

**DOC-NTIA-OTIA (US)
Transcript**

**Moderator: Laura Spining
March 17, 2021**

Laura Spining: 0:35
Good afternoon, and welcome to NTIA's BroadbandUSA Webinar Series. Today, March 17th, we're going to be covering NTIA broadband grant programs that were included in the Consolidated Appropriations Act that Congress passed back in December of 2020.

1:00
We're going to start by giving you some logistical information. So, as you have questions, feel free to use the question box. There's also a chat box.

1:09
But, if you have questions for us, please put them in the chat box, as all attendees are in listen only mode, and we'll be checking that throughout the webinar, but back at the end of the presentation, to answer some of those questions.

1:26
Please note that this presentation, along with the recording, will be available for your viewing pleasure. It will be available by next Monday, March 22nd.

1:43
So you can look on our website to find this recording, as well as the PowerPoint presentation that we'll be walking you through today.

1:57
I'm Laura Spining, and I'll be your moderator today.

2:01
I work with the Broadband USA Technical Assistance Program, and have been with NTIA for approximately seven years. Also, we have presenters today. Doug Kinkoph who is our Associate Administrator for the Office of Telecommunications and Information Application, also known as the broadband division.

2:24
Jennifer Duane, who is our Director of Grants. Jennifer has lots of experience writing a number of different no photos and administering a number of different grant programs. So, we're happy to have her with us today. And then, Scott Woods, who many of you know, as our manager of our Technical Assistance Program, and has extensive experience working with communities for improving broadband infrastructure and working on their digital inclusion programs.

2:54

So, with that, I'll go ahead and turn it over to Doug Kinkoph, Doug, take it away.

Doug Kinkoph:

3:01

Thank you, Laura, and I appreciate all of you joining us today for this presentation. Next slide, please.

3:10

For those of you that are not familiar with NTIA, we're the National Telecommunications and Information Administration.

3:16

NTIA is the executive branch agency that is principally responsible for advising the President, telecommunications, and information policy issues. NTIA's programs and policy making focus largely on expanding broadband internet access, and adoption in America, expanding the use of spectrum by all users, ensuring that the Internet remains an engine for continued innovation and economic growth. Next slide, please.

3:43

The Consolidated Appropriations Act of 2021 included several broadband programs to be implemented live by NTIA.

3:52

It requires NTIA to establish the office of Internet connectivity and growth, which will be tasked with performing certain responsibilities related to broadband access, adoption, deployment, such as performing public outreach, to promote access and adoption of high speed broadband service, and standardizing the process by which applying for federal broadband support.

4:17

It also requires us to establish coordination requirements among agencies that offer broadband deployment funding programs to ensure federal funds are spent, efficiently, and effectively.

4:30

The act also requires NTIA to establish the Office of Minority Broadband, which will focus on collaboration for internet access and promotion of digital skills and digital inclusion at historically black colleges and universities, tribal colleges, and universities and minority serving institutions and their surrounding communities, as well as an on investment, an infrastructure to expand connectivity, encourage further investment.

5:04

The Act also requires NTIA to enter into an inter-agency agreement with the FCC and the Department of Agriculture to coordinate the distribution of federal funds for broadband programs to prevent duplication of support, ensure stewardship of taxpayer dollars.

5:23

In addition to the establishment of the two new offices and the establishment of the inter-agency agreement, the Act also establishes three new grant programs: Broadband Infrastructure program, Tribal Broadband Connectivity program, and the Connecting Minority Communities Pilot Program. I'm going to turn it over now to Jennifer Duane to provide a more in-depth overview of the New Infrastructure and Tribal Broadband Grant Programs. Thank you Jennifer.

Jennifer Duane:

5:52

Thanks, Doug.

5:57

Now, I'm going to touch on first, the broadband infrastructure program.

6:01

This is a program where we have \$300 million dollars available to distribute to eligible entities.

6:08

These include covered partnerships, which are defined in the Act as a partnership between a state or one or more political subdivisions of the state and a provider of fixed broadband service.

6:21

And the money is available for them to deploy covered broadband projects, which the Act defined as a competitively and technologically neutral project for the deployment of fix, rather than service. That provides qualifying broadband service in an eligible service area.

6:41

And NTIA is working on a notice of funding opportunity, which is a document we will use to open up the application window. We are targeting publishing that in spring of 2021, and we'll be accepting applications for the program in the summer of 2021.

7:06

I just want to highlight here a couple of key definitions in the Act that will guide our determinations of the projects defined under this program. So, covered partnerships and covered broadband projects are to deploy qualifying broadband service.

