



INFRASTRUCTURE INVESTMENT AND JOBS ACT

BEAD PROGRAM



JANUARY 2022

AGENDA



Welcoming Remarks

Alan Davidson, Assistant Secretary of Commerce for Communications and Information and NTIA Administrator

NTIA and RFC Update

Doug Kinkoph, Associate Administrator, Office of Internet Connectivity and Growth, NTIA

BEAD Overview

Nicholas Alexander, Senior Telecommunications Policy Analyst, Office of Internet Connectivity and Growth, NTIA

Questions Review

Julia Pulidindi, Broadband Program Specialist, Office of Internet Connectivity and Growth, NTIA

Moderated Discussion

Margaret Gutierrez, Broadband Program Specialist, Office of Internet Connectivity and Growth, NTIA

Note: This presentation only covers rules and requirements set by the Infrastructure Investment and Jobs Act (IIJA), Division F, Pub. L. 117-58 (Nov. 15, 2021).



WELCOMING REMARKS

ALAN DAVIDSON

ASSISTANT SECRETARY OF
COMMERCE FOR
COMMUNICATIONS AND
INFORMATION AND
NTIA ADMINISTRATOR





NTIA AND RFC UPDATE

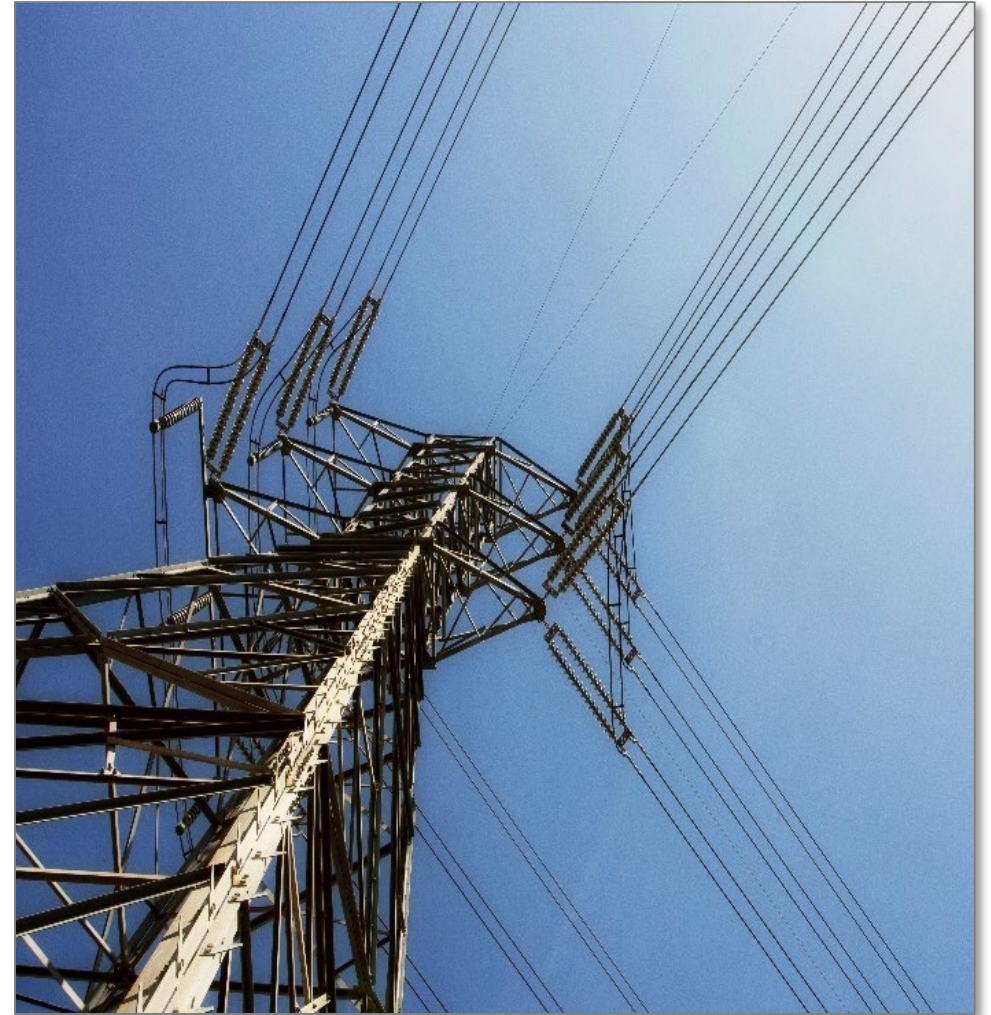
Doug Kinkoph, Associate Administrator,
Office of Internet Connectivity and Growth,
NTIA

REQUEST FOR COMMENTS

Please remember that our Request for Comments (RFC) process is **currently open**.

