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## Tribal Broadband Connectivity Program Grant Recipient Handbook



U.S. Department of Commerce  
National Telecommunications and Information Administration

## Introduction

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Congratulations on becoming a National Telecommunications and Information Administration (NTIA) grant award recipient under the Tribal Broadband Connectivity Program (TBCP). Your award will be serviced by the National Oceanic and Atmospheric Administration (NOAA) Grants Management Division (GMD). Together, NTIA Federal Program Officers (FPOs) and NOAA GMD Grants Officers are here to support your transition from applicant to grant recipient and provide support as you begin implementing your grant. In addition, this Grant Recipient Handbook is provided as a quick reference tool. The goal of assembling this Grant Recipient Handbook is to ensure that you have information and resources on hand to successfully carry out your award in accordance with the Federal and agency terms and regulations.

### **Notes on Grants Online to eRA Transition:**

- *TBCP used the NOAA Grants Online system until September 22, 2023. The eRA grants management system opened for internal and recipient use on October 1, 2023. Some recipients were awarded in Grants Online in September 2023 but accepted their award in eRA Commons.*
- *Due to severe eRA access issues for Federal staff, contractors, and recipients, Annual and Baseline Reports originally due between 9/30/2023-4/30/2024 were extended by the Department of Commerce to be due 4/30/2024.*
- *The 10/30/2023 Federal Financial Report (FFR) requirement was waived. The 4/30/2024 FFR due date was extended to 5/31/2024.*
- *Recipients were unable to submit semi-annual Federal Financial Reports (FFRs) in the FFR module of eRA Commons for the 4/30/2024 and 10/30/2024 reporting periods, so they were submitted via the Terms and Conditions Module (TCM) instead.*

**Disclaimer:** *This guidance document is for informational purposes only and is intended solely to assist grant recipients in better understanding the NTIA Tribal Broadband Connectivity Program (TBCP) and the requirements set forth in the award terms and conditions for this program. This resource is not intended to supersede, modify, or otherwise alter applicable statutory or regulatory requirements, the specific requirements set forth in program NOFOs, existing [DOC Grants and Cooperative Agreements Manual](#) (Grants Manual) requirements, or other Departmental Administrative Orders (DAOs) and Federal Circulars. Similarly, this guidance document does not supersede or supplement NOAA GMD policy and procedures related to their work on financial assistance awards. In all cases, statutory and regulatory mandates, and the requirements set forth in the NOFO, shall prevail over any inconsistencies contained in this guidance.*

## Change Log

Version	Date	Summary of Changes
<b>V2</b>	June 2023	<p>Section 1:</p> <ul style="list-style-type: none"> <li>Added key dates for Planning projects and requirement to use the required reporting templates</li> </ul> <p>Section 2:</p> <ul style="list-style-type: none"> <li>Clarified that Planning projects should complete SF-424C budgets</li> </ul> <p>Section 6:</p> <ul style="list-style-type: none"> <li>Added section b.3. No-Cost Extension AAR</li> <li>Added section b.4. Subawards, Transfer, or Contract Out Work AAR</li> </ul> <p>Section 7:</p> <ul style="list-style-type: none"> <li>Renamed section b. to “Award Conditions: and clarified difference between standard and special award conditions</li> <li>Added section b.1. Expenditure Plans</li> <li>Revised section g. Program Income</li> <li>Renamed section j. to “Human Subjects Research (HSR)” and clarified requirements</li> </ul> <p>Section 10:</p> <ul style="list-style-type: none"> <li>Added closeout requirements</li> </ul> <p>Appendix A:</p> <ul style="list-style-type: none"> <li>Added new resources and updated links</li> </ul> <p>Appendix B:</p> <ul style="list-style-type: none"> <li>Added Standard Award Conditions</li> </ul> <p>Appendix C:</p> <ul style="list-style-type: none"> <li>Added additional points of contact</li> </ul>
<b>V2.1</b>	November 2023	<p>Appendix B:</p> <ul style="list-style-type: none"> <li>Updated indirect cost information with current DOC resources</li> </ul> <p>Appendix C:</p> <ul style="list-style-type: none"> <li>Updated agency contacts</li> </ul>
<b>V3</b>	June 2024	Overall handbook update to reflect transition from Grants Online to eRA Commons

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# 1. What are the Key Dates for the Tribal Broadband Connectivity Program?

