized organization representative (AOR). Electronic signatures submitted through [www.grants.gov](http://www.grants.gov) satisfy this requirement.

- SF-424, Item 8.d Zip/Postal Code field, should reflect the Zip code + 4 (#####-####) format.
- SF-424, Item 12, should list the NOFO number as NTIA-CMCP-2021.
- SF-424, Item 18, should list the total federal budget amount requested for the entire project.
- For SF-424, Item 21, the list of certifications and assurances that are referenced is contained in the Federal Financial Assistance Certifications and Representations (Certs and Reps) as part of the SAM.gov entity registration, as well as the Certifications Regarding Debarment and Suspension, as described in section IV.F of this NOFO below.

### **2. Standard Form 424A: Budget Information for Non-Construction Programs (SF-424A)**

Applicants must complete this form and, as indicated in section IV.B.7 below, provide a detailed project budget and budget narrative that adequately describes all proposed activities and costs for their grant-funded project(s).

### **3. Standard Form 424B: Assurances for Non-Construction Programs (SF-424B)**

The SF-424B is required for all applicants that have not updated their System for Award Management (SAM.gov) entity registration since February 2, 2019 to include the federal financial assistance Certifications and Representations (Certs and Reps). If an applicant has updated their SAM.gov entity registration since February 2, 2019 to include the certifications and representations, then the SF-424B is not required.

### **4. CD-511 Certification Regarding Lobbying**

Enter "NTIA-Broadband-Connectivity-Grant-Program-2021" in the Award Number field. Enter the title of the application used in field 15 of the SF-424, or an abbreviation of that title, in the Project Name field.

### **5. Standard Form LLL, Disclosure of Lobbying Activities (if applicable)**

### **6. Project Narrative**

The Project Narrative is a word-processed document of not more than twenty (20) single-spaced pages (40 double-spaced pages), responsive to the program description, statutory purposes, funding priorities, and the evaluation criteria set forth in this NOFO. The project narrative should describe a clearly defined project that best achieves the purposes of the Connecting Minority Communities Pilot Program. The project narrative must demonstrate that every project, activity, and cost listed in the application meets the eligible use requirements in 47 C.F.R. § 302.7 and detailed further in Section IV.J.1 below.

The project narrative must identify specific tasks, measurable milestones and performance outcomes resulting from the proposed project activities. The project narrative should include the following information:

- a. Executive Summary. An executive summary of the project not to exceed two (2) pages. Please note, if an applicant's proposal is selected for funding, NTIA may use all or a portion of the Executive Summary as part of a press release issued by NTIA, or for other public information and outreach purposes. Applicants are advised not to incorporate information that concerns business trade secrets or other confidential commercial or financial information as part of the Executive Summary. See also 15 C.F.R. § 4.9(c) concerning the designation of business information by the applicant.
- b. Eligibility and Qualifications. A description of the eligible entity applying for funds, including, if applicable, a description of the organization, its status as an eligible HBCU, TCU, or MSI recipient, eligibility status of any MBE or tax-exempt non-profit consortium members, and the qualifications and experience of key personnel responsible for implementing the proposed project, including:
  - i. **Table of Funded Project Participants and Unfunded Informal Collaborators**. (Does not count toward the page limit). Provide a table that identifies all organizations that will participate in and contribute to the proposed activities, if funded, known at the time of the application submission. Consortium members should be included and identified as such. The table should consist of an alphabetically ordered list, by organization, of all Funded Project Participants and all Unfunded Informal Collaborators. The table should include the organization's name, address, administrative role, scope of work (funded participants only) and proposed funding amount (funded participants only). Administrative roles are applicant, subrecipient, or contractor for funded participants, or collaborator if they will not receive funding.
  - ii. **Resumes of Key Personnel**. (Does not count toward page limit but are limited to one-page each). One-page resumes of no more than five key personnel from applicant (not subrecipients) may be included. Any information beyond one page for each resume and any additional resumes submitted will not be considered.

- c. **Project Justification:** A description of the primary goals of your project, a description of the community needs and challenges that your proposed project will address and who will directly benefit from your project, including the institution, the anchor community, students, MBEs, and/or tax-exempt 501(c)(3) organizations. The HBCU, TCU, and MSI applicants must include the following information (or as much information as is reasonably available to the institution), to include any supplementary information to explain the data:
- (i) Student population size;
  - (ii) Number and percentage of students that are eligible to receive Federal Pell Grants;
  - (iii) Number and percentage of students that receive other need-based financial aid from the Federal government, a State, or that institution;
  - (iv) Number and percentage of students that qualify as low-income consumers for the purposes of the program carried out under 47 C.F.R. Part 54, Subpart E, or any successor regulations;
  - (v) Number and percentage of students that are low-income individuals as that term is defined in section 312(g) of the Higher Education Act of 1965 (20 U.S.C. 1058(g)); and
  - (vi) Number and percentage of students that have been approved to receive unemployment insurance benefits under any Federal or State law since March 1, 2020.

Supplementary information should include the school's status as an associate's degree or bachelor's degree granting institution (i.e., 2-year community college or 4-year college/university) to further contextualize the level of unmet financial need and low-income status of the target student population.

- d. **Project Activities:** Please provide details about the specific grant-funded activities you plan to carry out; who will plan, implement, and manage your project, including the lead organization and principal partner organizations; and a project schedule, including significant milestones that describe when and in what sequence your project activities will occur.
- e. **Project Results and Evaluation:** Please provide a description of your project's intended results and how you plan to evaluate the benefits of your project. Please describe performance measures that will be used to evaluate the project's success and the benefits delivered to project beneficiaries. Include proposed metrics, data planned for collection and other evaluation methodologies (e.g., case studies, focus groups, surveys). If applicable, please describe any planned tangible products from your project (such as curricula, guides, publications, research reports).

## **7. Detailed Project Budget and Budget Narrative**

Applicants must submit a Detailed Project Budget in the form of a spreadsheet, as well as a Budget Narrative in the form of a word document. All budget information must support the

dollar amounts identified in the SF-424 and SF-424A and demonstrate that the project or activity meets the eligible use requirements in the Act and this NOFO. All proposed projects and activities to be funded by the grant funds must be reasonable and the allocation of funds must be sufficient to complete the tasks outlined in the project narrative. Budget clarity and cost effectiveness are essential. The budget is a description of the resources the applicant proposes to use to complete the project in the time period that the applicant specifies. The budget should include the cost of all items needed to complete the project. The administrative requirements, cost principles, and audit requirements listed in 2 C.F.R. Part 200, the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, will be incorporated into each award.

The Detailed Project Budget spreadsheet must reflect the cost categories that appear on the SF-424A (*e.g.*, personnel, fringe benefits, supplies, contractual, other) and include itemized calculations for each cost placed under those categories. The spreadsheet must be formatted to fit letter-sized paper (8.5" x 11").

Applicants must also include a Budget Narrative that clearly relates each of the activities the applicant proposes in the Project Narrative to the relevant section of the Project Budget. The Budget Narrative must explain the necessity and basis for all costs, clearly correspond to the information included in the Detailed Project Budget spreadsheet and reflect only allowable costs that are consistent with the project scope. Information on cost allowability is available in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at [2 C.F.R. Part 200](#), which apply to awards in this program.

If cost sharing or matching funds are included in the budget, the applicant must identify the non-federal source (*e.g.*, state funding) and distinguish the non-federal and federal portions of the budget in the Detailed Project Budget and Budget Narrative. Information regarding cost sharing or matching funds is available in [2 C.F.R. § 200.306](#).

#### **8. Indirect Cost Rate Agreement (as applicable)**

If indirect costs are included in the proposed budget, provide a copy of the approved negotiated agreement if this rate was negotiated with a cognizant federal agency. If the rate was not established by a cognizant federal agency, provide a statement to this effect. If the successful applicant includes indirect costs in the budget and has not established an indirect cost rate with a cognizant federal agency, the applicant will be required to obtain such a rate in accordance with Section B.06 of the [Department of Commerce Financial Assistance Standard Terms and Conditions](#), dated November 12, 2020.

Alternatively, in accordance with 2 C.F.R. § 200.414(f), applicants, other than entities described in Section D.1.b of Appendix VII to 2 C.F.R. Part 200, that do not have a current negotiated indirect cost rate (including a provisional rate) may elect to charge indirect costs to the award pursuant to a de minimis rate of 10 percent of modified total direct costs, in which case a negotiated indirect cost rate agreement is not required. As described in 2 C.F.R. § 200.403, costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. Once chosen, this methodology must be used consistently for all

federal awards until such time as a non-federal entity chooses to negotiate for a rate, which the non-federal entity may apply to do at any time. Applicants proposing a 10 percent de minimis rate pursuant to 2 C.F.R. § 200.414(f) must note this election as part of the budget portion of the application.

