INTERNET FOR ALL

TRIBAL ENTITIES ENGAGEMENT

JUNE 2022

Topics for discussion

> Overview of broadband programs

> Involvement of Tribal entities

1. Broadband Equity, Access, and Deployment (BEAD) Program
2. Digital Equity Act
3. Middle Mile Program

> Next steps

OVERVIEW OF BROADBAND PROGRAMS

Today's webinar will focus on the role of Tribal entities in the broadband programs administered by NTIA (Internet for All program)

BEAD

$42.45B

Broadband Equity, Access & Deployment Program

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

DIGITAL EQUITY

$2.75B

Digital Equity Act

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

TRIBAL

$2.00B

Tribal Connectivity Technical Amendments

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

Tribal Broadband Connectivity Program will be discussed in a separate webinar

MIDDLE MILE

$1.00B

Enabling Middle Mile Broadband Infrastructure

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

Note: Funding amounts inclusive of all administrative set-asides.

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

Funding pool
$42.45B

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

PROGRAM HIGHLIGHTS

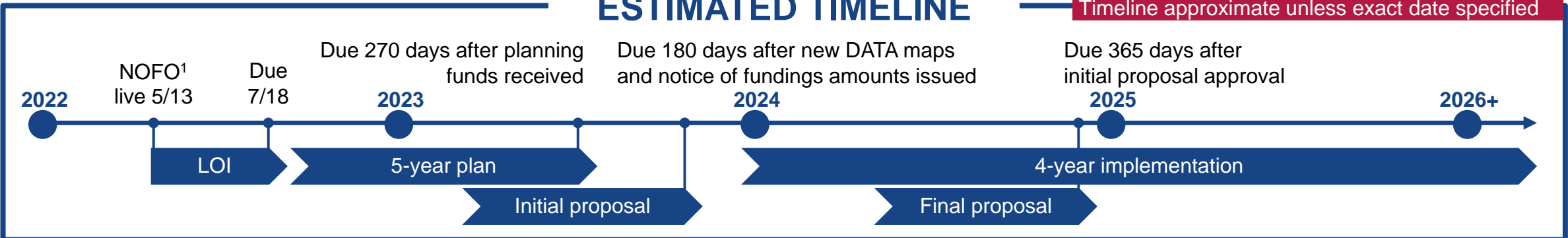**Entities eligible to apply for this program include:**
- All 50 States
- The District of Columbia and Puerto Rico
- Other Territories: U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands

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

ESTIMATED TIMELINE

Timeline approximate unless exact date specified

2022

NOFO[1] live 5/13 — Due 7/18

Due 270 days after planning funds received — **2023**

Due 180 days after new DATA maps and notice of fundings amounts issued — **2024**

Due 365 days after initial proposal approval — **2025**

2026+

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

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

Funding pool
$2.75B

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

PROGRAMS HIGHLIGHTS

The Digital Equity Act created three programs:

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

State Capacity
- $1.44B formula funding program to implement plans & promote digital inclusion
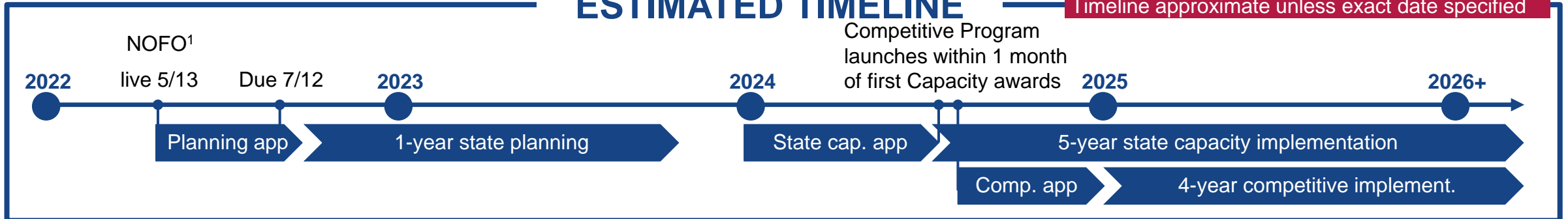
Competitive
- $1.25B to implement digital equity and inclusion activities

Example eligible uses of funds across three programs include:

- ☆ Developing digital equity plans; states must develop a plan to be eligible for state capacity grants
- ☆ Implementing digital equity plans and related activities

- ☆ Making awards to other entities to help make digital equity plans
- ☆ Providing digital literacy and digital skills education

- ☆ Improving accessibility and inclusivity of public resources
- ☆ Facilitating the adoption of high-speed Internet

ESTIMATED TIMELINE

Timeline approximate unless exact date specified

NOFO[1]
live 5/13   Due 7/12

Competitive Program launches within 1 month of first Capacity awards

2022   **2023**   **2024**   **2025**   **2026+**

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

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

Funding pool
$1.00B

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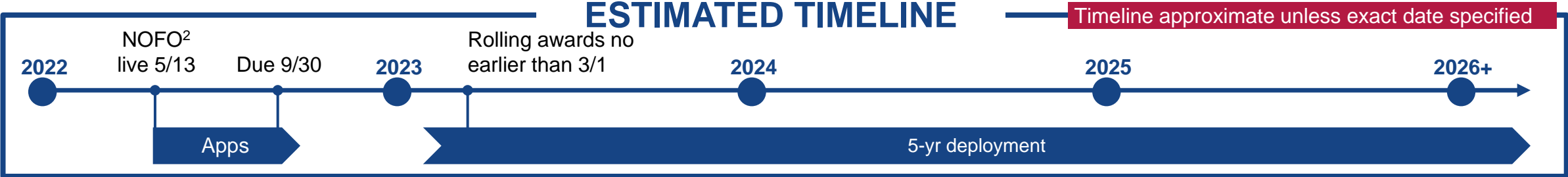
PROGRAM HIGHLIGHTS

Middle mile infrastructure refers to the mid-section of Internet infrastructure that carries large amounts of data at high speeds over long distances and connects the "backbone" of Internet infrastructure to the "last mile", which connects to end users[1]