The TBCP grants are awarded on a rolling basis by NTIA and NOAA/GMD. NTIA funds three types of projects through TBCP awards: Broadband Infrastructure Deployment (ID) projects, Broadband Use and Adoption (UA) projects, and Planning, Engineering, Feasibility, or Sustainability Studies (Planning). These projects have different requirements, as outlined in the program’s Standard and Specific Award Conditions (SACs).

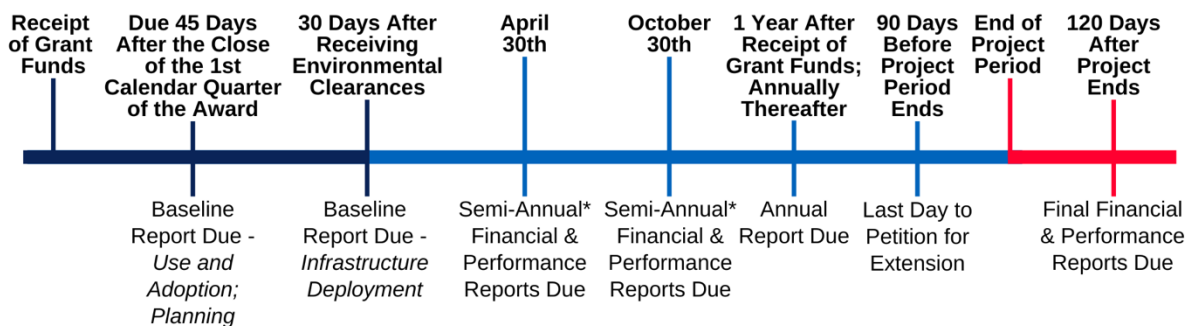
**Broadband Infrastructure Deployment** projects involve the construction of middle mile or last mile networks as well as interconnection. TBCP funds for infrastructure can also be used to conduct planning, engineering, feasibility, or sustainability studies as part of the necessary steps to develop a technological solution for broadband deployment.

**Broadband Use and Adoption** projects involve expanding the adoption of broadband services by Tribal communities, including enabling anchor institutions to provide affordable broadband programs, remote learning, telework, or telehealth services. TBCP funds can also be used to build the capacity of Tribal communities to access and fully benefit from online services.

**Planning, Engineering, Feasibility, or Sustainability Studies** are intended to help the recipient develop a technological solution for broadband deployment.

Following the acceptance of a TBCP award, recipients should determine their period of performance and report due dates. This information can be found in the Notice of Award (NoA) and SACs of the grant and will help to determine key dates and reporting requirements. See the chart and table below for key deadlines that should be tracked. Both NTIA and NOAA GMD will send helpful reminders and technical assistance, as needed, to ensure recipients meet the key dates listed in their SACs.

Figure 1: Key TBCP Deadlines



\*Projects with periods of performance greater than one year must continue submitting financial and performance (technical) reports semi-annually.

TBCP recipients must use the required report templates in order to satisfy their reporting award conditions. Reports that do not use the required templates will not be accepted. See [Section 9.a.](#) for additional information on reporting and contact your FPO if you have any questions.

1. What are the Key Dates for the Tribal Broadband Connectivity Program?

Table 1: TBCP Reporting

Tribal Broadband Connectivity Program Reporting				
Report Type	Reporting Period	Report Deadline	Submission Method <sup>1</sup>	Data Submitted
<b>Baseline Report</b>	Baseline	<p><b>Infrastructure Deployment Projects:</b> Within 30 calendar days after the issuance of a Categorical Exclusion (CE) decision memorandum or the publication of a signed Finding of No Significant Impact (FONSI)</p> <p><b>Broadband Use and Adoption and Planning Projects:</b> Within 45 calendar days of the close of the first calendar quarter of the award</p>	<p><b>Form:</b> Baseline Report Template (OMB Control No. 0660-0047)</p> <p>Submit via eRA Commons as an “Other” type Revision Request in Status Module with signed PDF attached.</p> <p><b>AND</b></p> <p>Submit Excel version to the FPO via email.</p>	Baseline project plans and details regarding key outputs and outcomes from the project.
<b>Semi-Annual Financial Report</b>	Oct. 1 – Mar. 31 Apr. 1 – Sept. 30	Every April 30  Every October 30	<p><b>Form:</b> SF-425 Federal Financial Report (FFR)</p> <p><b>9/30/2023 Reporting Period:</b> Waived.</p> <p><b>4/30/2024 and 10/30/2024 Reporting Periods:</b> Submit via eRA Commons Terms and Conditions Module (TCM).</p> <p><b>10/30/2024 Reporting Period and Later:</b> Submit via eRA Commons FFR module.</p>	Performance on key financial indicators.
<b>Semi-Annual Performance (Technical) Report</b>	Oct. 1 – Mar. 31 Apr. 1 – Sept. 30	Every April 30  Every October 30	<p><b>Form:</b> Performance (Technical) Report Template (OMB Control No. 0660-0047)</p> <p>Submit via eRA Commons TCM as an Excel file.</p>	Performance on key programmatic indicators and budget.