### **9. Letters of Commitment**

Each consortium application must include a Letter of Commitment from an authorized representative of each member of the consortium. The Letter of Commitment will discuss the scope of work to be conducted by the member of the consortium and its relevance to the proposed project.

### **10. Certification Regarding Compliance**

Each application must include a completed certification confirming that it is in compliance with all required statutory and programmatic conditions, as required by 47 C.F.R. § 302.8. *See* Appendix A to this NOFO: Certification regarding Compliance with Statutory and Programmatic Requirements.

### **11. Certification for Minority Business Enterprises (as applicable)**

Each consortium application that includes an MBE must include a certification completed by the MBE confirming that it is an MBE-designated entity as required by 47 C.F.R. § 302.3(b). *See* Appendix B to this NOFO: Certification For CMC Pilot Program Consortium Applicants - Minority Business Enterprises. If a consortium application includes more than one MBE, each MBE must submit its own completed certification.

## **C. Additional Application Materials**

Applicants may submit data to contest NTIA's determination that a census tract (or census tracts) does not meet the poverty threshold requirements for anchor community eligibility and participation in the CMC Pilot Program. As noted above in Section III.C.2, the ACS median household income data sets that NTIA utilizes to determine anchor community eligibility have a small margin of error that may affect the eligibility of certain census tracts, or in some cases, the median household income data may be unavailable. In such cases where the median household income data is disputed or otherwise unavailable, the applicant may submit its own data to support an anchor community eligibility determination of specific census tracts. The applicant may argue that a census tract initially designated by NTIA as ineligible under the anchor community eligibility methodology (i.e., the poverty threshold calculation) is in reality eligible, and explain why. The data submitted by the applicant must be U.S. Census Bureau data, provided on a census tract level, and may include updated or historical median household income data (in such cases where the 2019 data is unavailable). No third-party data or third-party analyses will be accepted.

After reviewing the submitted documentation, NTIA will determine which census tracts are eligible for program activities under the CMC Pilot Program and will notify the applicant in writing. *See* Section V.B.1 of this NOFO.

#### **D. Attachment of Required Documents**

Items in Section IV.B.1 through IV.B.5 above are part of the standard application package in Grants.gov and can be completed through the download application process.

Items in Section IV.B.6 through IV.B.11 and Section IV.C above must be completed and attached by clicking on “Add Attachments” found in item 15 of the SF-424, Application for Federal Assistance. This will create a zip file that allows for transmittal of the documents electronically via Grants.gov.

Applicants should carefully follow specific Grants.gov instructions at [www.Grants.gov](http://www.Grants.gov) to ensure the attachments will be accepted by the Grants.gov system. A receipt from Grants.gov indicates only that an application was transferred to a system. It does not provide details concerning whether all attachments (or how many attachments) transferred successfully. Applicants will receive a series of e-mail messages over a period of up to two business days before learning whether a federal agency’s electronic system has received its application.

#### **E. Application Format**

##### **1. Paper, Emailed and Facsimile (fax) submissions**

Paper, email, and facsimile submissions will not be accepted.

##### **2. Figures, graphs, images, and pictures**

Should be of a size that is easily readable or viewable and may be landscape orientation.

##### **3. Font**

Easy to read font (10-point minimum). Smaller type may be used in figures and tables but must be clearly legible.

##### **4. Line spacing**

Applicants may use single spacing or double spacing.

##### **5. Margins**

One inch top, bottom, left, and right.

##### **6. Page layout**



Portrait orientation except for figures, graphs, images, and pictures. Paragraphs are to be clearly separated from each other by double spacing, paragraph formatting, or equivalent.

### **7. Page limit**

The Project Narrative is limited to 20 single-spaced pages (40 double-spaced pages), noting the limit of two (2) pages for the Executive Summary. Resumes and table of funded project participants and unfunded informal collaborators are not included in the page count of the Project Narrative. However, if resumes are included, resumes must be a maximum of one (1) page each.

### **8. Page numbering**

Number pages sequentially.

### **9. Page size**

8½ inches by 11 inches.

### **10. Application language**

English.

### **11. Typed document**

All applications, including forms, must be typed.

**F. Certifications Regarding Debarment and Suspension** (applies to all eligible recipients, members of consortia and to all subrecipients)

By signing and submitting an application for funding pursuant to the CMC Pilot Program, the applicant is making the following certifications (*see* Line 21 on the SF-424):

1. Instructions for Primary Tier Participant Certification (lead applicants):
  - a. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 C.F.R. Parts 180, 1200 and 1326.
  - b. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
  - c. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this

transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

- d. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- e. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 C.F.R. Parts 180, 1200 and 1326. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- f. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
- g. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled “Instructions for Lower Tier Participant Certification” including the “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction,” provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 C.F.R. Parts 180, 1200, and 1326.
- h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
- i. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- j. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from

participation in this transaction, in addition to other remedies available to the federal government, the department or agency may terminate the transaction for cause or default.

2. Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Tier Covered Transactions:
  - a. The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:
  - b. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any federal department or agency;
  - c. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - d. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - e. Have not within a three-year period preceding this application/proposal had one or more public transactions (federal, state, or local) terminated for cause or default.
  - f. Where the prospective primary tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.
  
3. Instructions for Lower Tier Participant Certification (applies to subrecipients):
  - a. By submitting this proposal and accepting federal funding, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 C.F.R. Parts 180, 1200, and 1326.
  - b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
  - c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
  - d. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are

defined in 2 C.F.R. Parts 180, 1200 and 1326. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

- e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
  - f. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled “Instructions for Lower Tier Participant Certification” including the “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion- Lower Tier Covered Transaction,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 C.F.R. Parts 180 and 1200.
  - g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).
  - h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
  - i. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
- 4. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions:**
- a. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for

- debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any federal department or agency.
- b. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

## **G. Dun & Bradstreet Number and System for Award Management**

Pursuant to 2 C.F.R. Part 25, an applicant or recipient (as the case may be) is required to: (i) be registered in the System for Award Management (SAM) before submitting its complete application packet; (ii) provide a valid unique entity identifier in its application; and (iii) continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a federal awarding agency, unless otherwise excepted from these requirements pursuant to 2 C.F.R. § 25.110. NTIA will not make a federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time that NTIA is ready to make a federal award pursuant to this NOFO, NTIA may determine that the applicant is not qualified to receive a federal award.

### **1. DUNS Number**

All applicants must supply a Dun and Bradstreet Data Universal Numbering System (DUNS) number. Applicants can receive a DUNS number at no cost by calling the dedicated toll-free DUNS number request line at 1-866-705-5711 or via the Internet at <http://fedgov.dnb.com/webform>.

### **2. System for Award Management**

All applicants must register in the SAM before submitting a complete application packet. Additionally, the applicant must maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a federal awarding agency. Applicants can register for the SAM at <https://www.sam.gov/>.

## **H. Submission Dates and Times**

Complete applications must be received by [www.grants.gov](http://www.grants.gov) no later than 11:59 p.m. Eastern Standard Time (EST) on **December 1, 2021**. Complete applications or portions thereof submitted by postal mail, courier, email, or by facsimile will not be accepted. All application forms and documents must be included with an applicant's complete application packet submission via [www.grants.gov](http://www.grants.gov). Applicants should be aware, and factor in their application submission planning, that the Grants.gov system periodically closes for routine maintenance. Applicants should visit [Grants.gov](http://Grants.gov) for information about any scheduled closures.

When developing the submission timeline, please keep in mind that: (1) all applicants are required to have current registrations in the electronic System for Award Management (SAM.gov) and Grants.gov; (2) the free annual registration process in SAM.gov generally takes

between three (3) and five (5) business days but can take more than three weeks; and (3) applicants will receive e-mail notifications over a period of up to two (2) business days as the application moves through intermediate systems before the applicant learns via a validation or rejection notification whether a federal agency's electronic system has received the application. (See [Grants.gov](https://www.grants.gov) for full information on application and notification through Grants.gov). Please note that a federal assistance award cannot be issued if the designated recipient's registration in SAM.gov is not current at the time of the award.

NTIA expects to complete its review, selection of successful applicants, and award processing by **March 1, 2022**. NTIA expects the earliest start date for awards under this NOFO to be **March 14, 2022**.