The Notice and RFC is available [here](#). Comments can be submitted at [regulations.gov](https://www.regulations.gov) under Docket NTIA-2021-0002.

The deadline for all comments is:
February 4, 2022, 5pm EST





BEAD OVERVIEW

Nicholas Alexander, Senior
Telecommunications Policy Analyst,
Office of Internet Connectivity and
Growth, NTIA

OVERVIEW | THE "BEAD" PROGRAM WILL PROVIDE ~\$42B FOR INFRASTRUCTURE PLANNING AND IMPLEMENTATION

OFFICIAL NAME	FUNDING POOL	TYPE OF PROGRAM	PROGRAM OBJECTIVE
Broadband Equity, Access and Deployment (BEAD) Program*	\$42.45B	State and Territory formula program	To close the availability gap, as Congress finds that "access to affordable, reliable, high-speed broadband is essential to full participation in modern life in the United States."

*Authorized by Division F, Title I of the IIJA.
 Note: funding amounts inclusive of all administrative set-asides.

PRIORITIES | THE BEAD PROGRAM PRIORITIZES UNSERVED FIRST, THEN UNDERSERVED, THEN ELIGIBLE CAIs

- 1 Unserved locations
*No access at all or access under 25/3 Mbps**
- 2 Underserved locations
*No access to 100/20 Mbps**
- 3 Community anchor institutions (CAIs)
Without gigabit connections



Eligible entity must also prioritize

- Persistent poverty / high-poverty areas
- Speed of proposed network
- Build time
- Demonstrated record on compliance with federal labor & employment laws

*Also subject to threshold latency and reliability standards.

ELIGIBLE ENTITIES | STATES AND CERTAIN U.S. TERRITORIES ARE ELIGIBLE FOR FUNDING



"Eligible entity" for this program refers to **all 50 U.S. States, the District of Columbia, and 5 U.S. Territories** (Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands)

*If an eligible entity fails to submit, or fails to gain approval for, a 'covered application' (Letter of intent, initial proposal or final proposal) by the relevant deadline, a **political subdivision, or consortium of political subdivisions** of the entity, may submit a covered application.*

ELIGIBLE USES | THE ACT SPECIFIED SEVERAL ELIGIBLE COSTS AND ACTIVITIES

Planning / pre-deployment funds

(no more than 5% of min. allocation)*

Uses deemed allowable by the Assistant Secretary, which may include:

- Research & data collection
- Development of a preliminary budget for pre-planning activities
- Publications, outreach & communication support
- Provision of technical assistance
- Employee training for eligible entity or political subdivision staff
- Establishing, operating, or increasing capacity in the eligible entity's office responsible for program

