Fact Sheet: Key Differences in Second TBCP NOFO

This document highlights the primary differences between the first Notice of Funding Opportunity (NOFO) for the Tribal Broadband Connectivity Program (TBCP) launched in 2021 and the second TBCP NOFO launched on July 27, 2023. It is intended for informational purposes only and is solely to assist potential applicants in better understanding the TBCP and the application requirements set forth in the second NOFO for this program as compared to the preceding round of funding.

Program Overview

Focus On Network Deployment
The TBCP will support grants proposing Infrastructure Deployment Projects, Use and Adoption Projects, or a combination of the two. However, NTIA will prioritize funding for Infrastructure Deployment Projects and expects to allocate not more than $100 million for standalone Use and Adoption (digital inclusion) Projects. Standalone planning projects are no longer eligible.

Longer Application Period
During Tribal consultations, NTIA received comments indicating that the 90-day application window in the first NOFO was insufficient for some eligible Tribal entities to develop high-quality applications. Therefore, the second NOFO extended the application period to six months with a due date of January 23, 2024.

Requirement To Submit A Single Application
Applicants should take care to ensure they are either applying as a single entity **OR** as part of a single consortium application. Applicants may **ONLY** be part of one application regardless of project type. This requirement is consistent with Section 905(e)(2)(C) of the Act that limits an Eligible Entity to one single application submission for TBCP funding. If NTIA determines that an Eligible Entity is participating in multiple applications, this may significantly delay NTIA's review of such applications and may result in NTIA removing that entity from consideration for funding for both their individual application and any consortium applications they are a party to.

Target Sizes of Grant Awards for Projects
For TBCP Round 2, NTIA expects to allocate not more than $100 million to standalone Broadband Use and Adoption projects. Infrastructure Deployment projects will be funded using all funds remaining. In addition, like the previous NOFO, NTIA expects to make awards under this program within the following funding ranges:

- Broadband Infrastructure Deployment Projects proposed by a single applicant: $1,000,000 to $50,000,000.
- Broadband Adoption and Use Projects (includes Digital Equity Planning): $100,000 to $2,500,000.

Eligible Entities requesting funding for projects outside of these ranges must provide a reasonable explanation for the variance in their project size.

Prioritization

General
Eligible Entities who applied during the first round may also apply to the second round of TBCP. However, NTIA will prioritize and stage TBCP applications for Merit Review based on the following groupings:

1) Single application from Department of Hawaiian Home Lands (DHHL) on behalf of the Native Hawaiian Community because of its unique status as the only applicant to whom the Consolidated Appropriations Act, 2021 directed that a specific amount of TBCP funds be made available;

2) Standalone Broadband Use and Adoption Projects from Eligible Entities, including consortium applications. NTIA anticipates making awards in this grouping in a total amount of not more than $100 million. Within this category, NTIA will prioritize the review of standalone Use and Adoption projects: (1) that propose digital equity planning activities; and/or (2) from Eligible Entities that did not receive an award in the first round of TBCP funding;

3) Standalone Infrastructure Deployment projects submitted by recipients of awards for Planning, Engineering, Feasibility, and Sustainability projects during the first round of TBCP funding or those who received equitable distribution awards to purchase supplies and equipment under the first TBCP NOFO;

4) Standalone Infrastructure Deployment projects from Eligible Entities, including consortium applications, that did not receive TBCP funding in the first round of funding;

5) Dual Infrastructure Deployment and Use and Adoption project applications from Eligible Entities, including consortium applications, that did not receive TBCP funding in the first round of funding. Note that NTIA will prioritize funding for the infrastructure deployment components of the application and will consider the broadband use and adoption components subject to the availability of TBCP funding. NTIA will not fund broadband use and adoption activities that are dependent upon the completion of the broadband infrastructure deployment components of the project;

6) Remaining applications from Federally Recognized Tribes are eligible to receive the equitable allocation of up to $500,000 if NTIA determines it is unable to fully fund the applicant's original request due to the availability of TBCP funding. Equitable distributions of up to $500,000 will be awarded only to Tribal Governments that have not previously received a TBCP award (which

includes equitable distribution awards) in the first round of funding from the TBCP. For consortium or regional applications that include Tribal Governments, equitable distribution amounts of up to $500,000 per participating Tribal Government (that have not previously received a TBCP award) within the consortium would be awarded to the consortium's lead applicant on behalf of the eligible participating Tribal Governments. Lead consortium applicants that previously received TBCP funding may apply with a consortium composed of new Tribes that did not receive funding as part of a consortium application awarded in the first round of funding; and

7) If TBCP funding remains available, NTIA will then consider applications for Infrastructure Deployment Projects from Eligible Entities, including consortium applications, that received awards in the first round of TBCP funding and applied in the second round for TBCP funding for additional project activities; provided, that they have successfully completed their first-round projects or are on track to do so.

Infrastructure Prioritization
NTIA will prioritize funding projects designed to provide broadband service at speeds of 100/20 Mbps or above.

Satellite Deployments
NTIA reserves the right not to fund project proposals that depend on the deployment or launch of new satellites.