### **I. Intergovernmental Review**

Applications under this Program are not subject to Executive Order 12372.

### **J. Funding Restrictions**

Grant recipients may only use federal award funds and any non-federal cost share committed to an award to pay for allowable costs under the CMC Pilot Program. Allowable costs are determined in accordance with the cost principles identified in 2 C.F.R. Part 200, including Subpart E of such regulations and in 48 C.F.R. Part 31 for commercial organizations, as well as in the grant program's authorizing legislation. In addition, costs must be reasonable, necessary, allocable, and allowable for the proposed project, and conform to generally accepted accounting principles. Federal and non-federal funds committed to an award may only be used to cover eligible costs incurred during the period of performance and for allowable closeout costs incurred by the recipient during the grant closeout process.

#### **1. Eligible Uses of Funds for the Connecting Minority Communities Pilot Program**

Under the CMC Pilot Program regulations, grant recipients may only use federal award funds and any non-federal cost share committed to an award to pay for:

- (1) The purchase of broadband internet access service, including the installation or upgrade of broadband facilities on a one-time, capital improvement, basis to increase or expand broadband capacity and/or connectivity at the eligible institution;
- (2) The purchase or lease of eligible equipment and devices for student or patron use, subject to any restrictions and prohibited uses; and
- (3) To hire and train information technology personnel who are a part of the eligible anchor institution, MBE, or Tax-Exempt Organization.<sup>41</sup>

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<sup>41</sup> See 47 C.F.R. § 302.7(a).

Based on the purpose and scope of the Connecting Minority Communities Pilot Program and the program regulations above, below are non-exclusive examples of how an eligible recipient may generally leverage grant funds within applicant-designated anchor communities:

a. General Use:

- i. Fund personnel costs, including salaries and fringe benefits for staff and consultants required for the implementation of the Connecting Minority Communities Pilot Program (such as project managers, program directors, subject matter experts, grant administrators, financial analysts, accountants, and attorneys);
- ii. Fund increases in broadband networking capability, hardware, software, and other digital technology for broadband services, remote education, and distance learning;
- iii. Fund equipment and devices (such as laptops, tablets, and hotspots, but excluding mobile phones) to support connectivity for remote education.
- iv. Fund, provide and implement affordable broadband programs, that facilitate greater access to broadband services, devices, and equipment; including providing free or reduced-cost broadband service and preventing disconnection of existing broadband service;
- v. Fund, provide and implement digital training, education, technology support, outreach and awareness programs including curricula and web-based resources that facilitate remote education;
- vi. Fund access to broadband services including improvement of broadband services and equipment in eligible institutions;
- vii. Conduct needs assessments and develop plans for increasing broadband adoption and access to remote education;
- viii. Fund Program Evaluation and Data Collection activities to collect data and document best practices for replicable and sustainable programs. Eligible activities include: gathering data through different methodologies (including surveys, case studies, focus groups, etc.); conducting evaluations of the programs funded by the grant to determine their effectiveness and develop best and replicable practices; and conducting research, publish and disseminate those findings;
- ix. Fund subawards and contractual costs associated with carrying out programmatic activities of a Connecting Minority Communities Pilot Program grant, including for program implementation and consulting services. Recipients are responsible for monitoring the activities and expenditures of subrecipients (sometimes referred to as “subawards” or as “subgrants”) and vendors, and are responsible for ensuring that all solicitation documents reflect activities within the scope of the Connecting Minority Communities Pilot Program;
- x. Fund reasonable pre-application expenses in an amount not to exceed \$50,000. Pre-application expenses, which include expenses related to preparing an

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application, may be reimbursed if they are incurred after the publication date of this NOFO and prior to the date of issuance of the grant award from NTIA, except that lobbying costs and contingency fees are not reimbursable from grant funds. Pre-application costs should be clearly identified in the proposed project budget. Additionally, pre-application costs are incurred at the sole risk of the applicant and will not be reimbursed by NTIA if the proposed project does not receive an award pursuant to this program; and

- xi. Fund other allowable costs necessary to carrying out programmatic activities of an award, not to include ineligible costs described below in Section IV.J.2 of this NOFO.
- b. Where the eligible recipient will build the broadband capacity of the institution of higher education to provide educational instruction and learning opportunities, including through remote instruction:
- i. Purchase laptops, hotspots, or other broadband internet and instructional equipment, excluding mobile phones;
  - ii. Pay for broadband internet services (through bulk purchase agreements). NTIA encourages grant recipients to negotiate bulk discounts from broadband service and equipment providers;
  - iii. Pay for software, online licensing fees and resources including online program; management, distance learning platforms, learning management systems, cybersecurity and/or other learning support services;
  - iv. Pay for technology support and IT services;
  - v. Pay for installations and/or upgrades of campus computer systems and broadband facilities on a one-time capital basis;
  - vi. Provide digital skills, cybersecurity and IT-related professional development training for students, faculty, and staff; and
  - vii. Pay for staffing required to carry out these activities including internships, stipends, and apprenticeships.
- c. Where the eligible recipient will focus on students to participate in educational instruction and learning, including through remote instruction and where the eligible recipient's priority is low-income students:
- i. Purchase laptops, Wi-Fi hotspots, or other broadband related equipment, excluding mobile phones;
  - ii. Pay for broadband internet access services (through bulk purchase agreements);
  - iii. Pay for educational software, online licensing fees and resources;
  - iv. Provide assistance to students to sign up for other available low-cost internet access programs and device subsidies;



- v. Provide technology support and training; and
  - vi. Manage and administer broadband equipment and subsidy programs.
- d. Where the eligible recipient will hire and train information technology personnel:
- i. Provide advanced digital skills training including STEM/STEAM, coding, cybersecurity, technician, IT-related training programs within applicant-designated anchor communities;
  - ii. Provide apprenticeship and internship programs within applicant-designated anchor communities; and
  - iii. Provide IT-related professional development opportunities for faculty, students and staff, and to develop a diverse IT workforce within applicant-designated anchor communities.
- e. Where the eligible recipient is a consortium (led by an eligible institution of higher education, and includes a MBE or Tax-Exempt 501(c)(3) Organization) and will focus on promoting access and adoption of broadband internet services and digital inclusion to eligible recipients in anchor communities:
- i. Provide tech support and IT services;
  - ii. Provide digital skills training and train information technology personnel within applicant-designated anchor communities;
  - iii. Promote broadband adoption and computer access within applicant-designated anchor communities;
  - iv. Provide technical assistance to residents within applicant-designated anchor communities to sign up for other available low-cost; internet access programs and device subsidies; and
  - v. Pay for staffing required to carry out these activities including internships, stipends, and apprenticeships.
- f. Where the eligible recipient is a consortium and the eligible MBE or Tax-Exempt 501(c)(3) Organization will focus on supporting their broadband and IT-related operations:
- i. Hire and train IT personnel;
  - ii. Purchase laptops, Wi-Fi hotspots, or other broadband related equipment, excluding mobile phones, to include distribution for community use (within applicant-designated anchor communities); and
  - iii. Pay for broadband internet access services within applicant-designated anchor communities.

- g. Where the eligible recipient is a consortium and the eligible MBE or Tax-Exempt 501(c)(3) Organization will focus on promoting inclusive innovation, workforce and economic development, and entrepreneurship in anchor communities:
- i. Hire and train IT personnel;
  - ii. Provide advanced training including STEM/STEAM, coding, cybersecurity, Smart technologies within applicant-designated anchor communities;
  - iii. Provide IT related business support, workforce and economic development centers, business incubators within applicant-designated anchor communities; and
  - iv. Provide IT apprenticeship and internship programs within applicant-designated anchor communities.