7:26

Now, this is a term defined in the Act as broadband service with a download speed of not less than 25 megabits per second, an upload speed of not less than three megabits per second, and a latency sufficient to support real-time, interactive applications.

7:44

The other key definition to highlight here is eligible service area, so, when a covered partnership comes in with a covered broadband project, they will be designating an eligible service area in which to deploy the project.

7:59

Now, this is defined in the ad as a census block in which broadband service is not available at one or more households or businesses and events law.

8:11

And in order to verify that that eligible service area qualifies, under this definition, NTIA will be looking at information and maps provided by the Federal Communications Commission through a Form 477 data and other information that's available.

8:33

NTIA will also leverage international broadband availability maps in determining what qualifies as an eligible service area and the other key definition that I want to highlight is unserved. And that means the household lacks access to qualifying broadband service but no broadband provider has been selected to receive federal or state funding.

9:02

Deploy a qualifying broadband service in that area.

9:09

So, I wanted to touch on a couple of the funding priorities that the Act identifies. It does list very specific priorities that NTIA will take into account as it evaluates applications and in decreasing order. Their priorities are to provide broadband service to the greatest number of households in an eligible service area.

9:33

The project also should provide broadband service in an area in an eligible service area that is outside an urban area. So the focus will be on rural areas.

9:43

We're also looking at projects that are most cost effective and prioritizing such projects in areas that are the most rural. Then we'll look at projects that are designed to provide broadband service with a download speed of not less than 100 megabits per second and an upload speed of not less than 20 megabits per second.

10:09

Now, I want to touch on a couple of the funding uses for this program. The Act doesn't specifically mention eligible uses for the funding for the Covered Partnership, but we know that the funds will be used for broadband infrastructure deployment. And we really want to make them broad in terms of what applicants can use the funding for so they can fund cost of construction, improvement, acquisition of facilities, and equipment that's required to provide qualifying broadband service. Long term leases will also be eligible costs.

10:44

The act also allows the covered partnership to fund a portion of its pre application expenses, or grant preparation cost, and the amount that's not to exceed \$50,000. The Act also specifically lists restrictions on the funding, and so the broadband provider may not use any of the grant funds to repay a loan that is received from a public or private lender. And it also may not use the funds as collateral for a loan by a public or private lender.

11:20

And then I just wanted to touch on some of the deadlines associated with this grant program. So it is a very aggressive timeline, for the covered partnership to implement the project.

11:34

They must expend the grant funds within one year after receiving funds from NTIA under this program. Although the Assistant Secretary may grant an extension for broadband construction projects, which will be what most of the activities under this program will entail. And to qualify for an extension, the covered Partnership must certify that it has a plan for these funds, the construction Project is underway or extenuating circumstances require an extension to ensure project completion.

12:06

So I expect that NTIA will be very freely granting these extensions because we understand how difficult it is to complete any type of construction projects within one year.

12:25

So now I'm going to move over to cover the Tribal Broadband Connectivity Grant Program. There is one billion dollars available for funding under this program. The entities that are eligible are tribal entities and they may use the funds to expand broadband adoption and deployment on tribal land as well as to support distance learning, remote work and telehealth during the COVID-19 pandemic.

12:54

And like the other program, we anticipate, well, we will be opening this program through a notice, the funding opportunity, and we're targeting that lead in late spring, early summer of 2021. Hopefully no later than summer 2021.

13:16

So, the Act defined the entities that are eligible to apply for our grant under the tribal program. The eligible entities are tribal governments, tribal colleges and universities, the Department of Hawaiian Homeland on behalf of the Native Hawaiian community, Tribal Organization, Native corporations as defined under the Alaska Native Claims Settlement Act.

13:49

So the purpose of this tribal grant program is to expand broadband adoption and access on tribal lands. The Act has defined tribal land with five components of the definition. So, tribal land includes any land located

within the boundaries of an Indian reservation, Pueblo or rancheria. It also includes land that is not located within the boundaries of an Indian reservation but that is held in, the title to the land is held in trust by the United States, or for the benefit of an Indian, tribe, or individual Indian.

14:26

Also, land that is, within a region established pursuant to the Alaska Native Claims Settlement Act. The Hawaiian homeland also qualifies as eligible for tribal lands, and then the last component is land.

14:41

The areas or community communities designated by the Assistant Secretary of Indian Affairs of the Department of the Interior, that are near adjacent or contiguous to reservations where financial assistance and social service programs are provided to Indians because of their status as Indians.