Use And Adoption Prioritization
NTIA will prioritize the review of standalone Use and Adoption projects: (1) that propose digital equity planning activities; and/or (2) from Eligible Entities that did not receive an award in the first round of TBCP funding.

Application Requirements

New Required Documents for All Projects
All projects will be required to complete the newly added TBCP Program Information Sheet to qualify as a completed application. Additionally, all projects will be required to complete the Certification Regarding Compliance with Cybersecurity and Supply Chain listed under Appendix A in the TBCP NOFO.

New Required Documents for Infrastructure Projects
For those applying for Infrastructure Deployment Projects, applicants will need to submit all documents required during the first round and submit a map of their service area(s) in a Shapefile format.

As a part of an applicant's Project Narrative, in addition to a description of project plans to deploy a network that meets speed, latency and scalability requirements, the applicant should describe its plans to deploy Qualifying Broadband Service to Native American/Alaska Native/Native Hawaiian households, businesses, and community anchor institutions in the proposed project area that meets quality of service performance measures such that network outages do not exceed, on average, 48 hours over any 365-day period.

Finally, applicants must also include the below additional items as a part of their Project Narrative:

- The distance to the nearest fiber node (NOFO pg. 25)
- Any libraries within the proposed build receiving E-Rate funding (NOFO pg. 25)
- A description of the pricing for the broadband services that the applicant intends to offer compared to existing broadband services in the proposed service area along with a demonstration that the pricing is competitive and affordable in the target market (NOFO pg. 25-26)
- Plans to participate in federal subsidy programs, such as the FCC's Affordable Connectivity Program, to reduce the costs of broadband service for Native American/Alaska Native/Native Hawaiian households in the proposed service area (NOFO pg. 25-26)
- An assessment of weather and climate hazards within the Tribal Land served by the project and a description of how the applicant intends to avoid and/or mitigate the weather and climate risks identified (NOFO pg. 26)

For a full list of required documents, refer to Section D.2 of the NOFO.

New Required Documents for Use and Adoption Projects
For projects proposing affordable broadband programs, applicants should describe plans to address affordability issues on Tribal Land, including but not limited to, strategies to increase enrollment in the FCC's Affordable Connectivity Program.

For a full list of required documents, refer to Section D.2 of the NOFO.

Enhanced Reporting Requirements to Prevent Potential Duplication of Funding with Other Federal Programs
NTIA will permit Tribes to self-certify the unserved status of proposed service areas within Tribal Lands, and lands providing services to Tribal members, with a description of how the Tribe determined that the area is unserved. As a part of this self-certification, applicants must disclose all current and terminated Enforceable Buildout Commitments, and the presence of facilities capable of delivering Qualifying Broadband Service, including fiber facilities or other broadband technology, deployed on Tribal Lands. Failure to disclose may result in NTIA removing the application from consideration for TBCP funding.

Applicants must also consult the FCC's National Broadband Map (BDC). If that map indicates that Qualifying Broadband Service is available at any location within the proposed service area(s), but the Tribe disagrees, then the Tribe shall submit a formal challenge to the FCC using the challenge process for its National Broadband Map (BDC) or indicate that it is participating in the state's submission for the FCC's challenge process and provide documentation to NTIA of the challenge(s) submitted.

Evaluation

Subpoint E of the second NOFO explains the criteria that NTIA will use to evaluate applications for funding and modifies the scoring system adopted in the first NOFO. Among other things, evaluators will consider the following factors:

Affordability and Pricing of Proposed Service
Applicants for both Use and Adoption and Infrastructure Deployment Projects will be evaluated on their efforts to increase affordability of broadband service within their proposed service areas. For Use and Adoption projects proposing to offer affordable broadband, reviewers will assess whether the applicant

develops strategies to address affordability issues on the Tribal Lands impacted by the project, including but not limited to, strategies to increase enrollment in the FCC's Affordable Connectivity Program by eligible households.

For Infrastructure Deployment Projects, applicants committing to participate in the FCC's Affordable Connectivity Program, or committing to ensure that any service provider they partner with to deliver broadband service will participate in this program, will receive additional consideration during Merit Review.

Networks Offering Service Above 25/3 Mbps

NTIA will give preference during Merit Review to those applicants offering maximum network speeds above Qualified Broadband service of 25 Mbps downstream/3 Mbps upstream. Evaluators will assign scores in the following order:

- Networks delivering end-user speeds at speeds of at least 1000 Mbps symmetrical (14 points).
- Networks delivering end-user speeds of at least 100 Mbps downstream and 20 Mbps upstream (10 points).
- Networks delivering end-user speeds at speeds above 25 Mbps downstream/3 Mbps upstream and below 100 Mbps downstream/20 Mbps upstream (7 points).
- Networks delivering end-user speeds at 25 Mbps downstream/3 Mbps upstream (5 points).

Use And Adoption Capacity Building

Capacity Building has replaced Sustainability as an Evaluation Criteria for Use and Adoption to promote development of lasting digital skills, technology-based employment and training, and measurement of its effectiveness.