## 2. Ineligible Costs for the CMC Pilot Program

Ineligible costs include those costs that are unallowable under the applicable federal cost principles. Please note that costs ineligible for the Connecting Minority Communities Pilot Program may not be paid for with non-federal cost share committed to an award. In addition, the following costs are specifically identified as prohibited under the Connecting Minority Communities Pilot Program. These cost prohibitions apply to all eligible recipients, including consortium members:

- a. **Prohibition on use of grant funds for certain telecommunications and video surveillance services or equipment.**—A recipient may not use grant funds received under the Connecting Minority Communities Pilot Program, or voluntary cost share (if any) committed to a Connecting Minority Communities Pilot Program award, to procure, obtain or support certain telecommunications and video surveillance services or equipment identified in 2 C.F.R. § 200.216.
- b. **Prohibition on profit and fees.**—A profit, fee, or other incremental charge above actual cost is not an allowable cost under this program.
- c. **Prohibited uses of equipment.**—The sale or transfer of any portion of the grant-funded equipment for a thing (including a service) of value during the life of equipment is prohibited, per 47 C.F.R. § 302.7(d). Recipients are required to comply with the property standards, including the use and disposition requirements, contained in 2 C.F.R. §§ 200.311-316, and with the terms and conditions set forth in the grant award.
- d. **Construction activities.**—Activities related to construction are not allowable under this program.
- e. **Pre-award costs.**—An eligible recipient may not use more than \$50,000 of grant funds to pay for the preparation of the grant.
- f. **Loan repayment.**—An eligible recipient may not use grant funds to repay, or make any other payment relating to, a loan made by any public or private lender.

- g. **Loan collateral.**—An eligible recipient may not use grant amounts as collateral for a loan made by any public or private lender.
- h. **Previously incurred costs.**—An eligible recipient may not use grant funds to pay for previously incurred administrative costs (aside from certain pre-application expenses, as described above) or previously purchased equipment.
- i. **Duplication of funding.**—An eligible recipient may not use grant funds to pay for the costs of providing broadband service or eligible equipment to any locations or individuals that are already receiving funding for such services or equipment from other sources (including other Federal agencies).

## **K. Material Representations and Public Disclosure of Applications**

All forms and supporting documents submitted as part of the complete application packet will be treated as a material representation of fact upon which NTIA will rely in awarding grants. Applicants should be aware that NTIA may make all or portions of their applications for grants under the Connecting Minority Communities Pilot Program publicly available as required under applicable federal laws. See Section VIII.A of this NOFO for additional information concerning the confidentiality of information contained in an application.

## **L. Other Submission Requirements**

Complete applications for the Connecting Minority Communities Pilot Program must be electronically submitted through [www.grants.gov](http://www.grants.gov). Late or incomplete applications and applications submitted by mail, courier, or by facsimile will not be accepted.

### **1. How to Register to Apply through Grants.gov**

Read the instructions below about registering to apply for the funds available under the Connecting Minority Communities Pilot Program. Applicants should read the registration instructions carefully and prepare the information requested before beginning the registration process. Reviewing and assembling the required information before beginning the registration process will alleviate last-minute searches for required information.

Organizations must have a Data Universal Numbering System (DUNS) Number, active System for Award Management (SAM) registration, and Grants.gov account to apply for grants. If individual applicants are eligible to apply for this funding opportunity, then you may begin with step 3, Create a Grants.gov Account, listed below.

Creating a Grants.gov account can be completed online in minutes, but DUNS and SAM registrations may take several weeks. Therefore, an organization's registration should be done in sufficient time to ensure it does not impact the entity's ability to meet required application submission deadlines.

Complete organization instructions can be found on Grants.gov here:  
<https://www.grants.gov/web/grants/applicants/organization-registration.html>.

1) *Obtain a DUNS Number*: All entities applying for funding, including renewal funding, must have a DUNS Number from Dun & Bradstreet (D&B). Applicants must enter the DUNS Number in the data entry field labeled "Organizational DUNS" on the SF-424 form. For more detailed instructions for obtaining a DUNS Number, refer to:

<https://www.grants.gov/web/grants/applicants/organization-registration/step-1-obtain-duns-number.html>

2) *Register with SAM*: All organizations applying online through Grants.gov must register with the System for Award Management (SAM). Failure to register with SAM will prevent your organization from applying through Grants.gov. SAM registration must be renewed annually. For more detailed instructions for registering with SAM, refer to:

<https://www.grants.gov/web/grants/applicants/organization-registration/step-2-register-with-sam.html>.

3) *Create a Grants.gov Account*: The next step is to register an account with Grants.gov. Follow the on-screen instructions or refer to the detailed instructions here:

<https://www.grants.gov/web/grants/applicants/registration.html>.

4) *Add a Profile to a Grants.gov Account*: A profile in Grants.gov corresponds to a single applicant organization the user represents (i.e., an applicant) or an individual applicant. If you work for or consult with multiple organizations and have a profile for each, you may log in to one Grants.gov account to access all of your grant applications. To add an organizational profile to your Grants.gov account, enter the DUNS Number for the organization in the DUNS field while adding a profile. For more detailed instructions about creating a profile on Grants.gov, refer to:

<https://www.grants.gov/web/grants/applicants/registration/add-profile.html>.

5) *EBiz POC Authorized Profile Roles*: After you register with Grants.gov and create an Organization Applicant Profile, the organization applicant's request for Grants.gov roles and access will be sent to the EBiz POC. The EBiz POC will then log in to Grants.gov and authorize the appropriate roles, which may include the AOR role, thereby giving you permission to complete and submit applications on behalf of the organization. You will be able to submit your application online any time after you have been assigned the AOR role. For more detailed instructions about creating a profile on Grants.gov, refer to:

<https://www.grants.gov/web/grants/applicants/registration/authorize-roles.html>.

6) *Track Role Status*: To track your role request, refer to:

<https://www.grants.gov/web/grants/applicants/registration/track-role-status.html>.

*Electronic Signature*: When the complete application packet is submitted through Grants.gov, the name of the organization applicant with the AOR role that submitted the application is inserted into the signature line of the application, serving as the electronic signature. The EBiz POC **must** authorize people who are able to make legally binding commitments on behalf of the organization as a user with the AOR role; **this step is often missed, and it is crucial for valid and timely submissions.**

## 2. How to Submit an Application for the Connecting Minority Communities Pilot Program via Grants.gov

Grants.gov applicants can apply online using Workspace. Workspace is a shared, online environment where members of a grant team may simultaneously access and edit different webforms within an application.

Below is an overview of applying on Grants.gov. For access to complete instructions on how to apply for opportunities, refer to:

<https://www.grants.gov/web/grants/applicants/workspace-overview.html>.

1) *Create a Workspace*: Creating a workspace allows you to complete it online and route it through your organization for review before submitting.

2) *Complete a Workspace*: Add participants to the workspace to work on the application together, complete all the required forms online or by downloading PDF versions, and check for errors before submission. The Workspace progress bar will display the state of your application process as you apply. As you apply using Workspace, you may click the blue question mark icon near the upper-right corner of each page to access context-sensitive help.

a. *Adobe Reader*: If you decide not to apply by filling out webforms you can download individual PDF forms in Workspace. The individual PDF forms can be downloaded and saved to your local device storage, network drive(s), or external drives, then accessed through Adobe Reader.

NOTE: Visit the Adobe Software Compatibility page on Grants.gov to download the appropriate version of the software at:

<https://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html>.

b. *Mandatory Fields in Forms*: In the forms, you will note fields marked with an asterisk and a different background color. These fields are mandatory fields that must be completed to successfully submit your application.

c. *Complete SF-424 Fields First*: The forms are designed to fill in common required fields across other forms, such as the applicant's name, address, and DUNS Number. Once it is completed, the information will transfer to the other forms.

3) *Submit a Workspace*: An application may be submitted through workspace by clicking the Sign and Submit button on the Manage Workspace page, under the Forms tab. Grants.gov recommends submitting your application package at least 24-48 hours prior to the close date to provide you with time to correct any potential technical issues that may disrupt the application submission.

4) *Track a Workspace Submission*: After successfully submitting a workspace application, a Grants.gov Tracking Number (GRANTXXXXXXXX) is automatically assigned to the

application. The number will be listed on the Confirmation page that is generated after submission. Using the tracking number, access the Track My Application page under the Applicants tab or the Details tab in the submitted workspace.

For additional training resources, including video tutorials, refer to:  
<https://www.grants.gov/web/grants/applicants/applicant-training.html>.

*Applicant Support:* Grants.gov provides applicants 24/7 support via the toll-free number 1-800-518-4726 and email at [support@grants.gov](mailto:support@grants.gov). For questions related to the specific grant opportunity, contact the number listed in the application package of the grant you are applying for.

If you are experiencing difficulties with your submission, it is best to call the Grants.gov Support Center and get a ticket number. The Support Center ticket number will assist NTIA with tracking your issue and understanding background information on the issue.

### **3. Timely Receipt Requirements and Proof of Timely Submission**

*Online Submission.* Proof of timely submission is automatically recorded by Grants.gov. An electronic date/time stamp is generated within the system when the application is successfully received by Grants.gov. The applicant with the AOR role who submitted the application will receive an acknowledgement of receipt and a tracking number (GRANTXXXXXXXX) from Grants.gov with the successful transmission of their application. This applicant with the AOR role will also receive the official date/time stamp and Grants.gov tracking number in an email serving as proof of their timely submission.

