



UNITED STATES DEPARTMENT OF COMMERCE
National Telecommunications and
Information Administration
Washington, D.C. 20230

August 29, 2025

Dear Tribal Leader,

In the Bipartisan Infrastructure Law of 2021, Congress directed the National Telecommunications and Information Administration (NTIA) to make Broadband Equity, Access, and Deployment (BEAD) grants to 56 states and territories (hereinafter "states") "to bridge the digital divide" by facilitating "access to affordable, reliable, high-speed internet" throughout the United States.

States are responsible for developing a five-year action plan and a competitive process to award funds for internet service providers to connect broadband serviceable locations using fiber-optic technology, cable modem/hybrid fiber-coaxial technology, LEO satellite services, and terrestrial fixed wireless technology. A resolution of Tribal consent is required for locations on Tribal Lands that are included in a BEAD project.

On June 6, 2025, NTIA issued a policy notice providing states with 90 days to conduct a final competitive subgrant process and submit a Final Proposal. NTIA will complete its review of Final Proposals within 90 days of submission. Work under these grants generally must be completed within four years of award.

States cannot initiate or allow subgrantees to initiate BEAD funded activities prior to the completion of reviews required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321, et seq.) (NEPA) and Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. 300101, et seq.) (NHPA), including any consultations required by Federal law, to include consultations with the State Historic Preservation Office (SHPO), and Federally recognized Native American tribes.

Upon receipt of final proposals for each state, NTIA will use the Tribal Directory Assessment Tool (TDAT) to identify Tribes that may be interested in consulting on BEAD projects proposed within their counties of interest. NTIA will provide Tribes with a statewide notification of projects included in the Final Proposal that may be considered "undertakings" as defined in 36 CFR 800.16(y) and invite expressions of interest in participating in project-specific Section 106 consultations for subgrant awards.

The State (or Territory) agencies administering the BEAD program, generally State Broadband Offices, will serve as "joint lead agencies" for NEPA in accordance with 42 U.S.C. 4336a(a)(1)(B). In this capacity, they will carry out the duties described in 42 U.S.C. 4336a(a)(2), and act in the role of agency official for NHPA as established in 36 CFR 800.2(a).

NTIA remains legally responsible for Section 106 findings and determinations and for government-to-government consultation with Tribes and Native Hawaiian Organizations. To this end, NTIA has advised all BEAD grant recipients to hire Secretary of the Interior qualified cultural resource consultants with state-specific Section 106 experience. NTIA provides grant recipients with ongoing technical assistance on NHPA compliance in the form of fact sheets, webinars, and in-person training.

Please provide NTIA with a preferred point of contact for the anticipated BEAD Final Proposal notifications in the next few months. Because we will ultimately seek Section 106 comment on BEAD subprojects, we have copied Tribal Historic Preservation Officers (THPO) and cultural contacts on this communication and requested from THPO representatives of Tribes that do not participate in TDAT information on their Tribe's areas of interest. We also invite you to submit any comments or questions regarding the BEAD program or to request a virtual meeting with us to discuss BEAD.

We ask that you please email any comments, questions, or meeting requests regarding this matter to BEADTribal@ntia.gov by September 30th, 2025.

Respectfully,

X *Douglas Kinkoph*

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