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

Example uses of funds:

- ⭐ Construction, improvement or acquisition of facilities and equipment

- ⭐ Engineering design, permitting and work related to projects

- ⭐ Personnel costs, including salaries and benefits

- ⭐ Other costs necessary to program's activities

ESTIMATED TIMELINE

Timeline approximate unless exact date specified

2022

NOFO[2] live 5/13

Due 9/30

2023

Rolling awards no earlier than 3/1

2024

2025

2026+

Apps

5-yr deployment

INVOLVEMENT OF TRIBAL ENTITIES

There are many ways Tribal entities can participate in the Internet for All program

Ways to get involved:

BEAD

- Engage with States, the District of Columbia, and Puerto Rico as these entities conduct ongoing local coordination
- Serve as a subgrantee and carry out BEAD activities

DIGITAL EQUITY

- Apply directly for grant funds set-aside for Tribal entities under the Digital Equity Act
- Engage with States as they conduct ongoing local coordination and develop their State Digital Equity Plans

MIDDLE MILE

- Apply directly for grant funds under the Middle Mile Program

1

INVOLVEMENT OF TRIBAL ENTITIES
BEAD PROGRAM

There are many ways Tribal entities can participate in the BEAD Program

BEAD

Ways to get involved:

- Engage with States, the District of Columbia, and Puerto Rico as these entities conduct ongoing local coordination
- Serve as a subgrantee and carry out BEAD activities

DIGITAL EQUITY

- Apply directly for grant funds set-aside for Tribal entities under the Digital Equity Act
- Engage with States as they conduct ongoing local coordination and develop their State Digital Equity Plans

MIDDLE MILE

- Apply directly for grant funds under the Middle Mile Program

BEAD ENTITIES

Tribal entities may carry out BEAD activities as an Eligible Entity's subgrantee

> **"Eligible Entity"** refers to all 50 U.S. States, the District of Columbia, Puerto Rico, and other U.S. Territories (including the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands)

> **"Subgrantees"** are entities that receive grant funds from an Eligible Entity to carry out eligible activities – this includes traditional and non-traditional providers (i.e., electric co-ops, nonprofit orgs, public-private partnerships, public or private utilities, public utility districts, Tribal entities, or local govts)

Funding is initially based on a minimum allocation with additional funding allocations based on high-cost and unserved locations

New coverage maps will be utilized

The Federal Communications Commission (FCC) will publish new broadband coverage maps

NTIA will then use these maps to determine an Eligible Entity's total funding allocation under BEAD

Eligible Entities receive a minimum allocation

Minimum allocations by entity:
- **$100M** for each State, the District of Columbia, and Puerto Rico
- **$25M** for American Samoa, Guam, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands

Additional allocation based on unserved locations

Additional allocation is based on the number of **unserved locations in high-cost areas** in the Eligible Entity and the **number of unserved locations** in the Eligible Entity

BEAD to prioritize complete coverage of unserved locations and underserved locations (where funding permits)

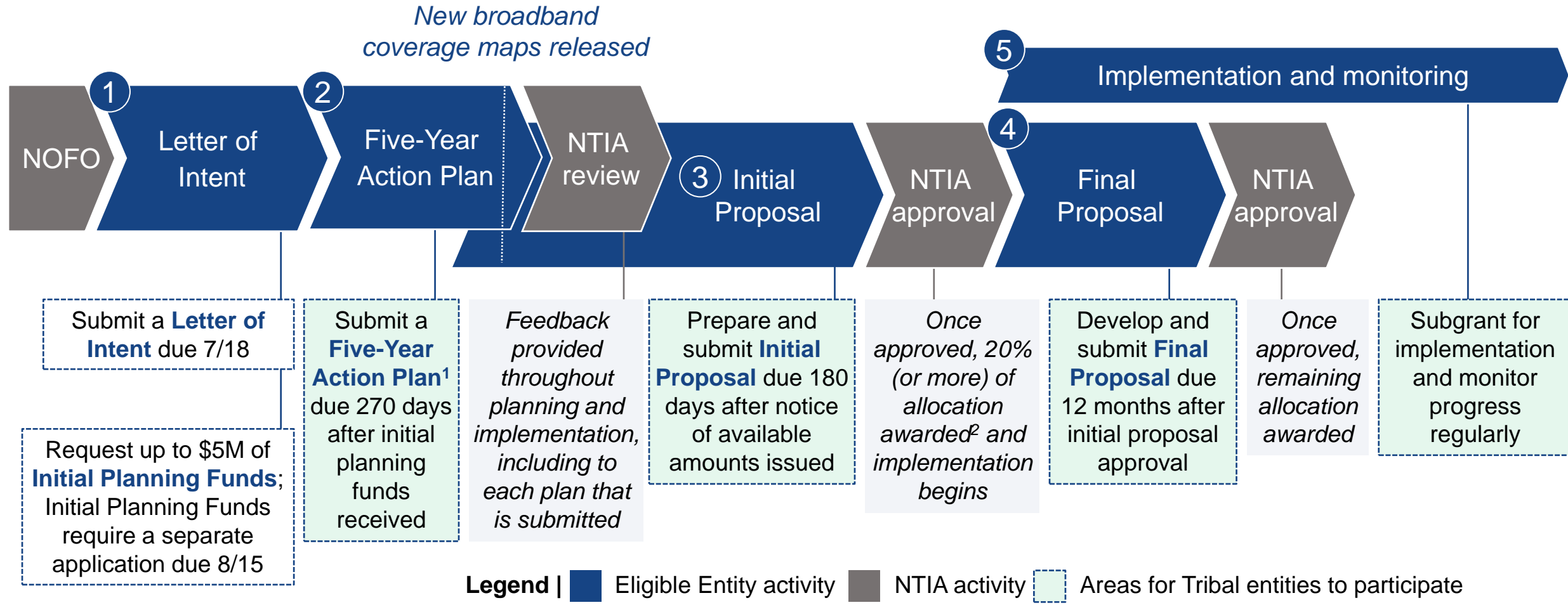Complete coverage of **unserved locations** (incl. by deploying Wi-Fi to multi-family buildings)

