([00:59](#)):

Margaret Gutierrez

I'm going to give it a one more minute and let everyone continue to get in the room and then we'll get started. Alright, it looks like we have most of you in so good morning or good afternoon and welcome. My name is Margaret Gutierrez and I'm a citizen and enrolled member of the Citizen Potawatomi Nation in Oklahoma. I am the Acting Division Chief of the Tribal Broadband Connectivity and Nation to Nation Coordination Division here at NTIA.

I'm here with Angela Thi Bennett, the Digital Equity Director of NTIA's Office of Internet Connectivity and Growth. She oversees the digital equity programs and will facilitate today's consultation.

It's my distinct honor to open this government to government consultation regarding the upcoming Digital Equity program set to launch next year. We've identified four areas in the Dear Tribal Leader Letter distributed last month and we invite you to explore these four areas together with us today.

([00:01:42](#)):

Your guidance, feedback, and comments during this consultation will be critical for the program. Some housekeeping items before we get started, this is the first of two consultations. We will hold another one on Thursday, October 19th. If you need to drop today for any reason, know that you have another opportunity to join us and provide your feedback on Thursday.

Second, I want to remind everyone that this consultation is being recorded. Last, if you prefer to submit your comments in a written format, you can do so by emailing digital equity@ntia.gov to submit those comments before November 16th. We will drop that email address into the chat now, and we will also share it on a slide at the very end of this consultation, as a reminder. Next slide.

([00:02:24](#)):

Here's a look at our agenda for today. First, we'll open with an invocation. Next, we'll get an overview on digital equity and NTIA's Digital Equity grant programs from program director Angie Bennett. As a reminder, this is a separate program from the Tribal Broadband Connectivity Program that many of you are familiar with.

We will then go into the four topics for consultation. This is where we will post questions and ask that you share your perspectives and feedback with us. It is the reason that we are here today.

Then we'll close for today with a reminder to join us for our final consultation session on Thursday, October 19th. With the general information and housekeeping out the way we would like to respectfully move to the invocation. We are honored to commence this consultation with an invocation today, and we are joined by Mr. Gabriel Montoya, who is not only an enrolled member of the Pueblo Powaki, but also a valuable team member on the tribal Broadband Connectivity Grant program.

Gabriel Montoya

(03:42):

Thank you, Margaret. <mark>XXXX</mark> Depending on where you're at. With all due respect, I would like to request permission to speak with the intention of giving an invocation for today's Digital Equity Tribal Consultation.

Great spirit, I want to thank you for your continued blessing and ask that you look over today's tribal consultation on digital equity. Thank you for providing us with the first successful tribal consultation earlier this week. Thank you for providing Angie the ability to hear and communicate the needs in a welcoming manner.

I ask that you guide us similarly today in the path of open dialogue, clear communication, and assist with the relationship building necessary to support the missions of commerce and tribes alike. As I close, I respectfully ask for prayers for all our families near and far so they may be healthy and safe. <mark>XXX</mark>. Maci, can you please walk us through how participants can place comments?

Maci Morin

(04:53):

Yes, of course. Thank you so much Gabe. Thank you Margaret. And welcome everybody. Just going to walk you through this quick guide on how to participate in our consultation today before we pass it along to Ms. Bennett.

So there are a couple of ways to do this. You can provide verbal comments. So our team can unmute your line and you can come and you can speak to us directly. In order to do that, you will use the "raise your hand" function as you can see on the left hand side of the screen here. If you are joining us via phone call, the way that you raise your hand to get in the queue is to press *9. And then we will let you know ahead of time whenever you're about to come up and we will say your name out loud whenever it is your turn.

And if you would prefer to provide written comments, there's a couple ways of doing that. You can either use the Q&A box or the chat box as a part of your Zoom application. You can type out your written comment there and submit. Or you can email your written comment between now and November 16th. You can write out your comment and send it to digitalequity@ntia.gov. And with that I will pass it along to our Digital Equity Director, Angela Thi Bennett.

Angela Thi Bennett

(06:22):

You Maci, thank you very much and thank you Margaret for kicking things off. We truly appreciate the support and partnership with the tribal team. And Gabe, thank you so much for that beautiful invocation. And thank you to everyone who has taken time out of your schedule to join us today.