Grant / deployment funds

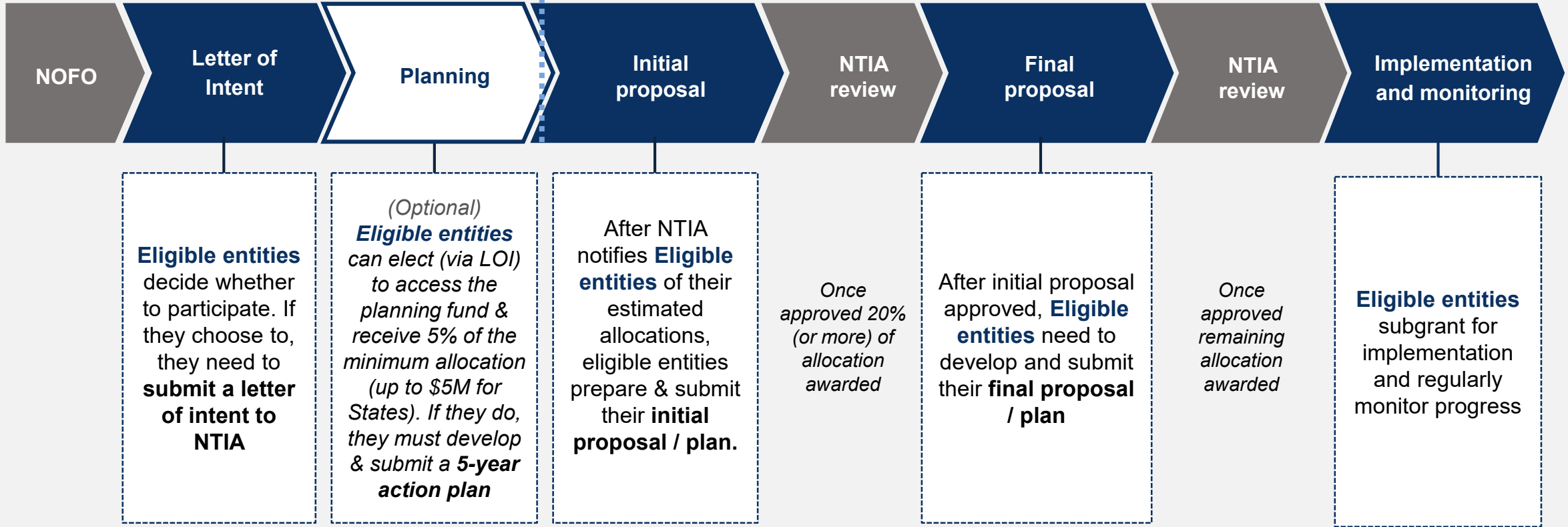
- Unserved & underserved service projects
- Connecting eligible community anchor institutions
- Data collection, broadband mapping & planning
- Broadband adoption (incl. affordable device provision)
- Installing internet/Wi-Fi infrastructure (or providing reduced cost broadband) in multi-family residential building
- Any use determined necessary by the Assistant Secretary to achieve program goals

Eligible entities can use no more than 2% of total funding allocation for administrative purposes

*Minimum allocation defined in later slides.

PROCESS | THERE ARE THREE KEY (AND ONE OPTIONAL) STEPS FOR ELIGIBLE ENTITIES TO RECEIVE FUNDING

FEDERAL COMMUNICATIONS COMMISSION (FCC) DATA MAPS RELEASED



Key: ■ Eligible entity activity ■ NTIA activity

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

LETTER OF INTENT | POSSIBLE REQUIREMENTS FROM THE ACT



LETTER OF INTENT

In order to participate, eligible entities must submit a letter of intent to the Assistant Secretary, in the form and with the contents the Assistant Secretary prescribes. *Contents may include:*

- Details of the existing broadband program or office of the eligible entity, including –
 - Current activities: of the program or office
 - Prior awards: the number of rounds of broadband deployment grants that the eligible entity has awarded (if applicable)
 - Existing plans & goals: Whether there is an eligible entity-wide plan and goal for availability of broadband (and relevant deadlines)
 - Other funding: the *amount of funding* that the eligible entity has available for broadband deployment or other broadband-related activities (including data collection and local planning), and the *sources of that funding* (including whether the funds are from the eligible entity or from the Federal Government under the American Rescue Plan Act of 2021)
- Details on the *number of full-time and part-time employees* of the eligible entity who will assist in administering funds and the *duties* assigned to those employees, as well as details of *relevant contracted support*
- Details of the *goals* of the eligible entity for the use of funds, the *process* that the eligible entity will use to distribute to subgrantees, the *timeline* for awarding subgrants, and *oversight and reporting requirements* that the eligible entity will impose on subgrantees
- The identification of *known barriers or challenges* to developing and administering grants received under the Program
- The identification of the additional capacity needed by the eligible entity to implement the requirements, such as
 - *Enhancing the capacity* of the broadband program/office by receiving technical assistance from Federal entities/other partners;
 - *Hiring additional employees*, or obtaining support from *contracted entities*; or
 - *Acquiring additional programmatic information or data*, such as through surveys or asset inventories
- An explanation of how the *capacity needs described above were identified & how funds may be used to address those needs* (incl. target areas)
- Details of any relevant partners, such as organizations that may inform broadband deployment and adoption planning
- Any other information determined relevant by the Assistant Secretary