<sup>1</sup> Note: All PDFs uploaded to eRA Commons must be flattened in order to be readable.

Tribal Broadband Connectivity Program Reporting				
<b>Annual Report</b>	1 year period preceding report date	No later than one year after receiving grant funds; annually thereafter	<p><b>Form:</b> Annual Report Template (OMB Control No. 0660-0047)</p> <p>Submit via eRA Commons as an “Other” type Revision Request in Status Module with signed PDF attached.</p> <p><b>AND</b></p> <p>Submit Excel version to the FPO via email.</p>	Describe how funds were expended, certify that the covered partnership complied with all requirements, and identify each subrecipient that received a subgrant, with a description of the specific project.
<b>Final Financial Report</b>	Cumulative award period	120 days after the end of project period	<p><b>Form:</b> SF-425 FFR</p> <p>Complete within eRA Commons Closeout Module.</p>	Performance on key financial indicators.
<b>Final Performance (Technical) Report</b>	Cumulative award period	120 days after end of project period	<p><b>Form:</b> Final Performance (Technical) Report Template (OMB Control No. 0660-0047)</p> <p>Submit via eRA Commons Closeout Module with signed PDF attached.</p> <p><b>AND</b></p> <p>Submit Excel version to the FPO via email.</p>	Performance on key programmatic indicators and budget.

## 2. What are the Required Documents?

The grant recipient is required to submit the documents listed in Table 2 below to NOAA GMD.

**Table 2: TBCP Required Documents**

Document Type	Purpose	Project Type
<b>NoA (Notice of Award)</b>	Official Notice of Award issued by the NOAA Grants Officer electronically through eRA Commons. Must be electronically accepted by the recipient.	All
<b>Revised NoA</b>	Amends the award as a result of an approved award amendment (such as a no cost extension).	All



### 3. What Should I Do First?

Document Type	Purpose	Project Type
<b>SF-425 (Federal Financial Report)</b>	Used by TBCP recipients to submit reports on their grant's financial progress.	All
<b>SF-424a</b>	This form is used by TBCP recipients to create and submit their budget and may be requested during the life of the award in conjunction with any requests for budget revisions.	Broadband Use and Adoption
<b>SF-424c</b>	This form is used by TBCP recipients to create and submit their budget and may be requested during the life of the award in conjunction with any requests for budget revisions.	Broadband Infrastructure Deployment; Planning, Engineering, Feasibility, or Sustainability Studies
<b>Form SF-429 (Real Property Status Report)</b>	This form is used by TBCP recipients to report real property status or to request agency instructions on real property that was/will be provided as Government Furnished Property (GFP) or acquired in whole or in part under a Federal Financial assistance award. This will be collected during the closeout process, if applicable.	Broadband Infrastructure Deployment
<b>Form SF-428 (Tangible Personal Property Report)</b>	This form is used by NOAA to collect information related to tangible personal property when required by a Federal financial assistance award. This will be collected during the closeout process, if applicable.	Broadband Infrastructure Deployment
<b>Baseline Report</b>	This form provides NTIA and NOAA GMD a better understanding of TBCP recipients' project plan as a baseline.	All
<b>Semi-Annual Performance (Technical) Report</b>	This form is used for TBCP recipients to report activities and financial information conducted on a semi-annual basis.	All
<b>Final Performance (Technical) Report</b>	This final report captures all activities, Federal funds expended, and lessons learned during the entire Period of Performance (PoP).	All