15:00

So, those are the five components that we'll be looking at. When an applicant submits an application, we'll be looking to start to see that the tribal land submit an application for the fall within this definition.

I just wanted to highlight a couple of funding uses under the Tribal Broadband Connectivity Program. So, the eligible uses are specifically defined in the Act, and they're written fairly broadly. Broadband infrastructure deployment is an allowable use, and that also includes support for the establishment of carrier neutral, submarine landing station, cable landing stations, then there's also some digital inclusion programs, broadband adoption activities that are allowable, telehealth, distance learning, then affordable broadband programs. Funds may be used to provide free or reduced costs for a broadband service, or to prevent disconnection of existing broadband service.

16:07

The Act also imposes a limit on the amount of the grant funds that may be used for administrative expenses so an eligible entity that receives funds may not use more than 2% of those funds for administering the grant.

16:24

And then just wanted to call attention to the priority for unserved households. So for any new broadband construction that an eligible entity undertakes, they must prioritize projects that deploy that infrastructure to unserved households. And so the definition that I referenced earlier about unsure will come into play as we look at this prioritization of the funding under this program.

17:00

I just wanted to highlight a couple of other considerations for the Tribal Broadband Connectivity Program. Probably, the most important one that NTIA is looking at is this notion of equitable distribution.

17:14

The Act mandates that grant funds are awarded on an equitable basis, so they are to be made available to eligible entities on an equitable basis and not less than 3% of those amounts shall be made available for the benefit Native Hawaiians.

17:34

And I held tribal consultations and we received a lot of good input from the tribes as to what constitutes equitable distribution, and whether that involves a formula or awarding through a needs based evaluation criteria.

17:52

We're looking at those elements, But that is one of the big decisions that NTIA is making to determine how we can distribute the funding to tribes that benefits them and has an impact, but also meets this mandate of equitably distributing the funds. The other consideration I wanted to call attention to is this Commitment and Expenditure Deadline, so, like, the other broadband infrastructure program, there are a lot of aggressive deadlines associated with it. An eligible entity must commit the grant funds to ineligible use no later than six months after receiving those funds.

18:38

And also, it must extend the grant funds within one year of receiving the funds but again, like the other program for construction projects, the Assistant Secretary does have the ability to extend that one-year award period for a construction project. The eligible entity just needs to certify that it has a plan for the use of the grant funds, the construction project is underway or extenuating circumstances require an extension of time to allow the project to be completed.

19:14

And then there's also an aggressive proposal deadline. So when NTIA does announce the program to the issuance of the notice of funding opportunity, applicants will have, or eligible entities, will have 90 days from that date to submit it's application for a grant and that also apply to the covered partnership, which is the eligible applicant under the broadband infrastructure program.

19:46

So with that, I'm going to hand this over to Scott Woods who is our manager of technical assistance and is going to cover the Connecting Minority Communities Pilot program.

19:59

Scott, over to you.

20:01

Scott Woods:

Thank you, Jennifer, for that introduction. Good afternoon, everyone says Scott Woods. And I'm here to give you a brief overview of the Connecting Minority Communities Pilot Program. Next slide, please.

20:18

So this slide is just a short overview of the CMC Pilot Program. I want to note, it is a pilot program, \$285 million that we have to establish the CMC Program and with three boxes here, just targets who can apply, right? Historically Black colleges and universities, tribal colleges and universities minority serving institutions and consortiums that are led by HBCUs, TCU, or MSI's, that specifically includes either a Minority business enterprise or a not for-profit Organization.

20:51

The next box, talks to us about, or tells us, what the purpose of the CMC pilot program is for the purchase of Broadband Internet Service, or any eligible equipment, or to hire and train information technology personnel. For three specific, but very broad purposes, are number one, to facilitate education through instruction and learning, including the remote instruction, or two, to operate the Minority Business Enterprise or three, to operate the not for-profit organization NTIA, we anticipate accepting applications and the launch of the CMC Pilot Program this summer in 2021.

21:37

And so, this slide I want to highlight on a few things. Again, these are the eligible institutions, as it is prescribed by the statute, but at least there are a couple of things that I want to highlight. Number one, the statute says that at least 40% of the CMC funds shall be provided to historically black colleges and universities. So we have to develop our programmatic rules and criteria around that.