When NTIA successfully retrieves the application from Grants.gov, and acknowledges the download of submissions, Grants.gov will provide an electronic acknowledgment of receipt of the application to the email address of the applicant with the AOR role who submitted the application. Again, proof of timely submission shall be the official date and time that Grants.gov receives your application. Applications received by Grants.gov after the established due date for the program will be considered late and will not be considered for funding by NTIA.

Applicants using slow internet, such as dial-up connections, should be aware that transmission can take some time before Grants.gov receives your application. Again, Grants.gov will provide either an error or a successfully received transmission in the form of an email sent to the applicant with the AOR role attempting to submit the application. The Grants.gov Support Center reports that some applicants end the transmission because they think that nothing is occurring during the transmission process. Please be patient and give the system time to process the application.

### **4. Amendments**

Any amendments to this NOFO will be announced through Grants.gov. Applicants may sign up on Grants.gov to receive amendments by email or may request copies by e-mail from [broadbandusa@ntia.doc.gov](mailto:broadbandusa@ntia.doc.gov).

## **V. Application Review Information**

### **A. Evaluation Criteria for the Connecting Minority Communities Pilot Program**

NTIA will evaluate those eligible applications that satisfy the statutory purposes and funding requirements set forth in the Act and in this NOFO against objective evaluation criteria to determine whether an application merits an award. Applications that satisfy the statutory purposes and funding requirements of the Connecting Minority Communities Pilot Program will score highly when evaluated against the objective evaluation criteria during Merit Review and will advance to the Programmatic Review stage. From this pool of applications, NTIA will select awardees based on the results of the Merit and Programmatic Reviews, and by applying the Selection Factors listed in this NOFO.

The evaluation criteria that will be used by the Merit Reviewers to review and analyze CMC Pilot Program applications are grouped into five categories: (1) Project Purpose; (2) Project Needs and Benefits; (3) Project Viability and Innovation; (4) Project Budget; and (5) Project Evaluation. Each application will be evaluated against the following objective criteria. Where they appear, sub-criteria will be weighted evenly.

#### **1. Project Purpose (25 points)**

Fit with Statutory and Program Purposes. Reviewers will consider the extent to which the eligible recipient proposes a project that expands broadband access and connectivity for the educational institution and students, facilitates or expands the use of remote instruction and other distance learning platforms, or provides or expands adoption of broadband internet services in anchor communities. Reviewers will consider how HBCU, TCU, or MSI projects that include the provision of broadband internet access service and/or eligible equipment to students will prioritize students in need, in accordance with statutory requirement to do so. Reviewers will consider how projects that will provide or lend eligible equipment to students or patrons will prioritize students or patrons that the recipient believes do not have access to such equipment, in accordance with the statutory requirement to do so. Reviewers will also consider whether the project also builds or expands the capacity of the HBCUs, TCUs, and MSIs to use broadband to provide ongoing and sustainable benefits to their students and surrounding anchor communities.

#### **2. Project Needs and Benefits (35 points)**

Level of Need and/or Impact. Applications will be evaluated based upon the level of unmet financial need addressed by the proposed project. Applications proposing to address the greatest unmet financial needs will receive the highest scores in this category. In evaluating unmet financial needs, reviewers will consider the following sources of information submitted by applicants (including any supplementary information provided to explain the data, such as the school's status as an associate's degree or bachelor's degree granting institution) or by other Federal agencies:

- (i) Student population size;

- (ii) Number and percentage of students that are eligible to receive Federal Pell Grants;
- (iii) Number and percentage of students that receive other need-based financial aid from the Federal government, a State, or that institution;
- (iv) Number and percentage of students that qualify as low-income consumers for the purposes of the program carried out under 47 C.F.R. part 54, subpart E, or any successor regulations;
- (v) Number and percentage of students that are low-income individuals as that term is defined in section 312(g) of the Higher Education Act of 1965 (20 U.S.C. 1058(g)); and
- (vi) Number and percentage of students that have been approved to receive unemployment insurance benefits under any Federal or State law since March 1, 2020, to the extent that this data is available and practicable.

NTIA will analyze the submitted information for each of these criteria and will develop an assessment of each institution's student body-based on unmet financial needs. These assessments will be provided to the merit reviewers, who will evaluate them along with accompanying explanatory information.

To receive a full score in this category, the applicant must address all of the criteria in the category with distinction as well as all of the factors for which an applicant may receive additional consideration. Applicants that show the greatest unmet financial needs will score most highly.

### **3. Project Viability and Innovation (20 points)**

a. Technical Feasibility of the Proposed Project (10 points). Applications will be scored on the comprehensiveness and appropriateness of the project, including the clarity and level of detail of the proposed project plan. Reviewers will examine how the project assesses student and/or anchor community needs and conducts planning to facilitate online education, telehealth, digital inclusion, workforce, and digital skills development. Reviewers will also assess the extent to which the project provides broadband education, awareness, training, access, equipment, and support. Reviewers will consider the number of new broadband subscribers that the project will generate and/or the number of existing broadband subscribers the project will retain through the implementation of affordable broadband programs. Reviewers will assess the extent to which the project improves access to, and use of, broadband services by educational institutions to deliver remote learning and training programs. Reviewers will also assess the extent to which the project stimulates the adoption and community use of broadband services for telehealth, remote learning, distance learning, telework and entrepreneurship, economic growth, and job creation. NTIA will only fund projects that it determines to be technically feasible.

b. Applicant's Organizational Capability (10 points). Reviewers will assess the extent to which the applicant (and any consortium members) has the organizational capability necessary to undertake and complete the project. Reviewers will consider the experience and expertise of the project management team and, if applicable, the past track record of the organization with projects of a similar size and scope, as well as the organization's capacity and



readiness. Reviewers will also assess the applicant's consortium and/or subrecipient strategy, if applicable, including how it complements the applicant's organizational capacity, as well as the project approach, feasibility, and timely completion of proposed project. NTIA will only fund proposals where it determines that the applicant has the organizational capability necessary to carry out the project to completion.

To receive a full score in this category, the applicant must address all of the criteria in the category with distinction as well as all of the factors for which an applicant may receive additional consideration.

#### **4. Project Budget (15 points)**

Reasonableness of the Budget. Applicants must include a detailed budget that is both reasonable and cost efficient, considering the nature and full scope of the project. Reviewers will consider the extent to which the applicant has demonstrated adequate and appropriate budget resources to successfully execute the proposed project activities. Reviewers will assess whether the budget detail is consistent with the allowable programmatic activities as outlined in the project narrative. Reviewers will evaluate the reasonableness of the budget based on its clarity, level of detail, comprehensiveness, appropriateness to the proposed operational and programmatic solutions, the reasonableness of its costs, and whether the allocation of funds is sufficient to complete the tasks outlined in the project plan.

To receive a full score in this category, the applicant must address all the criteria in the category with distinction as well as all of the factors for which an applicant may receive additional consideration.

#### **5. Project Evaluation (5 Points)**

Project Evaluation. Reviewers will assess the extent to which the project gathers data and conducts an evaluation of the program activities funded by the grant to determine their effectiveness and to develop best practices to facilitate broadband connectivity, digital inclusion and broadband adoption.

### **B. Review Process for the Connecting Minority Communities Pilot Program**

The review process will be divided into three stages as outlined below. NTIA reserves the right at any time during the review process to negotiate with the applicant relative to specific modifications to the application, including but not limited to the resolution of any differences that may exist between the applicant's original request and NTIA's determination of eligible service areas, eligible costs, and CMC Pilot Program funding priorities.

#### **1. Initial Administrative and Eligibility Review of Complete Application Packets**

NTIA will conduct an initial review of timely received applications submitted in response to this NOFO to determine eligibility, completeness, and responsiveness to the statutory and programmatic requirements of the Connecting Minority Communities Pilot Program, including a

review of the project narrative and budget justification. Applications submitted by other than an eligible applicant will be eliminated from further review. NTIA may continue the initial administrative review process for an application that is timely submitted by an eligible applicant, but that is missing certain information or documentation required by this NOFO; NTIA will request missing or incomplete information from the applicant as needed. The eligible applicant will have seven (7) calendar days to submit the missing or incomplete materials responsive to the NTIA request, unless this period is extended by NTIA. An eligible applicant's failure to submit the requested materials by the established deadline will result in NTIA's rejection of the application. Any application already submitted at the time this amendment is published will receive the same opportunity to submit missing or incomplete materials as all other applications.