Complete coverage of **underserved locations** (where funding permits)

NTIA urges use of remaining funds for **Community Anchor Institutions (CAIs)** before other eligible uses

Note: If an Eligible Entity has a plan to deploy service to all unserved and underserved locations within its jurisdiction, it may pursue non-deployment initiatives before or while deployment projects are underway

14

Eligible Entity application includes five key steps; Tribal entities to participate throughout

New broadband coverage maps released

1 Letter of Intent

2 Five-Year Action Plan

NTIA review

3 Initial Proposal

NTIA approval

4 Final Proposal

NTIA approval

5 Implementation and monitoring

NOFO

Submit a **Letter of Intent** due 7/18

Request up to $5M of **Initial Planning Funds**; Initial Planning Funds require a separate application due 8/15

Submit a **Five-Year Action Plan**[1] due 270 days after initial planning funds received

Feedback provided throughout planning and implementation, including to each plan that is submitted

Prepare and submit **Initial Proposal** due 180 days after notice of available amounts issued

Once approved, 20% (or more) of allocation awarded[2] and implementation begins

Develop and submit **Final Proposal** due 12 months after initial proposal approval

Once approved, remaining allocation awarded

Subgrant for implementation and monitor progress regularly

Legend | ■ Eligible Entity activity ■ NTIA activity ⬚ Areas for Tribal entities to participate

1. Required for entities that receive initial planning funds 2. Must be used for projects in areas with >80% unserved locations or high poverty areas
Note: funding amounts inclusive of all administrative set-asides

15

Eligible Entities must certify coordination with Tribal entities throughout the BEAD implementation period

Submission Requirements

Five Year Action Plans

- ✓ **Collaborate** with local, regional, and Tribal entities
- ✓ Describe the State's **external engagement process**, demonstrating collaboration with local, regional, and Tribal entities (governmental and non-governmental)

Initial Proposal

- ✓ Identify steps to **support local, Tribal, and regional broadband planning efforts** and describes **coordination** with local and Tribal Governments
- ✓ **Certify** that local coordination was conducted and describes the coordination and its impact

Final Proposal

- ✓ Certify that **local coordination was conducted**
- ✓ Detail support of **non-traditional provider participation**, including Tribal entities

BEAD Program requirements for local coordination include ongoing engagement with Tribal entities

Geographic coverage

Coordination must include Tribal, rural, suburban, and urban areas

Each political subdivision and Tribal entity must be given:
- Opportunity to submit a plan for Eligible Entity consideration
- Opportunity to comment on Eligible Entity proposals

Diverse stakeholders

Coordination must include a diversity of stakeholders

Eligible Entities must ensure Tribal entities are involved in developing plans (including via a **formal Tribal consultation process**)

Example stakeholders include State agencies, CAIs, non-profits, etc.

Outreach mechanisms

Coordination must include **multiple mechanisms to ensure broad awareness and participation**

Example mechanisms include listening sessions, public meetings, websites, social media, etc.

Transparency

Coordination must include clear procedures to ensure transparency, such as **publicly posting comments** from Tribal Governments and **provide explanations** of how recommendations were addressed

Examples include websites, periodic reports, in-person meetings, etc.

Un-/underserved and under-represented communities

Coordination must **target un-/underserved, and underrepresented communities** that have historically faced barriers in participating in federal programs

Examples include an advisory board with representatives, surveys to better understand needs, etc.

Tribal entities may serve as subgrantees and must provide consent to projects on Tribal Lands

Principles for the Eligible Entity's subgrantee selection process:

- May fund an unserved or underserved project area as small as a **single location**

- May include **Middle Mile Infrastructure** to reach interconnection points or serve an un- or underserved location, or CAI

- May not fund a project already subject to a **federal or State commitment** for deployment unless without a waiver

- Must **maximize the public benefits** by maximizing match and reducing costs to consumers

- May seek bids for unserved locations, underserved locations, and CAIs **collectively or separately**

- May not exclude **different types of subgrantees** from eligibility

- May solicit proposals at the **geographic level of its choosing** (e.g., per-location, per-census block, etc.)

- Must include the **level of BEAD subsidy** required to serve a specific location

- May encourage providers to **expand their existing/proposed service areas** and consider inducements if **no proposals** to serve a location that is unserved or underserved

- Must submit proof of the **Tribal Government's consent** to deployment to locations on Tribal Lands

- May decline to select a proposal that **exceeds the extremely high cost per location threshold**

Further guidance will be provided in subsequent webinars

NTIA suggests that Eligible Entities include local and Tribal coordination as project selection criteria

Process must first assess which locations have one or more proposals that meet two criteria:
1. Satisfy subgrantee requirements
2. Priority Broadband Projects

Priority Broadband Projects are projects that will rely entirely on fiber-optic technology to reach end-user premises

Except that an Eligible Entity may disqualify any project that *surpasses the Extremely High Cost Per Location Threshold*

Primary criteria must account for ≥75% of the total selection criteria available in choosing between proposals

Priority Broadband Projects

If there is **only one** priority project proposal for an area, that proposal is the default winner unless a waiver granted

If there is **more than one** priority proposal, run competition, affording benefits to the following factors:
- ⭐ Minimal BEAD Program outlay
- ⭐ Affordability
- ⭐ Fair labor practices
- ⭐ Speed to deployment
- ☆ Workforce development
- ☆ Open access
- ☆ Local and Tribal coordination

Non-priority projects

If there is **only one** project proposal for an area, that proposal is the default winner unless a waiver granted

If there is **more than one** proposal, run competition, affording benefits to the following factors:
- ⭐ Minimal BEAD Program outlay
- ⭐ Affordability
- ⭐ Fair labor practices
- ⭐ Speed to deployment
- ⭐ Speed and tech capabilities
- ☆ Workforce development
- ☆ Open access
- ☆ Local and Tribal coordination