22:02

Number two, at least 20% of the grant funds must go to all eligible, HBCUs TC, use an MSI, to specifically provide broadband Internet access Service, or eligible equipment directly to students, and again, we're working on a final rule of the statute, provided that we have to go straight to final Rule. Unfortunately, going to final rule, there's no opportunity for the public to provide direct comment. However, we have been providing and conducting our outreach sessions with interested stakeholders.

22:38

We've targeted stakeholders to get your feedback and your input. And we will continue to do so, at least for the next several weeks, if not months prior to finalization of the rule release, or the no flow, and the launch of the program. In addition, Congress directed NCI to establish several new methods to administer and verify applicant eligibility under this program.

23:02

Number one, we've been charged to identify, determine and verify CMC, applicant eligibility, that we've been working on methods for that. Number two, also, we've been charged with two, How do I identify which eligible recipients in anchor communities have the greatest unmet financial needs?

23:22

Number three, we have to ensure that grants under the CFC pilot programs are made to eligible recipients in a manner that best achieves the purposes of the pilot program. And number four, we have to identify those anchor communities that are within a 15 mile radius of each eligible HBCU, TCU, or MSI and that meets an estimated median annual household income of no more than 250% of the poverty line.

23:53

We will address these methodologies and rationale for each of these requirements in the Final Rule, and then obviously in the Notice of Funding Opportunity, that will follow. Like I said before, we continue to talk, conduct targeted outreach, listening sessions to receive input from the MSI, community, HPC Community. Tribal Colleges and Universities community will continue to do so in the next several weeks and upcoming months prior to the launch of the program.

24:29

So, just to highlight again, the eligible uses, right. Section 902 C was really stipulated specifically about the eligible uses of the grant funding to purchase no broadband internet access or access service, excuse me, to purchase eligible equipment and to hire and train information technology personnel. Right, And so the final rule and the no, folks, again, will have all of those requirements so that applicants can get that information and adjust accordingly. There's also a section on 902 C requiring inter-agency coordination with other federal agencies. And so, while making our CMC Grants, we have to coordinate with other entities, like the FCC. The National Science Foundation, and the Department of Education, to ensure the efficient expenditure of these federal funds, including the prevention of multiple expenditures of funds for the same purposes.

25:26

We'll be working in coordination with our other federal agency partners to ensure that behind the scenes.

25:37

Congress also established several priorities, again, that I talked about before. We have to establish several methods to identify applicant eligibility. Again, we have to ensure that the grants under this program are made for eligible recipients. You identified in certain manners and criteria, but again, that best achieves the purpose of the program. So, you know, we've got to figure that out. Your evaluation is going to be a key component of that. How do we ensure success of the program? And for the applicants will also be a key requirement. There's also a couple of prohibitions. In the rules, you'll see, this also in the final rule, And then those folks, you know. Again, there's no standard rules, like, you know, the applicants to sell any of the equipment, you know. And if they provide those to students, they have to, again, lend those, or provide those that prioritize students who are in need.

26:36

And students who are in need are framed by the following criteria one, are they eligible to receive a federal Pell Grant as defined by section 401 of the Higher Education Act. Are they recipients of any other need based financial aid, either from the federal government. Either from the state or the eligible institution recipient. Number three, are there otherwise qualifying low-income consumers for the purposes of the program, which are carried out under federal law. The citations that are provided there, number, for other low income, low income individuals, As that term, or phrase is defined in section 312(g) of the Higher Education Act. And then finally have they been approved to receive unemployment insurance benefits under any federal or state law since March 1st of 2020.

27:33

I will take it back to Doug Kinkoph who will provide a recap. Doug, back to you.

Doug Kinkoph:

27:40

Thank you, Scott. I'll provide a quick high level recap of the three programs that you just heard about from Jennifer and Scott.

27:48

The Tribal Grants Program is focused on expanding access and adoption of tribal lands, eligible entities for the program or tribal governments, tribal organizations, tribal colleges, and universities, The Department of Hawaiian homelands on behalf of Native American, Native Hawaiian community, and Native corporations.

28:08

Grant funding can be used for infrastructure, including submarine cable annexations, affordability programs, telehealth, distance learning, digital inclusion efforts, and broadband adoption activities. The Broadband Infrastructure Grant Program is a competitive grant program focused on fixed infrastructure deployment that is technology neutral and can be deployed in it says a block, but at least one household or business that does not have access to 25, 3 megabits per second upload and download service.

28:42

Covered partnership for this program is between a state for one or more political subdivisions of a state and providers of fixed broadband service.

