

The logo features the text "INTERNET FOR ALL" in white, bold, uppercase letters inside a red rounded rectangle. To the right of the rectangle are three red curved lines of increasing size, resembling a Wi-Fi signal icon.

**INTERNET
FOR ALL**

State Digital Equity Capacity Program: Native Entities *Formal Authorizing Documentation*

October 2024



This document is intended solely to assist applicants in better understanding the Digital Equity Capacity Grant Program and the requirements set forth in the Notice of Funding Opportunity (NOFO) and follow-on policies and guidance for this program. This document does not and is not intended to supersede, modify, or otherwise alter applicable statutory or regulatory requirements, the terms and conditions of the award, or the specific application requirements set forth in the NOFO. In all cases, statutory and regulatory mandates, the terms and conditions of the award, the requirements set forth in the NOFO, and follow-on policies and guidance, shall prevail over any inconsistencies contained in this document. This document pertains to State Digital Equity Capacity Grant Program requirements as they pertain to Native Entities.

State Digital Equity Capacity Grant Program: Native Entities *Formal Authorizing Documentation*



Native Entities must demonstrate eligibility to apply for the [State Digital Equity Capacity Grant Program: Native Entities](#) by submitting formal authorizing documentation from the appropriate governing body ("Formal Authorizing Documentation").

Eligible Applicants

- Indian Tribes, Alaska Native entities, and Native Hawaiian organizations (collectively, "Native Entities"). See list of eligible Native Entities in Section III. B. 1. of the [Digital Equity Capacity NOFO](#).

Formal Authorizing Documentation (required for ALL Native Entity Applicants)



Each Native Entity applicant must submit documentation demonstrating it is authorized by the governing authority of the Native Entity to apply for (1) Capacity Grant Funds or (2) Capacity and Planning Grant Funds.



- Tribal Resolution of Consent for **Indian Tribes and Alaska Native entities**
- An equivalent formal authorization from the governing authority of the Native Entity **for other Native Entity organizations** (such as Native Hawaiian organizations)

Formal Authorizing Documentation: Consortium Applicants

Each Native Entity member of a consortium is required to submit Formal Authorizing Documentation that the:



- Lead Applicant is authorized to file the application on behalf of the Native Entity member AND
- Native Entity is authorized to participate as a member of the consortium.

Formal Authorizing Documentation: Third-Party Administrator (Non-Profit)

A Non-Profit corporation may be designated to administer funds on behalf of a Native Entity ("Third-Party Administrator").



- The Native Entity Applicant, or in the case of a consortium, the Lead Applicant, must upload documentation from the governing authority of the Native Entity, or in the case of a consortium, each Native Entity, authorizing the Non-Profit corporation to act as the Third-Party Administrator.
- This third-party authorization can be included in the same document authorizing the filing of the application referenced above.

AUTHORIZATION BY GOVERNING AUTHORITY

FORMAL AUTHORIZING DOCUMENTATION ELEMENTS

To demonstrate express authority, NTIA recommends including the following to support the authorization:



Name of the eligible Native Entity (which shall appear on the *List of Eligible Native Entity Organizations*)



Express authority to file an application for (1) Capacity Grant Funds or (2) Capacity & Planning Grant Funds. (See *additional requirements for Consortium Members and Third-Party Administrator on page 1 of this document*).



Signature of a leader within the governing authority and/or other governing body (e.g., the Tribal Council, Native Hawaiian organization Board President, etc.)



Dated after March 25, 2024 (NOFO release date)

MEMORANDUM OF UNDERSTANDING ("MOU"): CONSORTIUM APPLICANTS



Lead Applicant must submit an MOU with each Native Entity member of a consortium that:

- Demonstrates approval of proposed projects
- Clearly articulates the specific benefits and responsibilities of each member
- Includes a commitment from the Lead Applicant to stay in regular communication with each member of the consortium regarding the status of awards and the progress of the proposed projects described in the application.



Note: NTIA will consider application(s) submitted without the appropriate authorizations and agreements as **incomplete and may remove them from consideration for funding.**