### 3. What Should I Do First?

After receiving a TBCP grant, follow these steps to accept your award and begin project work:

1. **Accept Award:** The NOAA Grants Office develops and distributes the Notice of Award (NoA) (previously, CD-450) to the recipient via eRA Commons.
2. **Sign NoA:** The recipient Signing Official (SO) logs into eRA Commons to accept the award.
3. **Assign eRA Commons Roles:** There are several key eRA Commons roles that will need to be assigned. Users with the SO and Account Administrator (AA) roles can create additional accounts for users within the recipient's organization. Key roles to

### 3. What Should I Do First?

- assign include additional SOs (if needed), Principal Director/Principal Investigators (PD/PI), and Financial Status Reporters (FSR)<sup>2</sup>.
4. **Enroll in ASAP:** The recipient needs to provide required information to the TBCP ASAP Coordinator to enroll in the Department of the Treasury’s Automated Standard Application for Payments (ASAP).
  5. **Assign ASAP Roles:** There are several key ASAP roles that will need to be assigned including the Payment Requestor, Point of Contact, Head of Organization, Authorizing Official, and Financial Officer.
  6. **Create Grant File:** Once the award and roles have been accepted and assigned, the recipient should create an internal grant file for the grant award, amendments, and other supporting documentation.
  7. **Review Award Conditions:** The recipient should review award conditions by reading the [DOC Financial Assistance Standard Terms and Conditions](#), Standard Award Conditions, and Specific Award Conditions (collectively, SACs).
  8. **Establish Processes:** The recipient should establish grant processes, including for tracking personnel charges and equipment/property management policies and systems.

#### a. Key Recipient Roles

TBCP recipients should have the following key roles designated: Signing Official (SO), Project Director/Project Investigator (PD/PI), and ASAP Payment Requestor. In addition, recipients may assign additional roles in eRA Commons and ASAP, as outlined in Table 3 below.

**Table 3: Key Recipient Roles**

User Role	Description	System & Module Access	Notes
SO (Signing Authority)	Has authority to legally bind an institution in grant administration matters. The SO can register the institution; create and modify the institutional profile; and create user accounts.  The Authorized Official Representative (AOR) should have the SO role in eRA Commons.	<b>eRA Commons:</b> Account Management Module (AMM), Personal Profile (PPF), Institutional Profile (IPF), Status Module	The SO role cannot be combined with the PD/PI role. Separate accounts must be created if one person will hold both the SO and PD/PI roles.
Project Director / Principal Investigator (PD/PI)	Directs a project or program supported by a DOC grant and completes the grants administration process. The PD/PI can only access information pertaining to the grant(s) for which they are the designated PD/PI. The PD/PI can submit PPRs to the agency.	<b>eRA Commons:</b> Personal Profile (PPF), Institutional Profile (IPF), Status	The PD/PI role cannot be combined with the SO, AO, AA or FSR roles. Separate accounts must be created if one person will hold the SO, AO, AA or FSR role in addition to the PD/PI role.

<sup>2</sup> Semi-annual FFRs for the 4/30/2024 and 10/30/2024 reporting periods were submitted via the TCM instead of the FFR Module and did not require the FSR role.

User Role	Description	System & Module Access	Notes
Account Administrator (AA)	An administrative role designated by the SO that facilitates the administration of the organization's eRA Commons accounts except for the SO role.	<b>eRA Commons:</b> Account Management Module (AMM), Personal Profile (PPF), Institutional Profile (IPF)	The AA role cannot be combined with the PD/PI role. Separate accounts must be created if one person will hold both the AA and PD/PI roles.
Financial Status Reporter (FSR)	An administrative role that is responsible for reporting a grant's statement of expenditures through the Federal Financial Report (FFR) module. Depending on an organization's workflow, it is possible for the SO or the AO to also have FSR responsibilities; the FSR role may be added to a single SO or AO account.	<b>eRA Commons:</b> Federal Financial Report (FFR), Personal Profile (PPF), Institutional Profile (IPF)	The FSR role cannot be combined with the PD/PI role. Separate accounts must be created if one person will hold both the FSR and PD/PI roles.
Administrative Official (AO)	An administrative role that can create and manage all organizational accounts except for the SO role. Depending on an institution's workflow process, the SO and AO may be the same person.	<b>eRA Commons:</b> Account Management Module (AMM), Personal Profile (PPF), Institutional Profile (IPF), Status	The AO role cannot be combined with the PD/PI role. Separate accounts must be created if one person will hold both the AO and PD/PI roles.
Payment Requestor--ASAP	Personnel responsible for drawing down grant funds in the ASAP System by initiating payment requests. They may also reconcile all financial data.	<b>ASAP</b>	
Point of Contact (POC)--ASAP	Responsible for adding, modifying, and deleting recipient officials in ASAP.	<b>ASAP</b>	
Head of Organization (HOO)--ASAP	Recipient management official who approves or rejects the officials named by the Point of Contact. The HOO can add officials but not delete officials.	<b>ASAP</b>	Only one person shall be designated as the HOO.
Re-Delegated Head of Organization (RHOO)--ASAP	Can act on behalf of the HOO to approve officials.	<b>ASAP</b>	
Authorizing Official (AO)--ASAP	Confirms the recipient's information and identifies users (e.g., payment	<b>ASAP</b>	This role is not synonymous with,