5-YEAR PLAN | POSSIBLE REQUIREMENTS FOR ACTION PLAN



5-YEAR ACTION PLAN *(Required if requesting planning funds)*

An eligible entity that receives planning funds shall submit a 5-year action plan to the Assistant Secretary. This plan must be informed by collaboration with local and regional entities, and detail investment priorities, associated costs, and the alignment of planned spending with economic development, telehealth and other related connectivity efforts. *The Assistant Secretary will establish requirements for the plan, potentially including mandates designed to:*

- Address local & regional needs for broadband service in the eligible entity
- Propose deployment solutions for affordable broadband service in the eligible entity
- Include localized data with respect to the deployment of broadband service in the eligible entity, including by identifying locations that should be prioritized for Federal support with respect to that deployment
- Ascertain how best to serve unserved locations in the eligible entity, whether through the establishment of cooperatives or public-private partnerships
- Identify the technical assistance needed to carry out the plan
- Assess the amount of time it would take to build out universal broadband service in the eligible entity

INITIAL PROPOSAL | PLAN REQUIREMENTS SET BY THE ACT



INITIAL PROPOSAL

After the Assistant Secretary issues notices of available amounts to eligible entities, each eligible entity must submit an initial proposal using the online application developed by the Assistant Secretary that –

- Outlines the long-term objectives of deploying broadband, closing the digital divide and enhancing economic growth & job creation, including - where applicable - information developed by the eligible entity as part of the 5-year action plan submitted and information from any comparable strategic plan otherwise developed by the eligible entity
- Identifies and outlines steps to support local & regional broadband planning processes or other ongoing efforts to deploy broadband or close the digital divide, and subsequently describes coordination, both with local and regional planning processes and with local governments
- Identifies existing efforts funded by the Federal government or a State within the jurisdiction of the eligible entity to deploy broadband and close the digital divide
- Includes a plan to competitively award subgrants to ensure timely broadband deployment
- Identifies each unserved and underserved location, and each eligible community anchor institution, within the jurisdiction of the eligible entity
- Certifies eligible entity's intent to comply with all applicable requirements

Eligible entities must also meet local coordination requirements, as established by the Assistant Secretary¹

1. Further description of local coordination requirements available later in presentation.

FINAL PROPOSAL | PLAN REQUIREMENTS SET BY THE ACT



FINAL PROPOSAL

After an eligible entity's initial proposal is approved, the eligible entity may submit a final proposal using the online application that includes -

- A detailed plan that specifies how the eligible entity will (1) allocate grant funds for the deployment of broadband networks to unserved locations and underserved locations and (2) align the grant funds allocated to the eligible entity, where practicable, with the use of other funds that the eligible entity receives from the Federal Government, a State, or a private entity for related purposes
- A timeline for implementation
- Processes for oversight and accountability to ensure proper use of the funds allocated to the eligible entity
- A description of coordination with local governments, along with local and regional broadband planning processes

In this stage, eligible entities must also:

- Meet local coordination requirements, as established by the Assistant Secretary¹
- To the greatest extent practical, align the use of grant funds proposed in the final proposal with funds available from other Federal programs that support broadband deployment and access

1. Further description of local coordination requirements available later in presentation.

ALLOCATION FORMULA | METHODOLOGY SET BY FORMULA IN THE ACT & DETERMINED AFTER DATA MAPS RELEASED

Funds appropriate for the BEAD program are allocated through three buckets AFTER the broadband DATA maps are released.