During this initial review stage, NTIA will review any data submitted by an applicant to contest NTIA's determination that a census tract (or census tracts) does not meet the poverty threshold requirements for anchor community eligibility and participation in the CMC Pilot Program. *See* Section of IV.C of this NOFO. After reviewing the submitted documentation, NTIA will determine which census tracts are eligible for program activities under the CMC Pilot Program and will notify the applicant in writing.

## **2. Merit Review**

Applications satisfying the Initial Administrative and Eligibility Review will be evaluated by at least two objective reviewers who have demonstrated expertise in the programmatic aspects of the Connecting Minority Communities Pilot Program. They may be federal employees or non-federal persons. During the review process, the reviewers may discuss the applications with each other, but scores will be determined on an individual basis. As applicable, reviewers will be required to sign and submit a nondisclosure and confidentiality form pertaining to the dissemination of confidential information and to potential financial and other conflicts of interest. Reviewers will evaluate applications according to the evaluation criteria provided in Section V.A of this NOFO and independently score each application based on a scale of 0-100. In response to reviewer feedback, NTIA may seek additional clarifying information or corroborating documentation from an applicant during the course of a merit review and merit reviewers may factor such additional materials into their score for that application.

Based on an average of the reviewers' scores, applications will be assigned adjectival ratings in accordance with the following scale:

Qualified for Funding (70-100 points)  
Unqualified for Funding (0-69 points)

NTIA may use its sole discretion to terminate the Merit Review revision process for an applicant if NTIA determines that the applicant is not sufficiently responding to requests for additional information or remedying application deficiencies.

## **3. Programmatic Review**

NTIA Program Staff will review applications determined to be qualified for funding during the Merit Review process for conformity with statutory and programmatic objectives, requirements, and priorities. During Programmatic Review, NTIA may ask applicants to submit additional information, as appropriate, to clarify or to further substantiate the representations made in their applications. NTIA Program Staff will review the supplemental information, along with all information submitted with the application, to confirm eligibility and evaluate the applications with respect to the requirements and priorities of the Connecting Minority Communities Pilot Program. As discussed in Section III. D. above, NTIA Program staff will utilize the CMC Dashboard to verify the institution's eligibility status and qualifying census tracts within the 15-mile radius of each eligible institution. The dashboard was developed utilizing capabilities in NTIA's National Broadband Availability Map (NBAM),<sup>42</sup> and contains publicly available data from the U.S. Census Bureau, the U.S. Department of Education and reflects NTIA's application of the anchor community eligibility requirements set forth in the Final Rule.

Applicants whose supporting documents are not complete, accurate, and timely submitted or who do not adequately substantiate the representations in their applications may be denied. NTIA may request supplemental documentation before deciding to deny such applications and may re-evaluate the application package based on all of the information presented. Upon completion of the Programmatic Review, NTIA Program Staff will summarize their analysis for each application reviewed.

### **C. Selection Factors and Selection Process**

At the conclusion of the Programmatic Review, the Associate Administrator for the Office of Telecommunications and Information Applications (OTIA Associate Administrator) will prepare a rank order of applications and present a package or packages of recommended grant awards to the Selecting Official for review and approval. The OTIA Associate Administrator's recommendations to the Selecting Official will consider the following selection factors:

1. The scores and technical comments of the objective expert reviewers during Merit Review;
2. The analysis of NTIA Program Staff during Programmatic Review;
3. Satisfaction of the statutory purposes of the Connecting Minority Communities Pilot Program as set forth in Section 902(c)(1) of the Act, especially considering which eligible recipients in anchor communities have the greatest unmet financial needs;

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<sup>42</sup> The NBAM is a geographic information system platform that allows for visualization and analysis of federal, state, and commercially available data sets. This includes data from the Federal Communications Commission, U.S. Census Bureau, Universal Service Administrative Company, U.S. Department of Agriculture, Ookla, Measurement Lab, and the state governments. The mapping platform provides users, including administrators from 36 participating states, with access to the NBAM and its data to better inform broadband projects and funding decisions in their states.

4. Avoidance of duplication with the initiatives of other federal agencies, including the Department of Education, the National Science Foundation, and the Federal Communications Commission; and
5. The availability of funds.

The Assistant Secretary, or their designee, will serve as the Selecting Official for the Connecting Minority Communities Pilot Program. The Assistant Secretary will generally select and recommend applications for funding based on the rank order grouping prepared by the OTIA Associate Administrator. As the Selecting Official, the Assistant Secretary retains discretion to select and recommend an application for funding that was not recommended by the OTIA Associate Administrator based on one or more of the selection factors enumerated above, or not to select an application that was recommended for funding by the OTIA Associate Administrator. The Assistant Secretary will submit the applications recommended for funding, along with the bases for the selection decisions, to the National Institute of Standards and Technology (NIST) Grants Officer, who serves as the Grants Officer for the Connecting Minority Communities Pilot Program. The final approval of selected applications and the issuance of awards will be made by the NIST Grants Officer. The award decisions of the NIST Grants Officer are final.

Awards will be made (as set forth in Section I.A of this NOFO) once NTIA completes its review and evaluation of all applications. All awards are subject to the availability of federal award funds at the time of award. Unsuccessful applicants will be notified in writing.

#### **D. Federal Awarding Agency Review of Risk Posed by Applicants**

After applications are proposed for funding by the Selecting Official, the NIST Grants Management Division (GMD) will perform pre-award risk assessments in accordance with 2 C.F.R. § 200.206, which may include a review of the financial stability of an applicant, the quality of the applicant's management systems, the history of performance, reports and findings from audits, and/or the applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities. In addition, prior to making an award where the total Federal share is expected to exceed the simplified acquisition threshold (currently \$250,000), NIST GMD will review and consider the non-publicly available information about that applicant in the Federal Awardee Performance and Integrity Information System (FAPIIS). Upon completion of the pre-award risk assessment, NIST GMD will determine whether the applicant is qualified to receive the award and, if so, whether appropriate specific award conditions that correspond to the degree of risk posed by the applicant should be applied to the award.

#### **E. Anticipated Announcement and Award Dates**

NTIA expects to complete its review, selection of successful applicants, and award processing by **March 1, 2022**. NTIA expects the earliest start date for awards under this NOFO to be **March 14, 2022**.

## **VI. Federal Award Administration Information**

### **A. Federal Award Notices**

A grants officer from the NIST Grants Office will serve as the Grants Officer for awards issued pursuant to this NOFO. Applicants will be notified in writing by the NIST Grants Officer if their application is selected for an award. If the application is selected for funding, the NIST Grants Officer will issue the grant award (Form CD-450), which is the authorizing financial assistance award document. By signing the Form CD-450, the recipient agrees to comply with all award provisions, terms, and conditions.

If an applicant is awarded funding, neither NTIA nor NIST is under any obligation to provide any additional future funding in connection with that award or to make any future award(s). Amendment of an award to extend the period of performance is at the discretion of NTIA and the NIST Grants Officer.

### **B. Notification to Unsuccessful Applicants.**

Unsuccessful applicants will be notified by e-mail and will have the opportunity to receive a debriefing after the opportunity is officially closed. Applicants must make a request within 10 business days of the email notification to receive a debrief from NTIA. NTIA will then work with the unsuccessful applicant in arranging a date and time of the debrief.

### **C. Retention of Unsuccessful Applications.**

Unsuccessful applications will be retained in accordance with NTIA recordkeeping requirements.

### **D. Administrative and National Policy Requirements**

Grant recipients will comply with applicable statutes and regulations, including but not limited to:

- 1. Connecting Minority Communities Pilot Program Regulations.** Recipients of awards issued pursuant to this NOFO are subject to the requirements contained in the Connecting Minority Communities Pilot Program regulations, which are available at 47 C.F.R. Part 302 (86 FR 31638).
- 2. Uniform Administrative Requirements, Cost Principles and Audit Requirements.** Through 2 C.F.R. § 1327.101, the Department of Commerce adopted Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200, which apply to awards in this program. Refer to <http://go.usa.gov/SBYh> and <http://go.usa.gov/SBg4>. Awards issued pursuant to this program may be subject to specific award conditions as authorized by 2 C.F.R. § 200.208.