28:53

Finally, the Connecting Minority Communities Pilot Program is focused on providing grants to HBCUs TCU's, Minority Serving institutions and Consortium led by HBCUs, TCU, were emphasized that excluded Minority Business Enterprise, for not for-profit Organization for the purchase of broadband Internet access, or any eligible equipment or to hire and train information technology personnel. Again, I would like to thank

all of you for joining us today. And now I'll turn the back over to Laura Spining.

29:32

Laura Spining:

Thank you, Doug, and thanks again to everybody for joining today. We appreciate your participation. As I mentioned on the front end we will be working to make the slides and the recording from today's webinar available on the Broadband USA website. And you may see some inconsistency in the date. We always commit to getting the material up within the week. And so, it says here March 24th but we are making every effort to get that done on a faster track this time, because it's the interest in this material. And do commit to having it up this month by Monday, March 22nd. And just be sure to check back on our website if you'd like to review, or if you'd like to share it with somebody who was not able to attend today.

30:24

And I think we have time for a couple of questions before we wrap today's

31:18

So, starting with the infrastructure program, and Jennifer, for you, Can a covered partnership consists of more than one provider of Broadband Service?

31:36

Jennifer Duane:

Thanks, Laura. So, the statute does define a covered partnership as between a state, one or more political subdivisions of the state and a provider of fixed broadband service. So, isn't a singular in the statute, but we're viewing that as more than one covered more than one fixed broadband service provider can form part of a covered partnership under the Act.

32:01

Laura Spining:

Very good. Thank you. Alright, I'm just trying to write some of them down, so many in the question box.

32:10

All right, on the tribal program, will NTIA require tribal applicants to provide a cost match to receive a grant under the tribal broadband connectivity program? Jennifer?

32:29

Jennifer Duane:

Yeah, thanks Laura, I'll take that question, so the act does not specify a maximum level of federal funding as often is the case in federal grant programs, so NTIA will not impose a cost match on tribal applicants. We realize that a match in the past has often served as a barrier for tribes to participate in Federal financial assistance programs, and we want to structure their program in a way that will maximize participation by federal tribes.

33:01

So, even though we have some discretion as to whether to impose a match, we're going to choose not to provide a match requirement, or have tribal recipients provide you a non federal share contributions to funding their broadband projects that they propose under this program.

33:23

Laura Spining: Alright, thank you, Jennifer. All right, Scott, you mentioned that under the CMC Program, how will you make an equitable distribution of those funds? Given the requirement that 40% of the grant funds go to HBCU's? Scott?

33:48

Scott Woods: Thanks, Laura. Thank you for that question from the participants. Yes. We're actively working with stakeholders and the MSI community. And again, we will address that both in the final rule and then the notice of funding opportunity. But we're going to ensure, I know, obviously, the effective use of those funds into the equitable distributions to all of the eligible entities. So, under the methodology that is required to establish applicant eligibility, will be working on that, and again to ensure the efficient, effective, and equitable distribution of all grant funds giving those requirements.

34:31

Laura Spining: Scott, are you ready for another one?

34:34

Scott Woods: I am.

34:39

Laura Spining: How will NTIA establish eligibility based on that 15 mile anchor community radius and not more than 250% above the poverty line requirement for the anchor community?

35:00

Scott Woods: Thank you, and again, thank you for that question. We're actually utilizing our national broadband and availability maps of the information that we have there. one of the data layers is from the Census Bureau's latest information that they've collected, so we'll establish that 15 miles zone around the eligible. and, again, we'll do some qualitative analysis of the median household income to establish that requirement.

35:31

And so that will all that process, that methodology, and the rationale, will be both contained in the final rule, as well as the notice of funding opportunities. And we're interested in feedback and any input from the stakeholders that we can get as well. So, thank you again for that question.

35:50

Laura Spining: Very good. All right, Jennifer, back to you. Can a service provider participate in more than one covered partnership?

36:04

Jennifer Duane: That's a great question, Laura, Thanks, So, I think that question might have come up, because one of the requirements in the Act is that a covered partnership may only submit a single application for this program. I think there might be some question as to whether the service provider that is part of a covered partnership is limited to participating in, you know, one covered partnership per state and NTIA's interpreting that provision as not limiting a provider, fixed provider of broadband service to limit itself and just participating in one covered partnership. If it is working with multiple states to provide broadband service under this program or, you know, that has multi-state operations. We're not saying that it has to choose one state in which to work with.

36:58

So at least as far as the fixed broadband service provider component of the Covered partnership definition, we're interpreting that to allow fixed providers and Broadband service to participate in more than one covered partnership.