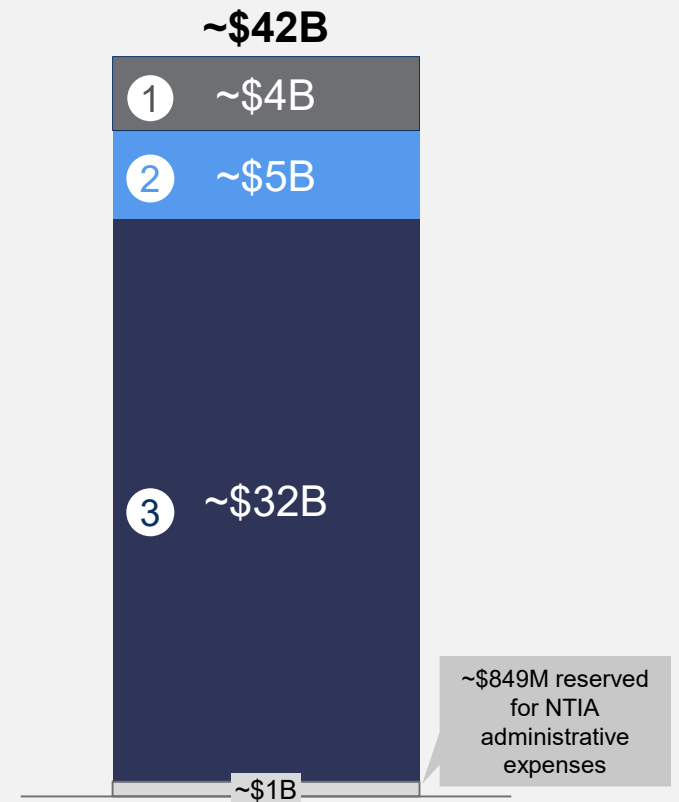
1 High-cost areas: 10% of the total amount appropriated, allocated to eligible entities based on their share of unserved locations in high-cost areas in the U.S.

2 Minimum initial allocations

- \$100M is allocated to each State, District the of Columbia and Puerto Rico
- \$100M allocated to, and divided equally among, the United States Virgin Islands, Guam, American Samoa, & the Commonwealth of the Northern Mariana Islands

3 Allocation of remaining funds: after allocating funds in 1 and 2, the amount remaining shall be allocated across eligible entities based on their share of unserved locations in the U.S.

Note: availability of funds conditional upon approved applications (i.e., LOI, initial proposal, and/or final proposal). Contingency procedures are also set in the Act.



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

ELIGIBLE ENTITY REQUIREMENTS | THE ACT SETS SEVERAL KEY REQUIREMENTS SUCH AS LOCAL COORDINATION

LOCAL COORDINATION

The Assistant Secretary shall **establish local coordination requirements** for eligible entities to follow in the **initial and final proposal stages**. At a minimum, these will include:

- An opportunity for political subdivisions of an eligible entity to submit plans for consideration by the eligible entity
- An opportunity for political subdivisions of an eligible entity to comment on the initial and final proposals of the eligible entity before submission to the Assistant Secretary

MATCHING REQUIREMENT

Eligible entities must ensure that **they or a subgrantee** provide at least **25% matching contribution** derived from non-Federal funds, except in high-cost areas or as otherwise provided by the Act *(unless a waiver or reduction of this match is requested by the eligible entity or subgrantee and granted by the Assistant Secretary)*

CHALLENGE PROCESS

After submitting an initial proposal and before allocating grant funds received for deployment, an eligible entity shall ensure a **transparent, evidence-based, and expeditious challenge process** where a unit of local government, nonprofit organization, or other broadband service provider **can challenge a determination made by the eligible entity** in the initial proposal as to **whether a particular location or community anchor institution within the jurisdiction of the eligible entity is eligible for the grant funds**, including whether a particular location is unserved or underserved.

Note: This is a non-exhaustive list of requirements.

SUB-GRANTEE REQUIREMENTS | THE ACT SETS MANY DEPLOYMENT/SERVICE REQUIREMENTS FOR SUBGRANTEES

SERVICE REQUIREMENTS

SPEED REQUIREMENT

Provide service at a speed of no less than 100 Mbps downloads and 20 Mbps uploads

LATENCY REQUIREMENT

Provide service with a latency that is sufficiently low to allow reasonably foreseeable, real-time, interactive applications

OUTAGE REQUIREMENT

Provide service with network outages that do not exceed, on average, 48 hours over any 365-day period

AVAILABILITY REQUIREMENT

Provide access to each customer served by the project that desires broadband service

SECURITY & RISK MANAGEMENT REQUIREMENTS

Provide service compliant with cybersecurity and supply chain risk management practices, to be specified by NTIA

OTHER KEY REQUIREMENTS*

LOW-COST BROADBAND SERVICE OPTION

Required to offer at least one low-cost plan option to eligible subscribers (*definition proposed by the eligible entity and approved by NTIA*)

TIME TO DEPLOY

Deploy the network and begin offering service within 4 years of receiving funds, unless meeting a specified exception

PUBLIC NOTICE & AWARENESS

Once network deployed, provide public notice, online and through other means, of that fact to the locations and areas to which broadband service was provided. In addition, carry out public awareness campaigns in service areas to highlight the value and benefits of broadband service to increase adoption