Legend | ⭐ Primary criteria ⭐ Secondary criteria ☆ Additional Factors

As a subgrantee, Tribal entities may use BEAD Program funds for a broad range of eligible uses

Non-exhaustive
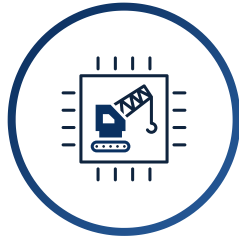
Last-mile deployment-related uses

- Construction, improvement, and/or acquisition of facilities and telecom equipment
- Long-term leases of facilities required to provide qualifying broadband service
- Deployment of internet and Wi-Fi infrastructure in an eligible multi-family residential building
- Engineering design, permitting, and work for environmental reviews
- Personnel costs for BEAD implementation
- Network software upgrades, including, but not limited to, cybersecurity solutions.
- Training for cybersecurity professionals who will be working on BEAD-funded networks.
- Workforce development

Non-last-mile-related uses

- User training with respect to cybersecurity, privacy, etc.
- Remote learning or telehealth services/facilities
- Digital literacy/upskilling and computer science, coding and cybersecurity education programs
- Implementation of Eligible Entity digital equity plans
- Broadband sign-up assistance and tech support
- Multi-lingual outreach to support adoption
- Incarcerated individuals education to promote pre-release digital literacy, job skills, online job-acquisition skills, etc.
- Digital navigators
- Direct subsidies for use toward broadband subscription
- Costs associated with stakeholder engagement, including travel, capacity building, or contract support

To serve as a BEAD subgrantee, Tribal entities must meet general and specific qualification requirements

General qualifications

Eligible Entities shall ensure that any prospective subgrantee is capable of carrying out activities funded by the subgrant in a competent manner and in compliance with all applicable laws

Seven specific qualifications:

Financial capability: Certification of financial qualifications, letter of credit, audited financial Statements, and project pro forma analyses

Managerial capability: Resumes for key personnel, org charts, and narrative describing qualifications

Technical capability: Network design, diagram, project cost, buildout timeline and milestones, and capital investment schedule

Compliance with laws: Permit worker-led health and safety committees that management will meet with upon reasonable request

Operational capability: Certification of operational capability and certification for experience (e.g., for broadband service experience)

Ownership: Provide ownership info, including name address and citizenship of any party with >10% stock in applicant[1]

Other public funding: Disclose any applications for broadband service projects using public funds

2

INVOLVEMENT OF TRIBAL ENTITIES
DIGITAL EQUITY ACT

There are many ways Tribal entities can participate in the Digital Equity Programs

Ways to get involved:

BEAD

- Serve as a subgrantee and carry out BEAD activities
- Engage with States, the District of Columbia, and Puerto Rico as these entities conduct ongoing local coordination

DIGITAL EQUITY

- Apply directly for grant funds set-aside for Tribal entities under the Digital Equity Act
- Engage with States as they conduct ongoing local coordination and develop their State Digital Equity Plans

MIDDLE MILE

- Apply directly for grant funds under the Middle Mile Program

The Digital Equity Act creates two distinct but correlated state formula grant programs, and a third competitive grant program

	State Planning Grant	State Capacity Grant	Competitive Grant
	$60 million	**$1.44 billion**	**$1.25 billion**
Who	Open to **U.S. States, the District of Columbia, and Puerto Rico**	Open to U.S. States, the District of Columbia, and Puerto Rico, that **completed the State Planning Program**	Open to **certain entities**, such as political subdivisions, Tribal entities, nonprofits, community anchor institutions, local educational agencies, and workforce development orgs
What	Grants will be used to **develop a State Digital Equity Plan**	Grants will be used to **implement State Digital Equity Plans**	Grants will be used to **develop and implement digital inclusion activities**

Other U.S. territories, Indian Tribes, Alaska Native entities, and Native Hawaiian orgs have a separate statutory set-aside and separate program requirements under the State Planning and Capacity Programs, as detailed on the next page

24

The Digital Equity Act provides for separate funding set-asides for Tribal entities

5% statutory set aside

- Digital Equity Act provides that "not less than **five percent** of award grants" must be set aside annually for Tribal entities

- NTIA has reserved **$15 million** (i.e., 5% of the $300 million total amount made available by Congress - $60 million for the State Digital Equity Planning and $240 million for the Capacity Grant Program) for the 2022 fiscal year

Additional details

- Because the number of participating entities is unknown, NTIA will announce **tentative award allocations** after receiving Letters of Intent

- NTIA **expects to allocate between $50,000 and $150,000 this year to each** participating Tribal entity and will distribute funds evenly

- In future years, the Assistant Secretary **may add unclaimed** State Digital Equity **Capacity Grant funds** to the set-asides for U.S. territories, other than Puerto Rico, and Tribal entities

Funds can be used to create Tribal digital equity plans, help entities support State plans, and implement plans
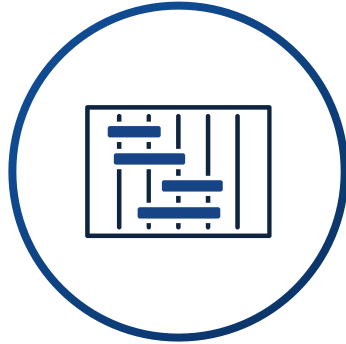
Uses of Initial Funds Allocation
Set-Asides from the Planning Grant Program

- Developing **Tribal digital equity plans**
- Supporting **Tribal participation and equity interests** in the creation of relevant State Digital Equity Plans

Uses of Balance of Reserved Funds
Set-Asides from the Capacity Grant Program

- **Implementing** digital equity plans with activities such as:
  - Pursuing **digital inclusion activities**
  - Facilitating **adoption** of high-speed Internet
  - Executing **workforce development programs**
  - Making **equipment and software** available
  - Constructing/upgrading **public access computer centers**

Funding for other territories and Tribal entities has been reserved proportionally from the State Digital Equity Planning and the Capacity Grant Programs.