And so we're going to turn over to the Digital Equity Act programs and I want to provide some background on our Digital Equity Act programs before we dive into the consultation questions. And so if you can go to the next slide.

And so as we are all currently aware and the pandemic is something that really amplified this need, is that our country is currently facing a digital divide. Too many people and too many communities, many of which that you live in and that I live in, do not have access to affordable, reliable, high-speed internet.

(07:26):

And why is that? They may live in a location that geographically no service is available or, even if there is service, the speeds and the quality of service is substandard. Or they may live in an area that there may be service, but it's just too expensive. And if it's not affordable, it's not accessible.

Here under the Biden Harris administration, it is our priority to ensure that every household has access to affordable, reliable, high-speed internet. And so even once the infrastructure is there, what difference does it make if it doesn't, if people don't have the tools and the resources they need to improve their lives? And that's how we arrive at digital equity.

And so digital equity is the condition in which individuals and communities have the technological capacity for full participation in society and the economy of the United States. And so what does that mean? It means that every individual should have all of the tools of access to affordable, reliable, high-speed internet, internet enabled devices that meets their needs, and the skills and resources they need so that they can fully participate in society and the economy.

(08:49):

Digital inclusion are the activities that are necessary to accomplish this goal. And so what does digital equity or how can digital equity show up in your communities? One, utilizing digital tools to record and preserve oral history, storytelling, and cultural narratives. These types of digital recordings can be valuable resources for future generations.

Intergenerational engagement. Through digital access, we can foster intergenerational dialogue and collaboration amongst our elders and our young people to preserve and promote our cultural traditions.

It can reduce isolation. In remote and rural areas digital access can reduce the geographic isolation so that individuals in the communities can stay connected in the world.

And digital access also provides individuals with access to improve their economic prosperity. It enables you to have access to online markets, e-commerce, entrepreneurial opportunities, opportunities to be self-efficient and to be able to take care of your families. I could go on and on about all of the benefits of digital inclusion so that we can improve the lives of our communities, but I wanted just to give you some examples just to kind of start to ideate around the possibilities of what communities can look like once we are successful in achieving digital equity.

(10:30):

And so we're going to now dive into the program and we can go to the next slide.

(10:38):

So here's the Digital Equity Act overview. And so the Digital Equity Act was passed as a part of the Infrastructure Investment and Jobs Act in 2021, what we call "iija", IIJA. And it provides $2.75 billion to create three programs to promote digital inclusion and achieve digital equity for all. And we mean all.

And so the three programs as you see here are the first, the $60 million grant funds, planning grant program, and that's to provide funding to help communities, states, native entities as well as our territories develop digital equity plans, the roadmap to achieving digital equity.

The second program is the $1.44 billion capacity grant program. And that's the program that once you develop the plans, you then, states then submit these plans to NTIA to implement the plans that have been identified.

(11:57):

And then the third program is the competitive grant program, which is a $1.25 billion program to implement various digital equity inclusion activities. But this program, the eligible entities are expanded beyond the states and the territories, but to nonprofit organizations and other entities that serve our covered populations.

So I just want to lay out for you, what we did on this slide too is to lay out for you what the funding looks like for every fiscal year. And so each of the years in fiscal year 2022, '23, '24, '25, '26, you can see the different levels of funding that's available. And why this is so important is that under the statute, under the IIJA statute, there is a 5% set aside for native entities, which includes our tribal entities, our Alaska native entities, as well as our native Hawaiian organizations. And so it would be 5% of each of those amounts. Next slide please.

(13:03):

Okay. And so as I referenced to set aside, you can see over to the right, it's 5% of the planning, 5% of capacity, and 5% of the competitive. And so in early 2024, we will be releasing the capacity funding for our program, which will include the set aside for the native entities. And so in that particular funding it will include 5% out of the planning grant, which is the $60 million, the capacity, and it'll be three fiscal years of the capacity, which will make up the 2024 funding opportunity. Next slide please.

We wanted to highlight this because we know many of you are familiar with the TBCP program, the Tribal Broadband Connectivity Program, and wanted to just provide some comparisons and contrast where our programs are similar and where they are different. But just really wanting to highlight that these are two separate programs and two separate funding opportunities that are available.