4. Who Should I Contact?

User Role	Description	System & Module Access	Notes
	requestor) who need access to ASAP.		and must not be confused with, the AOR identified in the award agreement.
Financial Official (FO)–ASAP	Enters the bank account information for the non-Federal entity.	<b>ASAP</b>	
Payment Requestor (PR)–ASAP	May request funds from the non-Federal entity’s ASAP account.	<b>ASAP</b>	

## 4. Who Should I Contact?

For additional information on topics such as monitoring, eRA Commons, Revision Requests (RRs), or other specific grant related topics, please use the TBCP contact tree below. The contact tree shows the Point of Contact for topics pertaining to the grant.

**Table 4: TBCP Contact Tree**

TBCP Program Office		
Topic	Person of Contact	Notes
Program compliance	NTIA FPO	
Grants monitoring activities	NTIA FPO and NOAA Grants Management Specialist (GMS)	
Records and record retention schedule	NTIA FPO	Costs require supporting documentation. It is a good strategy to maintain as much documentation as necessary.
eRA Commons	NOAA GMS	
Revision Request (RR) processing	NTIA FPO and NOAA GMS	Recipients must get approval from their FPO before submitting RRs to eRA Commons.
Substantive award changes	NTIA FPO and NOAA GMS	Personnel changes, project changes.
Approval for programmatic activities	NTIA FPO and NOAA GMS	Certain programmatic activities including reports and RRs require FPO consultation and/or approval.

TBCP Program Office		
Topic	Person of Contact	Notes
Reimbursement-only (ASAP)	NOAA GMS	Recipients will be notified in the SACs if they are identified as requiring reimbursement-only drawdown procedures and what those procedures are.

## 5. How Do I Drawdown Funds via ASAP?

The ASAP SAC is a program-wide SAC requiring recipients to provide enrollment data to the NOAA Grants Officers within 10 days of the award. Recipients receive TBCP payments using the Department of the Treasury’s ASAP system. Under the ASAP system, payments are made through preauthorized Electronic Funds Transfers. To receive payments under ASAP, recipients are required to enroll with the Department of Treasury, Financial Management Service, and Regional Financial Centers, which allows them to use the online and Voice Response System (VRS) method of withdrawing funds from ASAP accounts.

Awards paid under the ASAP system will contain a SAC describing enrollment requirements and any controls or withdrawal limits set in the ASAP system. Typically, recipients will withdraw funds through one of two methods:

- **Funding Advances:** Unless otherwise specified in the terms of an award, withdrawal of funds through the ASAP system are considered funding advances. Advances are limited to the minimum amounts necessary to meet immediate disbursement needs, but in no case should exceed the amount of cash required for a 30-day period. Recipients make requests for advances through ASAP without intervention by the TBCP Program Office or NOAA Grants Office. However, the ASAP Helpdesk can assist recipients with making these requests as needed. The terms of some awards limit the types of activities for which funds can be drawn down.
- **Funding Reimbursement:** Reimbursement is used in cases where the TBCP Program Office or the NOAA GMD has limited information about the financial soundness of a recipient, or when there are other circumstances or risk factors that indicate the need for added controls in disbursing cash. Some recipients may have reimbursement payment provisions in the original award terms and conditions, or they may be added later through an award amendment if monitoring or compliance findings reveal financial or administrative inadequacies.