The NOFO lists State Digital Equity Plan requirements; some may not be applicable to Tribal entities (I/II)

1 The **identification of the barriers to digital equity** faced by covered populations

2 **Measurable objectives for documenting & promoting** broadband technology; the online accessibility of public resources and services; digital literacy; secure online privacy / cybersecurity; consumer devices and tech support

3 An assessment of how the **objectives will impact and interact** with the State's economic and workforce goals; health, education and civic engagement outcomes; and delivery of other essential services

4 A description of how the State **plans to collaborate with key stakeholders** (e.g., anchor institutions, municipal government, educational agencies, non-profits) to achieve objectives

5 A list of organizations with which the administering entity for the State **collaborated in developing and implementing the Plan**

6 A stated **vision for digital equity**

7 A **digital equity needs assessment**, including an assessment of the baseline and the State's identification of the barriers to digital equity

NTIA will work closely with each entity to agree on project deliverables, budgets, goals, and objectives that are reasonable and effective (e.g., Tribal Governments must describe any Tribal Broadband Connectivity Program awards it has received).

27

The NOFO lists State Digital Equity Plan requirements; some may not be applicable to Tribal entities (II/II)

8 — An **asset inventory**, including current resources and strategies that promote digital equity and existing digital equity plans and programs

9 — A **coordination and outreach strategy**, including opportunities for public comment by, collaboration with, and ongoing engagement with the covered populations and the full range of stakeholders

10 — Description of how **municipal, regional, and/or tribal digital plans will be incorporated**

11 — An **implementation strategy** (1) establishing measurable goals, objectives, proposed core activities, (2) setting out measures ensuring the plan's sustainability, and (3) adopting mechanisms to ensure that the plan is regularly evaluated and updated

12 — Explanation of how the strategy **addresses gaps in existing efforts** to address barriers to digital equity

13 — Description of how the State intends to accomplish the implementation strategy by **partnering with workforce organizations and institutions of higher learning**

14 — A **timeline** for implementation of the Plan

15 — Material indicating how the State will coordinate its use of Digital Equity Capacity Grant and **BEAD funds**

Tribal entities are among key stakeholder groups that States should coordinate with in developing Plans

Key stakeholder groups may include:

- Community anchor institutions

- County and municipal governments

- Local educational agencies

- Indian Tribes, Alaska Native entities, or Native Hawaiian organizations, where applicable

- Nonprofit organizations

- Organizations that represent covered populations

- Civil rights organizations

- Entities that carry out workforce development programs

- State agencies that administer or supervise adult education or literacy activities

- Public housing authorities

Tribal entities must apply for Digital Equity Planning Grant funds using Letters of Intent

Letter of Intent (LOI) requirements

- Signature of the governor or governing body

- Description of the entity that would administer digital equity activities under the program

- List of specific activities they intend to pursue in support of digital equity plan development

[On Tribal/Native Governing Body Letterhead]

May 16, 2022

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

Dear Assistant Secretary Davidson:

On behalf of [INSERT APPLICANT NAME], I am declaring our intent to participate in the State Digital Equity (DE) Program.

The [INSERT ENTITY, ORGANIZATION, DEPARTMENT, AND/OR OFFICE] will serve as the as the recipient of, and administering agent for, any Digital Equity Program award. The following individual will serve as the point of contact for all correspondence:

[INSERT NAME AND EMAIL]

In support of Digital Equity Plan development, we have identified the following activities:

[INSERT A BRIEF DESCRIPTION OF ACTIVITIES THAT THE TRIBAL/NATIVE ENTITY WILL TAKE TO DEVELOP THEIR DIGITAL EQUITY PLAN. TRIBAL/NATIVE ENTITIES CAN DESCRIBE HOW THEY WILL DEVELOP THEIR OWN DIGITAL EQUITY PLAN, AND OPTIONALLY, THE DEVELOPMENT OF RELEVANT STATE PLANS)

Sincerely,

[Signed by the governing body]

Letters of Intent must be submitted by an eligible submission method by July 12

Submission Methods

Grants Portal

Email to **digitalequity@ntia.gov**

Mail or courier

Applications must be received or postmarked no later than 11:59 p.m. EDT on July 12, 2022

Entities are **encouraged** to use the NTIA Grants Portal, which can be accessed at https://grants.ntia.gov/grantsPortal/s/

After the entity submits its LOI, NTIA will then provide additional submission information and timelines in a **separate written communication**

To access the NTIA Grants Portal, entities must first register
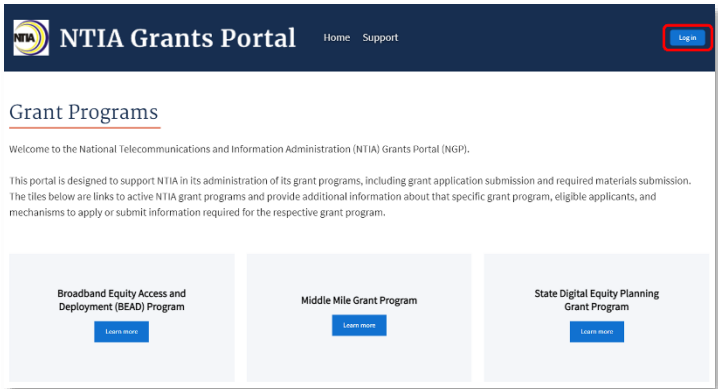
Click "Log in" to register

Click the **Log in** button in the upper right corner to sign in as a registered Portal user or to register the first time you access the Portal.
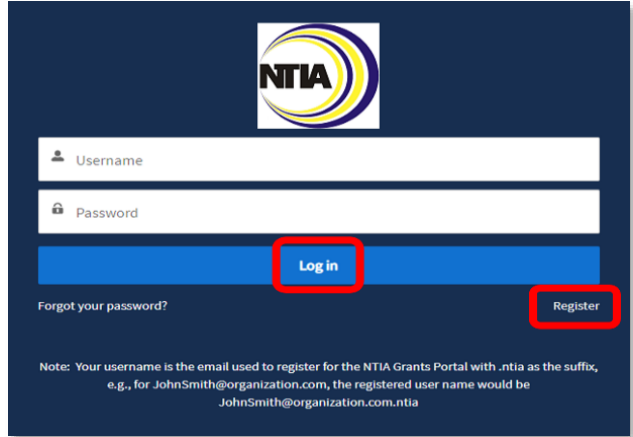
Register or log in