(14:16):

So under the Digital Equity Act program, under the Digital Equity Tribal program, I referenced that it was established under IIJA. Under the Tribal Broadband Connectivity Program. It's a combination of both the IIJA funding as well as the Consolidated Appropriations Act. Under our digital equity tribal program our applications will not launch until 2024 is when this program will be launched. And thereafter we'll launch in 2024 and then after 2024, there be additional annual opportunities for tribes to apply to our program. So we'll launch again in '25 and then we'll launch another opportunity in '26. And these programs are focused exclusively on activities related to achieving digital equity in this particular program.

In the Tribal Broadband Connectivity Program, there is an application, a funding opportunity that is open and available right now. So TBCP 2 applications are due January 23rd, 2024, and there is only one opportunity to apply for TBCP 2. So TBCP 2, one opportunity, it is open now it is due January 23rd. The DE tribal program, multiple opportunities starting in 2024 and that will not launch until 2024. So that we have some time for that. The TBCP 2 program is focused not only on broadband adoption and use or digital equity and inclusion activities, it is also focused on broadband infrastructure deployment. And there is $100 million available exclusively for broadband use and adoption or digital inclusion and digital equity activities.

([16:20](#)):

Next slide please. Okay. And so the reason we are having these consultations is because we are in the process of developing our Notice of Funding Opportunity and would really appreciate your guidance on some really key areas. And so really encourage all of you to raise your hand, speak, share your perspectives. And if you're not comfortable, this is not, if raising your hand and speaking is not what you're comfortable doing. You are also welcome to put your comments into the chat and then you can always, after this consultation follow up with an email with your comments. Or even if you think of something later, we welcome emails to digital equity at NTIA with your comments afterwards.

The one housekeeping thing I will ask before you speak to just make sure you, when you introduce yourself, if you could please state where you are from and if you can state whether you have permission to speak on behalf of your tribe. We want to make sure that we are being respectful of the tribe relationship and the nation to nation and not whomever is speaking actually has that authority to speak on behalf of the tribe. So we can go to the next slide and we can jump into the consultation.

([18:01](#)):

Okay. So my first question is in consortium applications, what controls can NTIA implement to ensure that consortium members are equitably represented and that the lead applicant is acting for the benefit of each consortium member in the proposed project?

So we are trying to determine what guidelines to put in around consortium applications. We recognize that there could be, while there may be benefits to having consortium applications such as having someone manage the grants and the administration of it, that sometimes there are some challenges and some members of the consortium may feel that their needs and their interests are not represented in this consortium. So really would appreciate any feedback that you may have that could help inform the guidance that we can put in our applications.

Carole, you'll let me know if we have any.

Carole Garner

([19:28](#)):

Yes, absolutely. No raised hands quite yet.

([19:31](#)):

Angela Thi Bennett	No raised hands. Okay. Alright, let's go to the next question if you're still kind of thinking about what that could look like. So here's the other thing. So besides accepting applications from consortia, are there other ways NTIA could help less resourced tribes have an equitable opportunity to apply for an award?
	In the last consultation someone asked, what do we mean by less resourced tribes? We're talking that can, I recognize that it's based on, it can be relative, based on perspective. But we're talking about smaller tribes who may not have a grant person on staff that's applying for applications. We recognize that in tribal communities one person may be wearing multiple hats and because you're really busy tending to the needs and serving the population, you may not have as much availability to prepare these applications for funding.
	And particularly with NTIA, we are a federal funding and as much as we try to streamline applications as much as possible, we do recognize that federal grants are a lift. And so what are some ways that we can ensure that smaller, less resource tribes have a chance to compete and apply for our funding?
	(21:11):
	Hi Nick, did you want to add anything to that?
	(21:14):
Nick Courtney	Hi Angie. And first off, thank you for having me today. And allow me to introduce myself for those who I don't know. My name's Nicholas Courtney, I'm a Macaw tribal citizen and I have the privilege of working with Angie's sister program, the Tribal Broadband Connectivity Program.
	And as Angie is asking these questions, I encourage you all participating in this tribal consultation to think about best practices from other federal programs that you have seen as this will critically inform the NOFO and other opportunities, including potential technical assistance that we here at the office of Internet Connectivity and Growth can utilize.
	So I encourage you all to think about best practices that you all have seen with respect to other federal programs or programs that you all have been a part of in answering these questions.
	And then additionally, as Angie mentioned, I know that these things may be fresh on your mind and these questions are coming at you, but we also will accept a written comment as well. And Angie, I'm sure will provide information on that. So again, really appreciate, Angie, you taking the time to go through these questions and the work that your digital equity team is engaged in. And just wanted to mention that again for folks to perhaps think of best practices in other programs outside of the Department of Commerce that you've seen that have been helpful in navigating the federal grant system.
	(22:44):
Angela Thi Bennett	Thanks Nick. I really appreciate that. Okay, let's jump to the next couple questions and maybe this will give some time for folks to think about this. So here are the

