

# NTIA IJA BROADBAND PROGRAMS

## OVERVIEW FOR STATE AND LOCAL GOVERNMENTS

Championed by the Administration, the enactment of the Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law, represents a historic step forward toward the goal of providing broadband access to the entire country. The IIJA sets forth a \$65 billion investment into broadband,<sup>1</sup> of which \$48.2 billion will be administered by the National Telecommunications and Information Administration.

### Broadband Equity, Access & Deployment Program (BEAD)

**\$42.45B**

**Program objective** | To close the availability gap, as Congress finds that "access to affordable, reliable, high-speed broadband is essential to full participation in modern life in the United States."<sup>2</sup>

**Program priorities**

- ① Unserved locations (No access to 25/3 Mbps<sup>3</sup>)
- ② Underserved locations (No access to 100/20 Mbps<sup>3</sup>)
- ③ Community anchor institutions (Without gigabit connections)

**State &  
 Territory  
 formula  
 program<sup>4</sup>**

Eligible entities must also prioritize persistent poverty / high-poverty areas, speed of proposed network, build time and demonstrated records on compliance with federal labor & employment laws. Eligible entities will also be required to offer a low-cost plan to all their subscribers. The details and rules around the low-cost plans will be part of each State's plan, which will have to be approved by NTIA.

**Eligible entities** | All 50 U.S. States and certain U.S. Territories (including the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands)

### Tribal Connectivity Technical Amendments

**Program objective** | Provide new funds and extend expenditure deadlines for the Tribal Broadband Connectivity Program (established under the Consolidated Appropriations Act, 2021)<sup>5</sup>

**\$2.0B**

**Key Amendments**

- Add \$2 billion for NTIA to distribute to eligible entities, including to fund previously-proposed programs
- Relax time requirements of original program—eligible entities now have up to: (1) 6 months to submit applications, (2) 18 months to commit the funds to projects, once funds are received, and (3) 4 years to fully expend the grant funds, once funds are received
- Allow infrastructure grantees to expend up to 2.5% total project cost for related planning, feasibility and sustainability studies
- Preserving unused allocated funds for other Tribal broadband projects instead of reverting back to the Treasury

**4 Key  
 Amendments  
 to Tribal  
 Broadband  
 Connectivity  
 Program**

**Eligible entities** | Tribal Governments; Tribal Colleges or Universities; Tribal Organizations; Native Corporations; and The Department of Hawaiian Home Lands on behalf of the Native Hawaiian Community, including Native Hawaiian Education Programs.

1. FCC will administer \$14.42B for the Affordable Connectivity Program; USDA will administer \$2B via the Rural Utilities Service; \$600M for private activity bonds to be used by state and local governments for rural broadband; the rest will be administered by NTIA. 2. Infrastructure Investment and Jobs Act, Div. F, Tit. I, Sec. 60101(1), Pub. L. 117-58 (Nov. 15, 2021). 3. Also subject to threshold latency and reliability standards. 4. Funding will be allocated based on a formula that considers the number of unserved locations identified by the FCC and high-cost locations in the state. 5. At Div, N, Tit. IX, Sec. 905(c).

# Digital Equity Act Programs<sup>1</sup>

**Program objective** | Support the closure of the digital divide & promote equity and digital inclusion, so that "individuals and communities have the information technology capacity that is needed for full participation in the society and economy of the United States."<sup>2</sup>

**\$2.75B**

**Program priorities** | Prioritizes covered populations:

- Individuals living in households earning at or below 150% of the poverty line
- Veterans
- Aging individuals
- Incarcerated individuals
- Individuals with a language barrier
- Individuals with disabilities
- Individuals who are members of a racial or ethnic minority group
- Individuals who primarily reside in a rural areas

**3**  
**programs created**

**Eligible entities** | State Planning Grant Program: Any U.S. State, the District of Columbia & Puerto Rico. State Governors must appoint an 'administering entity,' which can be one, or a partnership of:

The State, political subdivision, agency, or instrumentality of State; An Indian Tribe, Alaska Native entity or Native Hawaiian organization located in the State; A foundation, corporation, institution, association, or coalition that is a not-for-profit, not a school, and is providing services in the State; A community anchor institution (not a school) located in the State; A local educational agency that is located in the State; An entity located in the State that carries out a workforce development program; An agency of the State that is responsible for administering or supervising adult education and literacy activities in the State; A public or multi-family housing authority that is located in the State

## Enabling Middle Mile Infrastructure

**\$1.0B**

**Program objective** | To "[e]ncourage the expansion and extension of middle mile infrastructure to reduce the cost of connecting unserved and underserved areas . . . and to promote broadband connection resiliency . . ."<sup>3</sup>

**Program priorities** | at least 2 of the 5 following conditions:

- Adopt "fiscally sustainable middle mile strategies"
- Commit to offering non-discriminatory interconnect
- Identify specific, documented and sustainable demand for middle mile interconnect
- Identify conditions/resources to speed up project
- Demonstrate benefits to national security interests

**Direct Competitive Grant on Technology-Neutral Basis**

**Eligible entities** | Can be one of the following or a partnership of multiple: State or its political subdivisions, Tribal government, Tech company, Electric utility, utility cooperative or public utility district, Telecom company or cooperative, Nonprofit foundation, corporation, institution, or association, Regional planning council, Native entity, Economic development authority

## Further information

The following NTIA resources can help state and local governments prepare for these programs:

**State Broadband Program**  
 Information on State broadband programs for all 50 states and 6 territories  
<https://broadbandusa.ntia.doc.gov/resources/states>

**Indicators of Broadband Need Map**  
 Interactive tool to show broadband availability  
<https://broadbandusa.ntia.doc.gov/resources/data-and-mapping>

**Interactive Federal Funding Guide**  
 90 additional broadband-related programs from 13 federal agencies  
<https://broadbandusa.ntia.doc.gov/resources/federal/federal-funding>

1. NTIA will first administer the State Planning Grant Program (\$60M) and then the State Capacity Grant Program (\$1.44B). The Competitive Grant Program (\$1.25B) will be created once state implementation grants begin being awarded. 2. Infrastructure Investment and Jobs Act, Div. F, Tit. III, Sec. 60302(10), Pub. L. 117-58 (Nov. 15, 2021). 3. *Id.* at Tit. IV, Sec. 60401(b)(1).