If new to the Portal, click the **Register** button.
If you have a username and password, enter them and click on the blue **Log in** button. Note: the email address used to register appended with **.ntia at the end** will be the username.
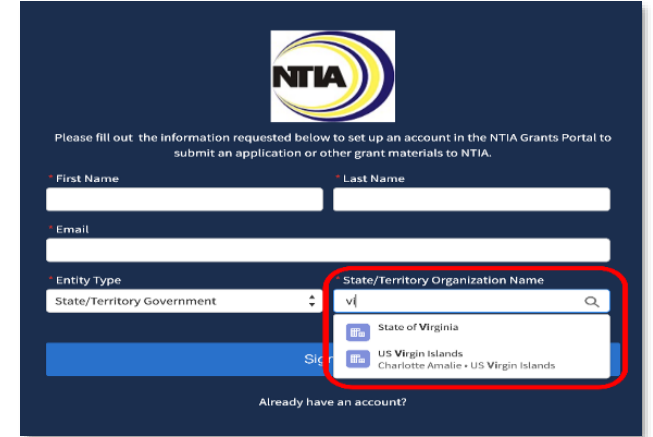
Sign up and get approved

If registering, enter your contact information, including entity type. Click **Sign up**.
Approval will be required before registration is complete. NTIA will send an approval email with a link to complete the process.
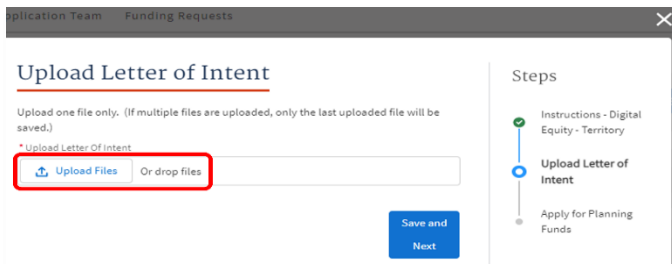
Registered users can then submit LOIs through the Portal (I/II)
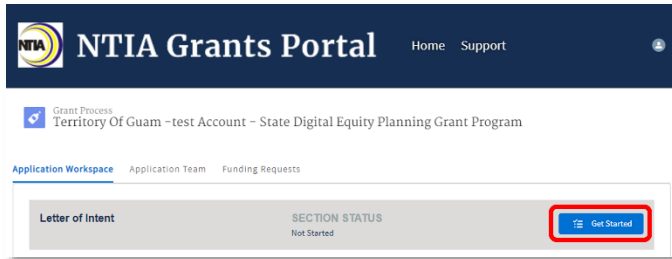

From the Application Workspace, locate the **Letter of Intent** section and click the **Get Started** button.
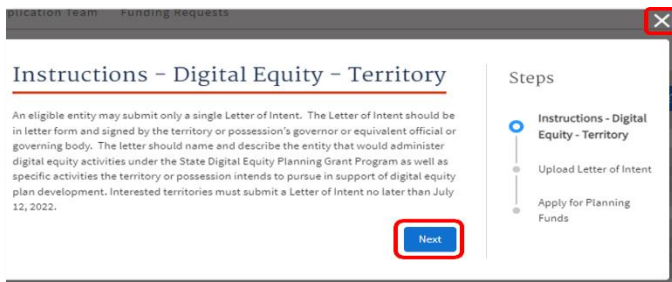
Review the Instructions for the LOI. Notice the **Steps** highlighted in the sidebar to the right. Click the **Next** button to proceed. Click the **X** in the upper right corner to return to the Application Workspace.
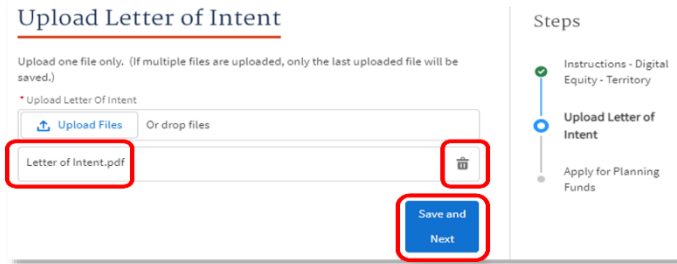

Click the **Upload Files** button to select the file(s) to upload, or drag and drop the file(s) into the upload files space.
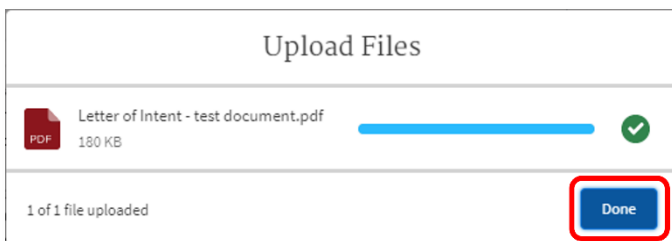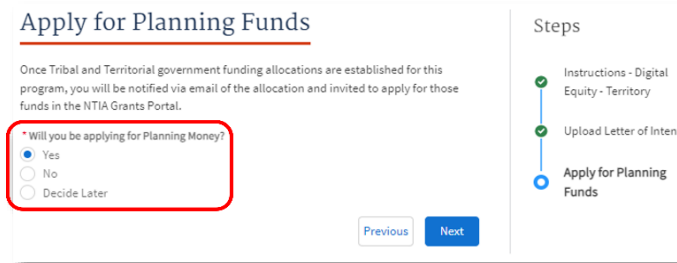