other two questions that we have and maybe this is easier to answer. Would your tribe prefer that we open the application in the spring of 2024 or the fall of 2024?

And let me give you a little bit of background. So our plan is to launch the NOFO in early 2024. And what we are trying to balance is, at the time we launched the NOFO in early 2024, do we open the application window at that time or do we wait and open the window in the fall to provide tribes an opportunity to get your collaborators together to get familiar with the application process?

In the last consultation it was expressed that from June to late August is the subsistence period for those tribes. And so asking us to be mindful of the subsistence period when we open the application.

And so really interested in, would appreciate your feedback on what would be your preference as to when we would open the application window. You can also drop comments in the chat as well. Okay. He's unable to chat. So Jason said he's unable to chat. Does he need to sign in?

Carole Garner

(25:11):

Hi Jason, you can put any comments in the QA if you're not able to use the chat or if you'd like to raise your hand and give us your comments verbally, I will unmute you.

Angela Thi Bennett

(25:34):

Okay, Jason, I appreciate you being willing to put your comments in the QA. Does anyone else have any thoughts around this? And feel free to raise your hand and speak as well.

So while we're waiting on that, the other question that we have with the application requirements is what would be a reasonable time for an application window? Okay

So Jason responded, I would prefer launch of the spring with applications being accepted in the fall. Can I just ask a clarity, are you saying launch in the spring? Do we open the applications and begin accepting applications in the fall? Kind of opening the application window in the fall? Okay, perfect. All right, all thank you Jason. So we launch in the spring and then we have the application window open in the fall. Appreciate that. Anyone agree with Jason? Have a difference of opinion?

The other thing that we are interested in knowing is how long should the application window be open? I know that under TBCP 2, I believe the application window, Nick, is six months?

Nick Courtney

(27:12):

Yes, Angie. That's correct. We have a six month NOFO opening.

Angela Thi Bennett

(27:17):

Okay. Is that something that tribes feel is reasonable? Would you prefer a shorter window? Do you need six months with two months? We heard some feedback at the last consultation of two months. We heard feedback that two months wasn't sufficient because in some of the more remote areas it would take them two months to obtain a tribal resolution to be able to participate in the grant program.

So what would be a reasonable length of time? Okay, I'll give it a little bit longer to see if folks would like to comment.

Okay. All right. Feel free if you think about it later, I just see something- to be consistent with the other NOFO. I think. Thank you Rick. So Rick Noonan responded, to be consistent with the other NOFO, I think six months would be a good idea. Really appreciate that. Any other thoughts around this?

So Jason also commented, I feel smaller tribes need access to resources, grant writers, et cetera, to assist with planning and submitting applications. That is really excellent. I think we can talk about that. I know that we have an order in this, but I feel like we can, is it okay if we jump ahead to that question since he's raised it and then we can jump back to the next one? Is that okay? Is that permissible? Okay. So can we jump to the slide around technical assistance?

Carole Garner

(30:01):

Yes. Give me just one minute and I'll get to that one.

Angela Thi Bennett

(30:04):

Sure. I want to just really continue the conversation that Jason raised. Jason, do you have some more to add while she's pulling that up? If they don't have say, access to grant writers, what could we at NTIA be doing to provide that needed technical assistance for the smaller tribes to complete their applications? And on here we have some examples like regional in-person events, some sample application materials and templates, maybe having virtual drop-in office hours, topical webinars. What are some things that you think that we could be doing specifically to help those tribes? Or anyone else? I mean I wanted to piggyback on Jason's comment because it was just one of the questions that we really would like to know, but others can join in. And so Rick, you're working with Santee in Nebraska. Can you talk about that a little bit more?

Nick Courtney

(31:26):

Ms. Angie? I think that Mr. Rick Noonan was sharing his affiliation of what tribe with for our records.