FIBER OPTIC CABLE PROJECTS

Any project that involves laying fiber optic cables or conduit underground or along a roadway, shall include interspersed conduit access points at regular and short intervals

**Non-exhaustive*

DIGITAL EQUITY | CLOSING THE DIGITAL DIVIDE REQUIRES ADOPTION AS WELL AS ACCESS

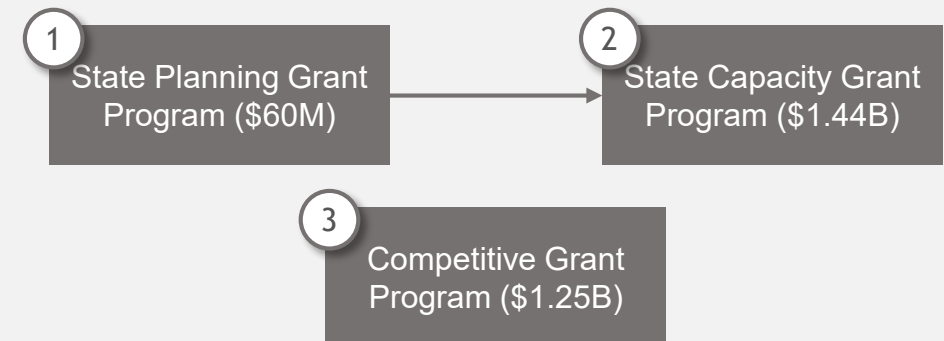
DIGITAL EQUITY IS A KEY PROGRAM TENANT

As evidenced by the program's name, "Broadband Equity, Access and Deployment," promoting **Digital Equity** is critical to the success of the BEAD program.

As highlighted by Congress, "The persistent "digital divide" in the United States is a barrier to the economic competitiveness of the United States and equitable distribution of essential public services, including health care and education. The digital divide disproportionately affects communities of color, lower-income areas, and rural areas, and the benefits of broadband should be broadly enjoyed by all."

ADJACENT DIGITAL EQUITY PROGRAMS

The Digital Equity Act in the IIJA created \$2.75B for three new digital equity programs



Created once state capacity grants begin being awarded



QUESTIONS OVERVIEW

Julia Pulidindi, Broadband Program
Specialist, Office of Internet Connectivity
and Growth, NTIA

LISTENING SESSION DISCUSSION QUESTIONS

1. What criteria should subgrantees be required to meet to demonstrate that they are financially, technically, and operationally capable of deploying and operating broadband network infrastructure pursuant to the BEAD program?*
2. How should NTIA define the term “eligible subscriber” for purposes of the BEAD program’s low-cost broadband service option requirement?**
3. To what extent should BEAD funding be utilized to fund deployment of middle-mile infrastructure?
4. What processes and requirements should NTIA put in place to ensure transparency, accountability, and oversight of BEAD funding?

* Statutory Reference: Section 60102(g)(2)(A)

** Statutory Reference: Section 60102(h)(5)(A)(i)



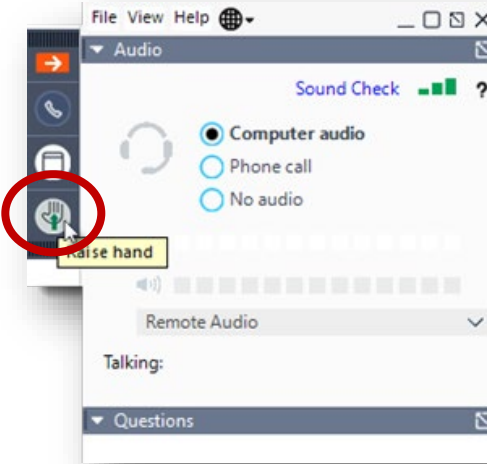
MODERATED DISCUSSION

Margaret Gutierrez, Broadband Program
Specialist, Office of Internet Connectivity
and Growth, NTIA

ATTENDEE GUIDE - PARTICIPATING IN MODERATED STAKEHOLDER DISCUSSION

To provide verbal comments:

1. Raise your hand to provide comments:
 - **If you joined via computer/GoToWebinar app:** Use the “Raise your Hand” feature on your GoToWebinar module.
 - **If you joined via dial-in audio ONLY:** Press *6 to indicate you would like to provide verbal comments.
2. You will receive private message when it is nearing your time to provide input.
3. When the moderator calls your name, you will be given permission to unmute yourself and turn on your camera (optional).
4. Before speaking, please state your full name and the organization you represent.