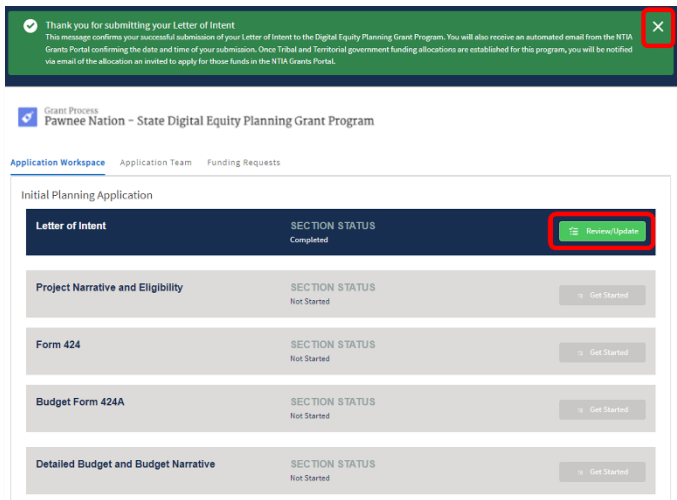Click the **Done** button on the pop-up window.

Verify the uploaded file in the Upload Letter of Intent window; click the **delete icon** to remove the file.

After uploading the Letter of Intent file(s), click the **Save and Next** button.

Select **Yes**. Then, click the **Next** button to return to the Application Workspace.

Upon completing the final step of the Letter of Intent section, a green banner with a confirmation message will appear at the top of the screen, and a confirmation email will be sent to the applicant.

To update the Status of Applying for Planning Money, or to delete and upload a new Letter of Intent, click the **Review/Update** button in the Letter of Intent section.

3

INVOLVEMENT OF TRIBAL ENTITIES
MIDDLE MILE PROGRAM

There are many ways Tribal entities can participate in the Middle Mile Program

Ways to get involved:

BEAD

- Serve as a subgrantee and carry out BEAD activities
- Engage with States, the District of Columbia, and Puerto Rico as these entities conduct ongoing local coordination

DIGITAL EQUITY

- Apply directly for grant funds set-aside for Tribal entities under the Digital Equity Act
- Engage with States as they conduct ongoing local coordination and develop their State Digital Equity Plans

MIDDLE MILE

- Apply directly for grant funds under the Middle Mile Program

Middle mile infrastructure broadly means the mid-section of internet infrastructure

Middle mile infrastructure carries large amounts of data at high speeds over long distances

Middle mile infrastructure includes:

› Leased dark fiber, interoffice transport, backhaul, carrier-neutral internet exchange facilities, carrier-neutral submarine cable landing stations, undersea cables, transport connectivity to data centers, special access transport, and other similar services

› Wired or private wireless broadband infrastructure, including microwave capacity, radio tower access, and other services or infrastructure for a private wireless network, e.g., towers, fiber, and microwave links

Middle Mile funding is available to a variety of entities and partnerships, including Tribal governments

A

The term "Eligible Entity" means:

Government:
- State, political subdivision of a State, Tribal government
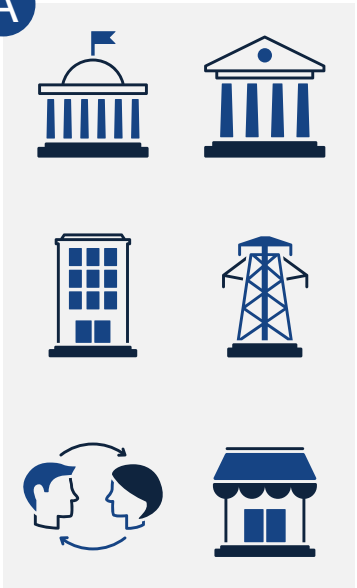
Industry:
- Tech company, electric utility, utility coop, public utility district, telecom company/coop

Non-profits and other associations:
- Non-profit foundation/corporation/institution/association, regional planning council, Native entity, or economic development authority

B

A partnership of two or more entities described in (A)

Grants can be used for the construction, improvement, or acquisition of middle mile infrastructure

Non-exhaustive examples of eligible uses of funds:

- Construction, improvement, and/or acquisition of facilities and telecommunications equipment

- Engineering design, permitting and work related to environmental, historical and cultural reviews

- Personnel costs, including salaries and fringe benefits for staff and consultants (e.g., PMs, SMEs, financial analysts, accountants, attorneys)

- Select pre-application expenses <$50,000 incurred after NOFO publication and before grant award

- Other costs necessary to programmatic activities, excluding ineligible costs

Middle mile program review process includes three steps

1 Eligibility review

NTIA ensures applicants are eligible, including verifying:

1. Application is complete
2. Eligible Entity meets eligibility criteria

2 Merit review and prioritization

Reviewers evaluate and score applications on a scale of 0-100 across two categories of criteria:

1. Project purpose and benefits (60 points)
2. Project sustainability (40 points)

Transition from step 2 to step 3

NTIA prioritizes projects for programmatic review based on merit review score and whether applications meet 2 of 5 criteria from the statute

3 Programmatic review and selection

NTIA Program Staff review and assess applications in two steps:

1. Ask applicant to submit additional info, as appropriate
2. Assess proposed project and calculate weighted scores

DOC selects projects for funding based on ranked list with potential adjustments for geographic diversity and diversity in award sizes

The Assistant Secretary, in consultation with Tribal entities, may waive or specify alternative requirements if it is necessary for (a) the effective delivery and administration of middle mile grants to Tribal governments or (b) the construction, improvement, or acquisition of middle mile infrastructure on trust land.

Eligibility review | If planning to apply, Tribal entities must meet five eligibility criteria

First, provide evidence sufficient to demonstrate that it is capable of carrying out a proposed project in a competent manner, incl. by demonstrating financial, technical, and operational capability, per the program applicant qualifications – *detail on next slide*

Second, certify that the project will be capable of **supporting retail broadband service**

Third, commit to **non-Federal cost share of no less than 30%** of the total project cost; only Tribal entities may request a partial or complete waiver
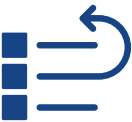
Fourth, make a binding commitment to prioritize at least one of the following:

① Connect middle mile infrastructure to last mile networks in **unserved areas**

② Connect **non-contiguous trust lands**; or

③ Offer **wholesale broadband service** at reasonable rates on a carrier-neutral basis.