Angela Thi Bennett

(31:34):

Got it. Thank you. Of course. This is why we have our partners.

(31:39):

Nick Courtney

No worries. And to again, tease out some of the things that Mr. Hall or Jason Hall was saying. Again, these are examples that you're seeing of technical assistance that I think on the federal side we are familiar with, but as a collective here and imagining what possibilities of improved technical assistance can be offered. So Jason, I see that you put in the chat examples of successful applications, templates, trainings and such are very helpful. So really appreciate you providing those additional information and welcome others to add context or things that they have

seen in regards of technical assistance work for them and the tribes or tribal entities that they represent.

(32:29):

Angela Thi Bennett

And then I guess if you can expand upon what types of trainings. And how should the trainings be delivered. Any thoughts around that? Or virtual trainings versus in-person, the length of training. In the last consultation, someone had also suggested piggybacking on existing events and conferences and coming in person for those events.

(33:21):

Nick Courtney

I saw Mr. Hall said, I found working directly with an FPO helped me with the application and management of grants. So again, Jason, we really appreciate that that additional information. I also see someone put templates for smaller tribes would be a great tool. If the data could be manipulated in the response field, therefore understanding how the response would best be accepted by NTIA. So again, really appreciate that individual. If that individual would be willing and able to provide their name and tribal affiliation, we would greatly appreciate that for our own and for the public record.

(34:24):

Angela Thi Bennett

I think Nick, we'll leave, give a little bit more time for people to maybe drop comments in if they would like before we move to the next.

(34:33):

Nick Courtney

Yeah, certainly.

(34:49):

Angela Thi Bennett

Thanks Rick.

Okay. Alright. I guess if we can, I guess jump back on schedule and go to the slide, the second slide. Okay. So here's this question. What are the largest barriers to achieving digital equity in your tribe's community? Are the largest barriers you're dealing with is the lack of internet enabled devices? And that's not just say laptops or tablets, but it could be medical devices to enable individuals to age in place, to help improve their health. Is it lack of access to affordable internet service? Lack of access to training opportunities? You can have access to the internet, you can have a device, but if you don't know how to use it, it's not really that helpful. Is it lack of quality, technical support? Do you have someone that you can call if you need assistance with your devices or being able to use the internet? Is it not having access to how to protect yourself online? And so because there's a fear of being able to protect yourself online, people don't want to use the internet. And so what is it that you or your tribal community is experiencing that prevents you from achieving digital equity in your community?

(37:03):

Nick Courtney

Thank you, Mr. Hall for your comment stating that affordability is a barrier for our tribe. The cost of getting internet to our area is much more than areas closer to urban centers.

So Jason, if I may, are you discussing the cost of access to broadband being a monthly bill? Are you talking more generally the cost of actually having the ability to even have a connection with that infrastructure aspect? The cost of backhaul and middle mile transport. Thanks for that clarification.

Mr. Hall, if that cost of backhaul and middle mile transport was low, what would be barriers for folks in your community to utilize that internet in the best of its ability? So again, if you had that middle mile and backhaul, what would be, and looking ahead, what would be those next things that you believe that your community would benefit from once able to have access?

(38:22):

For instance Ms. Angie stated trainings to utilize that type of connection. We all here are able to at least navigate to a Zoom meeting. So I would say that that threshold of knowledge is higher than some, whereas I'll speak for, my grandparents may have a more difficult time accessing a Zoom platform. Is it those types of trainings? Is it understanding and how to best utilize things like Google and other search engines or in that regard? Once again I'll reiterate, once that Backhaul and Middle Mile was there, what are those next steps that you think that your community would benefit from in regards to digital literacy or skills, how to operate and utilize their device?

Angela Thi Bennett

(39:16):

Nick, as you mentioned Zoom. I recall in a visit in Arizona, I visited a tribe and attended one of their digital literacy trainings for their elders. And they were training them on how to use Zoom, not just from a computer, but also accessing Zoom from their cell phones so that they can participate in tribal meetings.

Nick Courtney

(39:45):

Yeah, we've certainly seen similar things in TBCP and I think that those are all great opportunities for our tribal citizens to learn how to do. So, I do see Mr. Hall said access to updated devices, digital skills, and our tribe needs a digital navigator role to champion digital equity. Really appreciate that comment Jason.