- 3. Department of Commerce Financial Assistance Standard Terms and Conditions.** The Department of Commerce will apply to each award in this program, the Financial Assistance Standard Terms and Conditions in effect on the date of award. The current version, dated November 12, 2020, is accessible at [Department of Commerce Financial Assistance Standard Terms and Conditions](#). Refer to Section VII of this NOFO, Federal Awarding Agency Contacts, Grant Rules and Regulations, if you need more information.
- 4. Pre-Award Notification Requirements.** The Department of Commerce will apply the Pre-Award Notification Requirements for Grants and Cooperative Agreements dated December 30, 2014 (79 FR 78390), accessible at <http://go.usa.gov/hKkR>. Refer to Section VII of this NOFO, Federal Awarding Agency Contacts, Grant Rules and Regulations, for more information.
- 5. Property Trust Relationship and Public Notice Filings for Grant-Acquired Property.** In accordance with 2 C.F.R. § 200.316, real property, equipment, and intangible property, that are acquired or improved with a Federal award must be held in trust by the recipient or subrecipient as trustee for the beneficiaries of the project or program under which the property was acquired or improved. In this connection, NTIA may require the non-Federal entity to record liens or other appropriate notices of record to indicate that personal or real property has been acquired or improved with a Federal award and that use and disposition conditions apply to the property. Awards issued pursuant to this NOFO may contain specific award conditions pertaining to the use and disposition of grant-acquired property and to a requirement that the recipient or subrecipient file certain public notices (*e.g.*, UCC-1, Covenant of Purpose, Use and Ownership, etc.) with respect to grant-acquired property.

## E. Reporting

- 1. Reporting Requirements.** The following reporting requirements as listed in 47 C.F.R. § 302.9 and described in Sections A.01, Reporting Requirements, of the [Department of Commerce Financial Assistance Standard Terms and Conditions](#) (dated November 12, 2020), apply to awards in this program:
  - a. Financial Reports.** Each award recipient will be required to submit an SF-425, Federal Financial Report on a semi-annual basis for the periods ending March 31 and September 30 of each year. Reports will be due within 30 days after the end of the reporting period to the NTIA Federal Program Officer, Grants Officer and Grants Specialist named in the award documents, except when a final financial report is required under 47 C.F.R. § 302.10. A final financial report is due within 120 days after the end of the project period.
  - b. Performance (Technical) Reports.** Each award recipient will be required to submit a technical progress report to the NTIA Federal Program Officer, Grants Officer and Grants Specialist named in the award documents on a semi-annual and annual basis for the periods ending March 31 and September

30 of each year. Semi-annual performance reports will be due within 30 days after the end of the reporting period. Annual performance reports are due within 90 calendar days after the reporting period, except when a final financial report is required under 47 C.F.R. § 302.10. Technical progress reports shall contain information as prescribed in 2 C.F.R. § 200.329 (<http://go.usa.gov/xkVgP>) and [Department of Commerce Financial Assistance Standard Terms and Conditions](#) (dated November 12, 2020), Section A.01.

**2. Annual Report and Certification.**—Not later than one year after receiving grant funds under the Connecting Minority Communities Pilot Program, and annually thereafter until the funds have been expended, an eligible recipient shall submit to the Assistant Secretary (via email to the NTIA Federal Program Officer listed in the recipient’s award documents) a report, with respect to the one-year period immediately preceding the report date, that:

- (a) describes how the eligible recipient expended the funds (examples include a description of services provided, equipment purchased, the number of locations on campus or in anchor communities at which broadband internet service was improved or connectivity expanded using the grant funds, and the number of students/patrons connected);
- (b) certifies that the eligible recipient complied with the requirements of the Act and the Connecting Minority Communities Pilot Program; and
- (c) identifies each subrecipient that received a subgrant from the eligible recipient and a description of the specific project for which grant funds were provided.

Further, each grant recipient shall annually submit (via email to the NTIA Federal Program Officer listed in the recipient’s award documents), within 30 days after the end of each Fiscal year in which grant funds are available, a completed certification confirming that it is in compliance with all required statutory and programmatic conditions, as required by 47 C.F.R. § 302.8. *See Appendix A to this NOFO: Certification regarding Compliance with Statutory and Programmatic Requirements.* The Annual Reports will be publicly available on the NTIA website.

**3. Provision of Information To FCC, NSF and ED.**—The Assistant Secretary will provide the information collected under Section VI.E.2 of this NOFO to the Commission, the National Science Foundation, and the Department of Education to be used when determining whether to award funds for broadband connectivity, digital inclusion, and the provision of devices and/or equipment under any program administered by those agencies. As mandated by the Act, NTIA will coordinate with the Commission, the National Science Foundation, and the Department of Education, to ensure the efficient expenditure of Federal funds, including by preventing multiple expenditures of Federal funds for the same purpose.<sup>43</sup>

## **F. Recipient Integrity and Performance Matters**

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<sup>43</sup> *See* Section 902(c)(3) of the Act; 47 C.F.R. § 302.5(c).

In accordance with section 872 of Public Law 110-417 (as amended; see 41 U.S.C. 2313), if the total value of a recipient's currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of an award made under this NOFO, then the recipient shall be subject to the requirements specified in Appendix XII to 2 C.F.R. Part 200,<sup>44</sup> for maintaining the currency of information reported to SAM that is made available in the Federal Awardee Performance and Integrity Information System (FAPIIS) about certain civil, criminal, or administrative proceedings involving the recipient.

### **G. Audit Requirements**

2 C.F.R. Part 200, Subpart F, adopted by the Department of Commerce through 2 C.F.R. § 1327.101 requires any non-federal entity that expends federal awards of \$750,000 or more in the recipient's fiscal year to conduct a single or program-specific audit in accordance with the requirements set out in the Subpart. Additionally, unless otherwise specified in the terms and conditions of the award, entities that are not subject to Subpart F of 2 C.F.R. Part 200 (*e.g.*, commercial entities) that expend \$750,000 or more in grant funds during their fiscal year must submit to the Grants Officer either: (i) a financial related audit of each DOC award or subaward in accordance with Generally Accepted Government Auditing Standards; or (ii) a project specific audit for each award or subaward in accordance with the requirements contained in 2 C.F.R. § 200.507. Applicants are reminded that NTIA, NIST, the Department of Commerce Office of Inspector General, or another authorized federal agency may conduct an audit of an award at any time.

### **H. Closeout**

Pursuant to the closeout requirements listed in 47 C.F.R. § 302.10, the right to incur programmatic costs under this part will expire at the end of the period of performance. The right to incur closeout costs under this part will expire at the end of the 120-day closeout period, unless this period is extended in writing by the Grants Officer. Any funds that remain unexpended after closeout shall cease to be available to the recipient and shall be returned to the Federal Government.

Within 120 calendar days after the completion of projects and activities funded under this part, but in no event later than the closeout period expiration date identified in paragraph (a) of this section, each grant recipient must submit:

1. A final financial report to NTIA/NIST, following the procedures of 2 C.F.R. § 200.344(a); and
2. A final performance report to NTIA/NIST, following the procedures of 2 C.F.R. § 200.344(a).

### **I. Federal Funding Accountability and Transparency Act of 2006**

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<sup>44</sup> See 2 C.F.R. Part 200, Appendix XII, available at <http://go.usa.gov/cTBwC>.



In accordance with 2 C.F.R. Part 170, all recipients of a federal award made on or after October 1, 2010, are required to comply with reporting requirements under the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. No. 109-282). In general, all recipients are responsible for reporting sub-awards of \$25,000 or more. In addition, recipients that meet certain criteria are responsible for reporting executive compensation. Applicants must ensure they have the necessary processes and systems in place to comply with the reporting requirements should they receive funding.<sup>45</sup>

## **VII. Federal Awarding Agency Contact(s)**

### **A. Please direct programmatic inquiries to:**

Scott Woods  
Senior Broadband Program Specialist  
Office of Telecommunications and Information Applications  
National Telecommunications and Information Administration  
U.S. Department of Commerce  
1401 Constitution Avenue, NW, Room 4878  
Washington, DC 20230  
Phone: (202) 482-1713  
Email: [swoods@ntia.gov](mailto:swoods@ntia.gov)

### **B. Please direct grant management inquiries to:**

Yongming Qiu  
NIST Grants Officer  
Grants Management Division  
National Institute of Standards and Technology  
100 Bureau Drive, MS 1650  
Gaithersburg, MD 20899-1650  
Phone: (301) 975-5437  
Email: [yongming.qiu@nist.gov](mailto:yongming.qiu@nist.gov)

### **C. Please direct media inquiries to:**

Stephen F. Yusko  
Public Affairs Specialist  
Office of Public Affairs  
National Telecommunications and Information Administration  
U.S. Department of Commerce  
1401 Constitution Avenue NW, Room 4897  
Washington, DC 20230

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<sup>45</sup> See OMB, Requirements for Federal Funding Accountability and Transparency Act Implementation, Interim final guidance to agencies with opportunity to comment, 75 FR 55663 (Sept. 14, 2010), *available at* <http://go.usa.gov/hKnQ>.