Fifth, offer **interconnection** in perpetuity, where technically feasible without exceeding current or reasonably anticipated capacity limitations, on reasonable rates and terms

Eligibility review | Tribal entities must meet program applicant qualifications

Six steps for applicants to demonstrate EE meet qualifications

Prospective grant recipients must meet two program applicant qualifications

A Is capable of carrying out the project in a competent manner

B Has the financial, managerial, technical and operational capability to carry out the project and operate the resulting MMG broadband network

> **Financial capability:** Supply certification attesting to financial qualification, a letter of credit, and financial Statements for past 3 years

> **Managerial capability:** Supply resumes for key personnel, org chart(s), and a narrative describing managerial readiness

> **Technical capability:** Supply certification attesting to technical qualification, a network design diagram, project costs, build-out timeline and milestones for implementation, and a capital investment schedule

> **Compliance with laws:** Demonstrate capability of carrying out activities in a competent manner in compliance with all applicable federal, State, and local laws and permit workers to create worker-led health and safety committees with which management will meet upon reasonable request

> **Operational capability:** Supply certification attesting to operational qualification and additional certifications if applicant has operated select types of services in the past[1]

> **Ownership:** Provide ownership info, including name, address, and citizenship of any party with >10% stock in applicant

Merit review and prioritization | Reviewers evaluate applications across two categories of criteria

Criteria	Description	Points
Underserved areas or affordability	Deploy to un- or underserved areas[1] or improve affordability in existing markets	20
Interconnection	Offer non-discriminatory interconnection in perpetuity, where feasible	10
Open access wholesale	Offer open access to the funded infrastructure in perpetuity	10
Other benefits	Provide other benefits (e.g., redundancy, direct interconnect facilities)	10
Tech solution and shovel ready	Meet community's needs and complete project in two-year period	10
Total: Project purpose & benefits		**60**
Org capability	Organizational capability to complete the specific project proposed	5
Budget	Reasonableness of applicant's proposed budget	10
Fiscal sustainability	Project's fiscal sustainability beyond the award period	10
Non-federal cost share	Contribute a non-federal cost share >30%[2]	15
Total: Project sustainability		**40**

1. A Tribal government may certify whether an area on its own Tribal Land is unserved or underserved based on criteria of its choosing. To do so, it must provide a statement on Tribal Letterhead explaining how the determination was made and additional supporting information, if available. The Department of Hawaiian Home Lands may also certify whether Tribal Lands in Hawaii are unserved; 2. Sliding scale with 5 points for 30-40%, 10 points for 41-50%, and 15 points for >50%

Merit review and prioritization | NTIA will prioritize applications based on merit review score and two of five statutory criteria

Projects are prioritized based on merit review score and statutory criteria

1 Applications with **score ≥80** during Merit Review and that meet at least **two of the five statutory criteria**

2 Other applications with **score ≥80** during Merit Review

3 Applications with **score <80** during Merit Review but meet at least **two of the five statutory criteria**

**Projects that meet two of five statutory criteria are prioritized for programmatic review**

1 Adopt **fiscally sustainable** middle mile strategies

2 Commit to offering **non-discriminatory interconnect** to last mile broadband providers and any other party making a bona fide request

3 Identify **last mile broadband providers** with (i) interest in interconnection; and ii) sustainable business plans or adequate funding for interconnection

4 Identify **supplemental investments or in-kind support** (such as waived franchise or permitting fees) that will accelerate project completion

5 Benefit **national security interests** of the US and the Department of Defense

Programmatic review and selection | NTIA may ask for additional info and calculates weighted scores

First, NTIA may ask applicants to **submit additional information to** confirm eligibility or Merit Review score
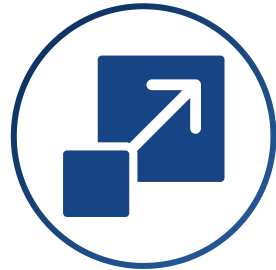
Second, NTIA **calculates weighted scores** (i.e., multiply Merit Review by 1.0x to 1.8x) based on eight criteria

Eight criteria assessed in programmatic review to calculate weighted score

1 Reduce end-user prices

2 Reduce latency in remote or insular areas

3 Benefit priority areas and groups

4 Benefit unserved areas or Tribal Lands

5 Connect unserved anchor institutions

6 Comply with select requirements[1]

7 Demonstrate climate resiliency

8 Proposed use of community benefit agreements

1. Requirements related to Fair Labor Practices, Advancing Workforce Development Objectives, and Civil Rights and Non-Discrimination Law Compliance

NTIA will only accept applications submitted electronically via its online application portal by September 30, 2022

NTIA Application Portal

Applications must be received through the NTIA Application Portal no later than 11:59 p.m. EDT on Sept. 30, 2022

Please contact middlemile@ntia.gov with any questions and nghelpdesk@ntia.gov for technical support with the portal

Application format requirements

- Figures, graphs, images, and pictures should be readable and may be presented in landscape

- Font should be easy to read and 11-point minimum; figures and tables may use smaller type

- One-inch margins on top, bottom, left, and right

- Portrait orientation except for figures, graphs, images, and pictures

- Page size 8 ½ by 11 inches

- All applications must be typed in English

NEXT STEPS

Next steps for Tribal entities related to the broadband programs

1. Organize resources, conduct outreach within your jurisdiction, and reach out to your State broadband contact

2. Submit questions to NTIA by emailing InternetForAll@ntia.gov

3. Attend future NTIA webinars and engage with NTIA Technical Assistance for guidance across programs

4. Prepare a letter of intent for the State Digital Equity Planning Grant Program by July 12

5. Prepare an application for the Middle Mile Grant Program by September 30