Are there others that are participating with us today that have any other examples or barriers that their communities face?

Angela Thi Bennett

(40:40):

When you're thinking about digital skills, what type of digital skills does your community, do you find that is needed in the community? Is it being able to access tech support, health records online, be able to participate in virtual health appointments? Is it being able to connect with family who's moved away? I mean, are you experiencing young people or people moving, having to move away because of job opportunities where if you had remote work opportunities, individuals, family

members can remain in the community? What challenges are you experiencing that you believe maybe having digital access could help resolve?

(41:50):

Okay. All right. Let's move to the next slide. Jason, I think you're just on it. You must have had a copy of our slide deck. So technical. Wait, what did we just, I think we already covered this slide. We already covered the technical assistance.

And let's go to the next one. Evaluation and award methodology. So, as NTIA is considering and reviewing these applications, what evaluation criteria should we consider? So examples are the project's level of impact. Should we be determining impact based upon the number of individuals that will be served? Or should it be based on the number of individuals in proportion to the size of the tribe? What should we be considering as far as what type of impacts? Should we consider the community's level of need? And how would they demonstrate that need? Should we consider the applicant's organizational capacity to complete the project? Recognizing that this could be troubling for some of the smaller, less resourced tribes who probably has some of the greatest needs and whether or not they've received existing TBCP awards. So what should we be thinking about as we're evaluating these applications? And this is just some examples. Are there other things that's on here? Things that you think we should be considering.

(44:17):

Any thoughts? Okay, if you decide afterwards and you have some thoughts afterwards, you could always email us your comments as well. All next slide. And you can hit the next question.

So this is a follow up to the evaluation and award methodology. So one of the things that we mentioned, I mentioned on the last slide was the level of need of the tribal community. Should we allow tribes to utilize the specific data that they select? Should we require them to use only census data? Are there other data sources that's available that we could be utilizing to help evaluate these applications? Are there any sensitivities or shortcomings of existing data that we need to be aware of?

(45:33):

And then there's questions on to what extent does the tribe have various covered populations? So under the Digital Equity Act, there are eight covered populations that the ACT is intended to serve. And that's individuals who live in covered households, which is our low income communities, aging individuals age 60 and over, incarcerate individuals other than those who are incarcerated in a federal correctional facility, veterans, individuals with disabilities, individuals with a language barrier including individuals who are English learners or who have low levels of literacy, individuals who are members of a racial or ethnic minority group. And finally, individuals who primarily reside in a rural area.

We recognize that one individual may fit into multiple covered populations. So for instance, you can be an aging individual who's also a veteran who also has disabilities, or you could be an aging incarcerated individual. And so as part of the DE act and the DE planning process is that you do have to identify the needs of the

different cover populations. And so are there existing data that would be able to help you identify the needs of each of these populations?

([47:15](#)):

So Rick responded that one tool that could be used is the amount of individuals who have applied for ACP funding. ACP funding is recorded in the USAC database. Thank you. Rick.

Any additional thoughts? Are there any concerns about what type of data that could be used? Should NTIA prescribe the types of data that tribes should have to rely upon in establishing the need for their tribes?

Or should we allow tribes to determine which data and allow them to submit the data source? And that should be what we rely upon.

([49:06](#)):

Nick Courtney

Angie, I feel like we've gotten some good responses in the Q&A and via writing into that, and I'm wondering if a member of our internal team can put in the chat the email of which they can submit written comments to at the conclusion of this or during this tribal consultation as well.

([49:26](#)):

Angela Thi Bennett

Yeah, we do have a slide at the end and I think we're right at the end. So any comments before we move to the next slide? Okay. All right, let's go to the next slide.

All right, there it is. So we recognize that everyone has different ways of how they want to provide their feedback. And so we do welcome written feedback, which can be sent to digitalequity@ntia.gov. The deadline for the feedback is November 16th, 2023 at 8:00 PM Eastern, 5:00 PM Pacific time.

And so there is a recording of this that will be made available if you would like to go back and view it to not only see the slides, but also hear some of the commentary that could help facilitate some of your comments as well.

So really want to just thank everyone for taking the time to spend with us during this consultation. I also want to thank our tribal team and the NTIA team. You all are so great and supportive of our initiatives. And with that, I would wish everyone a great day. Thank you.