Phone: (202) 482-7002  
Email: [press@ntia.doc.gov](mailto:press@ntia.doc.gov)

## VIII. Other Information

**A. Protected and Proprietary Information.** The applicant acknowledges and understands that information and data contained in applications for financial assistance, as well as information and data contained in financial, performance, and other reports submitted by applicants, may be used by NTIA in conducting reviews and evaluations of its financial assistance programs. For this purpose, applicant information and data may be accessed, reviewed, and evaluated by NTIA employees, other federal employees, federal agents and contractors, and/or by non-federal personnel, all of whom enter into appropriate confidentiality and nondisclosure agreements covering the use of such information. As may be provided in the terms and conditions of a specific financial assistance award, applicants are expected to support program reviews and evaluations by submitting required financial and performance information and data in an accurate and timely manner, and by cooperation with NTIA and external program evaluators. In accordance with 2 C.F.R. § 200.303(e), applicants are reminded that they must take reasonable measures to safeguard protected personally identifiable information and other confidential or sensitive personal or business information created or obtained in connection with a Department of Commerce financial assistance award.

NTIA will protect confidential and proprietary information from public disclosure to the extent authorized by applicable law, including the Freedom of Information Act (FOIA), as amended (5 U.S.C. 552), the Trade Secrets Act, as amended (18 U.S.C. 1905), and the Economic Espionage Act of 1996 (18 U.S.C. 1831 *et seq.*). Applications submitted in response to this NOFO may be subject to requests for release under the FOIA. If an application contains information or data that the applicant deems to be confidential commercial information that is exempt from disclosure under FOIA, that information should be identified, bracketed, and marked as Privileged, Confidential, Commercial or Financial Information. Based on these markings, the confidentiality of the contents of those pages will be protected to the extent permitted by law.

**B. Funding Availability and Limitation of Liability.** Funding for the program listed in this NOFO is contingent upon the availability of appropriations. In no event will NTIA, NIST or the Department of Commerce be responsible for application preparation costs, including, but not limited to, if the program fails to receive funding or is cancelled because of agency priorities. Publication of this NOFO does not obligate NTIA, NIST or the Department of Commerce to award any specific project or to obligate any available funds. NTIA will fund only projects that are deemed likely to achieve the CMC Pilot Program's goals and for which funds are available.

**C. Third Party Beneficiaries.** The Connecting Minority Communities Pilot Program is a discretionary grant program that is not intended to and does not create any rights enforceable by third party beneficiaries.

**D. Waiver Authority.** It is the general intent of NTIA not to waive any of the provisions set forth in this NOFO. However, under extraordinary circumstances and when it is in the best

interest of the federal government, NTIA, upon its own initiative or when requested, may waive the provisions in this NOFO. Waivers may only be granted for requirements that are discretionary and not mandated by statute or other applicable law. Any request for a waiver must set forth the extraordinary circumstances for the request.

**E. Paperwork Reduction Act.** This NOFO contains an information collection requirement subject to the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*). The PRA requires each federal agency to seek and obtain OMB approval before collecting information from the public. Federal agencies may not collect information unless it displays a currently valid OMB control number. For purposes of the CMC Pilot Program, NTIA will use Standard Forms 424 (Application for Federal Assistance), 424A (Budget Information for Non-Construction Programs), 424B (Assurances for Non-Construction Programs), 425 (Federal Financial Report), and SF-LLL (Disclosure for Lobbying Activities) under the respective control numbers 4040-0004, 4040-0008, 4040-0009, 4040-0014, and 4040-0013.

**F. Transparency, Accountability, And Oversight.** The Assistant Secretary has adopted measures, including audit requirements, to implement the Connecting Minority Communities Pilot Program that:

- a. ensures sufficient transparency, accountability, and oversight to provide the public with information regarding the award and use of grant funds under the Connecting Minority Communities Pilot Program;
- b. ensures that a recipient of a grant under the Connecting Minority Communities Pilot Program uses the grant funds in compliance with the requirements of Section 902 of the Act, this NOFO, and the overall purpose of the CMC Pilot Program; and
- c. deters waste, fraud, and abuse of grant funds.

**G. Unauthorized Use of Funds.** To the extent that the Assistant Secretary or the Inspector General of the Department determines that an eligible recipient has expended grant funds received under the Connecting Minority Communities Pilot Program in violation of the requirements set forth in Section 902 of the Act, the Assistant Secretary will recover the amount of funds that were so expended.

**H. Webinar Information Session.** NTIA and NIST will host monthly webinars to provide general information regarding this NOFO, offer general guidance on preparing applications, and answer questions. There is no cost to attend the webinars, but participants must register in advance. Participation in the webinars is not required but is encouraged to receive the latest up to date information regarding the Connecting Minority Communities Pilot Program. To register and for more details, including specific webinar dates, please visit <https://broadbandusa.ntia.doc.gov/events/latest-events>.

**I. Program Termination.** Except with respect to the report required under Section 902(c)(7) of the Act, and the authority of the Secretary of Commerce and the Inspector General of the Department of Commerce described in section 902(c)(8), the CMC Pilot Program,

including all reporting requirements under section 902, shall terminate on the date on which the amounts made available to carry out the CMC Pilot Program are fully expended.<sup>46</sup>

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<sup>46</sup> See Section 902(c)(6) of the Act; 47 C.F.R. § 302.12.

## Appendix A

### Certification regarding Compliance with Statutory and Programmatic Requirements

[To be completed and submitted by each applicant as part of its application and by each grant recipient on an annual basis thereafter, within 30 days after the end of each Federal fiscal year in which grant funds are available, pursuant to the requirements in 47 C.F.R. § 302.8.]

On behalf of [*Organization Name*], I, [*print name*]\_\_\_\_\_, hereby certify that my organization complied with the required statutory and programmatic conditions in submitting its application. I further certify that my organization is in compliance with the requirements regarding eligible uses for grant funds listed in 47 C.F.R. § 302.7, including the following statutory prioritization requirements:

1. *Student priority for the provision of broadband services, devices, and equipment.* The HBCUs, TCUs or MSI applicant must certify that if it receives a grant under this part to provide broadband internet access service or eligible equipment to students that it will, as a condition of that grant, prioritize students in need, in accordance with the following criteria:
  - a. Students who are eligible to receive Federal Pell Grants;
  - b. Students who receive any other need-based financial aid from the Federal Government, a State, or the eligible recipient;
  - c. Students who are qualifying low-income consumers for the purposes of the program carried out under 47 C.F.R. part 54, subpart E, or any successor regulations;
  - d. Students who are low-income individuals as that term is defined in section 312(g) of the Higher Education Act of 1965 (20 U.S.C. 1058(g)); or
  - e. Students who have been approved to receive unemployment insurance benefits under any Federal or State law since March 1, 2020.
  
2. *Prioritization of students and patrons without equipment and/or broadband access.* Any recipient that lends or provides eligible equipment to students or patrons must prioritize the lending or providing of such equipment or devices to students or patrons that the recipient believes do not have access to such equipment.

I agree that, if I or my organization knowingly provide false or inaccurate information in this certification, the organization shall:

1. Not be eligible to receive the grant under 47 C.F.R. Part 302;
2. Return any grant awarded under 47 C.F.R. Part 302 during the time that the certification was not valid; and
3. Not be eligible to receive any subsequent grants under 47 C.F.R. Part 302.

Signature of Authorized Organization Representative

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Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Appendix B**

**Certification For CMC Pilot Program Consortium Applicants - Minority Business Enterprises**

[To be completed and submitted by each Minority Business Enterprise applying for a CMC Pilot Program grant as part of a consortium application.]

On behalf of [*Organization Name*], I, [*print name*]\_\_\_\_\_,  
hereby certify that the consortium applicant organization is a Minority Business Enterprise,  
which means a business that is owned or controlled by one or more socially or economically  
disadvantaged persons (as defined in 15 C.F.R. § 1400.2, or any successor regulation).

Signature of Authorized Organization Representative

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Title: \_\_\_\_\_

Date: \_\_\_\_\_