To provide written comments:

You have two options:

1. Using the Q&A box in the GoToWebinar module, please type out your written comment and submit.
2. You can email your written comment to BroadbandForAll@ntia.gov.

*Due to the high attendance, we will be limiting verbal comments to **1-2 minutes each**.
Written comments are encouraged. All written comments will be collected by the NTIA team.*

To ask questions about IJA broadband programs or provide additional feedback:

BroadbandForAll@ntia.gov

Please join us for our upcoming broadband program public virtual listening sessions!

February 9, 2022

February 23, 2022

For more information about upcoming listening sessions:

<https://broadbandusa.ntia.doc.gov/events/latest-events>

THANK YOU FOR
JOINING TODAY'S
SESSION





APPENDIX

UNSERVED LOCATION AND SERVICE PROJECT *BEAD PRIORITY #1*

UNSERVED LOCATION

A broadband-serviceable location, as determined in accordance with the *broadband DATA maps*, that—

- Has no access to broadband service; or
- Lacks access to reliable broadband service* offered with
 - A speed of not less than 25 megabits per second for downloads; and 3 megabits per second for uploads
 - And a latency sufficient to support real-time, interactive applications

UNSERVED SERVICE PROJECT

A project in which not less than 80 percent of broadband-serviceable locations served by the project are unserved locations.

**The term “reliable broadband service” means broadband service that meets performance criteria for service availability, adaptability to changing end-user requirements, length of serviceable life, or other criteria, other than upload and download speeds, as determined by the Assistant Secretary in coordination with the FCC.*

UNDERSERVED LOCATION AND SERVICE PROJECT *BEAD PRIORITY #2*

UNDERSERVED LOCATION

A location that, as determined in accordance with the *broadband DATA maps*, is—

- Not an unserved location; and
- Lacks access to reliable broadband service* offered with
 - A speed of not less than 100 megabits per second for downloads and 20 megabits per second for uploads
 - And a latency sufficient to support real-time, interactive applications

UNDERSERVED SERVICE PROJECT

A project in which not less than 80 percent of broadband-serviceable locations served by the project are unserved locations or underserved locations.

**The term “reliable broadband service” means broadband service that meets performance criteria for service availability, adaptability to changing end-user requirements, length of serviceable life, or other criteria, other than upload and download speeds, as determined by the Assistant Secretary in coordination with the FCC.*

COMMUNITY ANCHOR INSTITUTIONS AND ELIGIBILITY

BEAD PRIORITY #3

COMMUNITY ANCHOR INSTITUTION (CAI)

An entity that facilitates greater use of broadband service by vulnerable populations, including low-income individuals, unemployed individuals, and aged individuals, such as a –

- School
- Library
- Health clinic or health center
- Hospital or other medical provider
- Public safety entity
- Institution of higher education
- Public housing organization; or
- Community support organization

ELIGIBLE CAI

A community anchor institution that lacks access to gigabit-level broadband service

HIGH-COST AREA

The term “high-cost area” means an unserved area in which the cost of building out broadband service is higher, as compared with the average cost of building out broadband service in unserved areas in the United States (as determined by the Assistant Secretary, in consultation with the FCC), incorporating factors that include –

- The remote location of the area
- The lack of population density of the area
- The unique topography of the area
- A high rate of poverty in the area; or
- Any other factor identified by the Assistant Secretary, in consultation with the FCC, that contributes to the higher cost of deploying broadband service in the area

For purposes of the above definition of high-cost area, the term “unserved area” means an area in which ***not less than 80 percent of broadband-serviceable locations are unserved locations.***



PRIORITY BROADBAND PROJECT

The term “priority broadband project” means a project designed to—

- Provide broadband service that meets speed, latency, reliability, consistency in quality of service, and related criteria as the Assistant Secretary shall determine; and
- Ensure that the network built by the project can easily scale speeds over time to—
 - Meet the evolving connectivity needs of households and businesses; and
 - Support the deployment of 5G, successor wireless technologies, and other advanced services.



PRESIDENT JOE BIDEN

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