37:17

Laura Spining: Very good. Thank you, Jennifer. I think this is related to tribal. It's kind of a two part question. Will the tribal funds be formula, competitive, or a combination? And can you address the definition of unserved? Again, sorry, that's three questions.

37:44

Jennifer, Doug, I'm not sure which one of you wants to answer this, but you want to start with the part that is about, will it be a formula competitive or combination.

38:04

Doug Kinkoph: Thanks, Laura. I think we've received a lot of input through the tribal code of the outreach we've done. And there's been a vast array of opinions on this piece. And so we are still working through the best mix of that we haven't ruled out any of the options, at this point, is for drafting, which Jennifer is doing.

38:30

So, at this point, I think it's still to be determined how we will actually define that in the final note.

38:38

Jennifer Duane: Yeah, and just to add on, that doesn't mean we're considering, you know, various approaches and looking at all of those allocation methods that you mentioned Laura, in, in, in that question. So, whether it's formula, whether it's them, some other method of allocation.

38:53

Where all kinds of things are under consideration, but our overriding goal is to make sure that the funds are distributed in an equitable manner and in

a way that maximizes the benefit for the tribes in deploying broadband infrastructure on their tribal lands.

39:08

Or in doing digital inclusion or adoption activities as is allowed under that program.

39:17

Laura Spining: Very good. Thank you Jennifer. And then I think the second part of that was if you could touch on the definition of unserved again for tribal if that's something you can answer today.

39:39

Jennifer Duane: So, I mean, there's in the statute it looks at unserved with respect to households. And there is a provision in the Act that when there is new broadband infrastructure deployment at the tribe, prioritizes unserved households. So we'll be looking at that definition.

39:54

In when it comes to the two proposals you brought in new broadband infrastructure on tribal land and also took into account other factors ,you know, go into depth. So, it's not, we're not really necessary requiring it, but it is going to be a factor in how we evaluate the proposal.

40:15

Laura Spining: Thank you, Jennifer. So, one other tribal question here, which should be lots of time for questions, For the tribal entities, can they partner with a non tribal entity to apply for the tribal program?

40:41

Jennifer Duane: So, the act defines, you know, eligible entities as the tribal government to Tribal College and university, and, or the Native Hawaiian homeland, the Alaska Native Settlement and tribal organizations.

40:55

And we see them coming in, as, you know, as the applicant for they are allowed to vary as the provision in the statute for sub grantees, so for them to, which don't have to be tribal entities. So we see that there is flexibility for the tribal entities to partner with non tribal entities, to make sure that they, in their deployment of their project.

41:25

Laura Spining: Very good. Thank you. Scott, back to the CMC Program, how will you address the greatest unmet financial need requirements?

41:42

Scott Woods: Thank you for that question. Now we're working on that. Right now we're looking at a number of different criterias and factors of the act states that student need is one of the elements of greatest financial need. And so we're working on that. They'll be in the final rule as well as in the notice of funding opportunity. But again, we're anticipating basing that in part on the student needs, financial need of the students of the eligible institutions.

42:17

Laura Spining: So, thank you, Scott. I see we've got some questions here. I'll ask the rest of the panel. I don't think we can answer this question today, but there is a question about, do 5G solutions meet their requirements? I think this is probably for that, I'm not sure which program if it's for the tribal program, or the infrastructure program. But does 5G solutions meet the requirement for the broadband definition?

43:01

Doug Kinkoph: No, it's a little unclear from the question. Right. We are technology neutral programs, so 5G is a potential a solution for the services so I'm not quite how else to address that. Given the question, I think

Jennifer Duane: I think, you know, so there's just no qualifying broadband service is the definition that's in the statute for what? At a minimum, the projects should deploy, and we do have a prioritization list within the statute.

43:37

At least for the broadband infrastructure program that is also factoring in proposals that will deploy broadband service at higher speeds, such as 100 megabits per second, download in 20 megabits per second upload, so I mean, there definitely is.

43:53

I think prioritization factors will come into play for faster broadband service, but I think we're reviewing, we're open to whatever proposals that applicants want to come in with. You know, the overriding concern from an infrastructure program is to deploy infrastructure. You know, we're looking at any unserved areas and so, you know, we have different factors that will be looked at and we're open to any type of proposal in any technical technological solution that an Applicant proposes will evaluate those under our criteria. But we know we don't want to limit any solutions. We want to keep everything pretty open.

44:38

Laura Spining: Thank you, Jennifer. So, Doug, I'm gonna tee this question up for you because it's in here quite a bit in different forms, and that is, there's a lot of questions about the timing and the application, and I believe that what's in the presentation talks about the will be accepting applications in the summer. Can you say a little bit more about timing for the NOFO on each of the programs and the applications? I think there's some confusion about whether there's NOFO and the application will go out at the same time.

45:21

Doug Kinkoph: So, let me just set the table on that. So first, the rule for the connecting minority programs will be drafted, and that will simply be setting forth the rule, as Scott had mentioned then we need to publish a Notice of Funding Opportunity. So that was a little bit of a different track.

45:42

The tribal and the infrastructure, those both go right to a Notice of Funding Opportunity, they are all currently being drafted. Once they are drafted, they go into the review. Once they are cleared through NTIA Commerce and the White House, then they will be posted publicly. So it's very difficult to say, that's why we're using broad days because we do not control all of those review time frames.

Laura Spining: So hopefully, that clears up that we're working on the timing issue and it's a matter of getting it through all of the appropriate processes. But for that infrastructure program, and the tribal program, specifically, those applications, will open along with the no foe being released. Is that correct?

47:07

Jennifer Duane: Right, Laura. So when we receive clearance to release the NOFO, it will be published on our website and on grants dot gov. and that will also open up the application window and all the instructions about how to apply, where to submit applications. That will all be contained in the Notice of Funding Opportunity OK? Thank you very much.

47:31

Laura Spining: All right. Sorry. There are so many. I'm trying to find those that are kind of consistent themes. And I will just say that there are really a whole lot of questions about, well, in fairness, there are lots of questions about timing. And I'm seeing that my dogs obviously made a very nice appearance on the webinar today, too.

48:01

Scott, do you want to speak any more specifically to the CMC? timing? Again, that seems to be the most consistent question that's being asked, and so, I feel like just To address that. Yes, it's the same for that.

48:19

Scott Woods: This is similar, like Doug mentioned this a little process. And the Congress directed us to promulgate rules first. So we have to release a final rule. Once that's published in the Federal Register, we will then release the Notice of Funding Opportunity. That is the official programmatic that has the official programmatic details. In applications, when it's due, criteria. Everything that a prospective applicant or eligible recipient would need to participate in the program. Because it is a pilot program though, we do have some leeway.

48:55

Again, there are a number of new requirements that we have to develop in the program, and, again, we want to build in evaluation criteria, and all those measures that will ensure, excuse me, success. So, again, that Summer Time Frame is what we're targeting right now. And so, again, once we release the notice, the final rule was released. And the no foe will

have much more precise details and guidelines and those documents, once they are published in The Federal Registry, and released to the public.

49:28

Laura Spining:

Thank you, Scott. There's also a number of questions, and about timing related to completion of the project. So, I think these are mostly comments, so I'm just going to share them, because they are in here so often.

49:47

And that is that people do expect that, because of environmental considerations and other issues, that certainly, you know, construction projects for broadband infrastructure will likely require some kind of extension. I think we're aware of that, but we haven't done it.

50:12

We can't answer any specific questions about what conditions for those waivers would look like unless Jennifer or Doug, there's anything more you want to add on that?

50:24

Jennifer Duane:

I mean, I think it, you know, the process is well outlined within the statute, it says you know that it gives the Assistant Secretary the discretion to extend basically what is a one-year period of performance for this grant? Because the Act establishes that grant funds must be expended within one year, but it does give the Assistant Secretary discretion to extend that period of performance.

50:50

And the showing that is said in the statute is the applicant just needs to come in and say they have a plan for construction or the construction projects underway, or there's extenuating circumstances that require it to have additional time to complete the project.

51:08

And, certainly, the environmental requirements, that an applicant must, the approval that, it must receive for the environmental and historic Preservation Components, and what NTIA needs to exercise its responsibilities to make sure that those statutory requirements are met, would certainly seem to be, can meet that criteria, for receiving an extension. So, I think, and that process will all be outlined in the no foe when it's released. Well, we'll provide a mechanism for submitting petitions for extension in that document.

51:47

Laura Spining:

Very good. So, and just because timing has been a pretty consistent question theme, I'm also going to add the front end, which I can't remember if we covered or not, but for each of the programs. And I'll start, Jennifer, with you, on the infrastructure program. How long will applicants have to complete an application?

52:15

Jennifer Duane: So to complete an application, the statute indicates that one, NTIA issued a Notice of Funding Opportunity, which is the document that will start the program, and the applicant will have 90 days to submit an application from the date on which we release the notice will also open up the application window for applicants to apply, and they'll have 90 days for that.

52:46

Laura Spining: Good. And so that's the same 90 days for both the tribal program, **Jennifer Duane:** for both tribal and the broadband infrastructure, around both a 90 day application window.

Laura Spining: Thank you, Jennifer, Scott on the CMC Program, is there a similar requirement?

53:07

Scott Woods: A little different track with CMC in part because it's a pilot program. And so, you know, we'll prioritize in the no foe. So, you know, what we want applicants to focus on.

53:21

And so our criteria will be a little different timeframe of the statute, did not prescribe those direct timeframes as it did with the tribal and the infrastructure program. So we have a little bit more leeway and, again, working with our stakeholder outreach will come up with an applicable timeframe that will dress in the no foe. But, again, we want to ensure that all of the recipients, to submit proposals that would be successful, so I don't anticipate something as broad as, you know, six months or on a rolling basis, but it won't be the 90 days. It's probably a little bit more broad, And, again, we will address that in the Notice of Funding Opportunity.

54:04

Laura Spining: Thank you, Scott. One other thing, I don't, I don't think I'm gonna pose a question here, but I feel like it's important to share, because I know it's come up, and in some of the submissions that we've received. And been talked about quite a bit, but that's the issue of the duplication. So there are a lot of comments, some questions. I've let people know that we will be setting up an FAQ section on our website to address questions that we're not able to get to today. But there are quite a few in there about, you know, our RDOC awarded areas: excluded from our programs, and some of the other FCC programs, as well as the USDA Reconnect Program. And I don't think we're prepared to answer those questions today.

54:54

We do appreciate people who provided those comments and questions, and I would encourage you to check back on our website as we start to

make frequently asked questions available for you to review those, and we'll try to answer some of those in a little bit more detail.

55:12

Another topic that seems like a hot topic in the question box today is around the mapping and data that will be used to evaluate unserved areas. I don't think that's a question that we can answer today, but I guess I would open it up.

55:38

Doug, do you have any comments about the data or mapping criteria that we'll use, or anything you could share with the group about, about that topic? That seems to be not specific, excuse me, not specifics, but as Scott mentioned earlier.

55:56

Doug Kinkoph:

We are using the National Broadband Availability Map, which incorporates commercial data layers, includes all the FCC data layers that we have sentences, Federal Government States, will be utilizing that in these programs. But not, I'm not ready to go into specifics on how that will be used in the areas of overlap or those questions regarding RDOC.

56:23

Laura Spining:

Thank you. I just wanted to be sure, because it has shown up quite a bit, that we acknowledge that that is an issue of great interest and importance, and questions, just continue to roll in.

56:39

OK, I think we covered the question for the tribal program. Can those funds be used for deploying wireless systems? Actually, the question here is specifically about using the 2.5 gigahertz spectrum. That's recently been made available through the FCC's program. Is that something Doug wants to address, or Jennifer?

57:13

Jennifer Duane:

The eligible funding uses under the act is pretty broad. It's for broadband infrastructure deployment. So we're going to continue to view that as pretty broad and you know looking at proposals and that will certainly be the 2.5 gigahertz is a proposal that we would look at for deployment, we're not wireless that the tribal program doesn't specify that it has to be wired broadband infrastructure. Wireless is an option, as well. So, we'll just be looking for proposals that deploy broadband infrastructure and not pick any particular technological solutions that we'll be open to various proposals on that.

58:02

Laura Spining:

Doug, you want to add anything?

58:06

Doug Kinkoph:

I think it was well said.

58:11

Laura Spining:

Alright, I think we're getting close to the top of the hour and I'm going to try to re share my screen. so that folks can see we are doing another webinar next month.

58:30

April 21st, on some of the grant programs and spoiler alert, we are working, although it's not been approved yet, to push out a public notice that will allow us to do some more Webinars on these programs so that we can keep you updated as we make progress on getting information out.

58:55

But do plan to tune in next month, April 21st, at 2:00 PM. And most importantly, please check our website regularly. I think some, some of, well, if you're on, you probably didn't weren't aware of this. We are also working to address our platform issues, Both, we heard some of the audio issues that came up today. And we do currently have a thousand person limit, which, which I know we hit today. So I really appreciate everybody joining today. I think this is our most attended webinar of record. So, appreciate all the interest, and we will try to get back to you on the large number of questions that were in the question box that we weren't able to get today.

59:44

So please do check back on our website and tune in next month, so that we can keep you updated on the progress of these programs. So, thanks so much, and have a great day.

END TRANSCRIPT.