Recipients with a SAC requiring an Environmental Assessment (EA) can draw down funds from ASAP for certain costs while the EA is underway if they receive approval for a submitted Initial Expenditure Plan (IEP). Funds for environmental documentation can be accessed, but funds for construction activities or material acquisition (not approved as part of the IEP) cannot be accessed until the environmental documentation is completed.

### a. ASAP Registration

If your organization is already registered in ASAP, you will still need to provide the ASAP Coordinator with information so they can manually link your account to TBCP. To enroll in ASAP, the recipient should have several pieces of information ready, including:

**Table 5: ASAP Registration Information**

Recipient Information Needed for ASAP Registration	
<input type="checkbox"/>	Organization name and organization type
<input type="checkbox"/>	Point-of-contact and title of contact
<input type="checkbox"/>	Mailing address
<input type="checkbox"/>	Point-of-contact email address
<input type="checkbox"/>	Fax number
<input type="checkbox"/>	Telephone number
<input type="checkbox"/>	Unique Entity Identifier (UEI)
<input type="checkbox"/>	Employer Identification Number (EIN)
<input type="checkbox"/>	AOR name and contact information. The HOO designates the AOR. The AOR defines the Recipient Organization (RO) profile and identifies the RO users ( <i>i.e.</i> , payment requestor).
<input type="checkbox"/>	Financial Official (FO) name and contact information. The FO defines the banking information and links to the NTIA Agency Location Code (ALC) (13060001) and Region Code (02). The FO certifies and signs the banking information form.

### b. ASAP Step by Step Tutorial

To register with ASAP, the recipient should:

**Step 1:** If the recipient does not yet have an ASAP account, the recipient should complete steps two through four below and email the following grant information to the NOAA ASAP Coordinator.

- Recipient’s organization name and organization type
- Recipient’s point of contact and title of contact
- Recipient’s mailing address
- Recipient’s point of contact email address
- Recipient’s fax number
- Recipient’s telephone number
- Recipient’s UEI

- Recipient’s EIN

**Step 2:** Within five business days of sending the GMS the information listed above, the recipient should receive an email confirmation from ASAP along with user identification (ID). Within seven days, the recipient will receive a password via U.S. mail.

**Step 3:** Upon receiving an ASAP ID and password, log into ASAP at [www.asap.gov](http://www.asap.gov) using the user ID and password and enter the required information on the organization’s officials.

- **Designated HOO:** The HOO will designate the AO and FO designees.
- **Designated AO:** The AO defines the RO profile and the RO users (e.g., primary requestor).
- **Designate FO:** The FO defines the banking information and links to the NTIA (ALC) (13060001) and Region Code (RC) (02). The FO certifies and signs the banking information form.

**Step 4:** Receive ASAP enrollment confirmation email. The recipient enrollment steps in ASAP are complete when the AO and FO designees are approved, and banking information is certified and submitted. The Grants Offices will email the recipient to notify them that enrollment is complete, and funds are available to draw down.

Recipients should use the following resources for assistance:

- NOAA Grants Officer: See the award package for contact information
- General guidance on the Department of Treasury’s [website](#)

**Table 6: ASAP Contact Information**

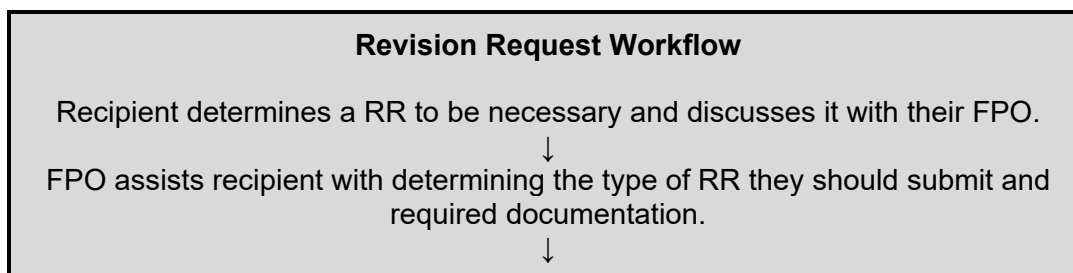
Location	Time Zone	Phone	Business Hours
Philadelphia ASAP Regional Office	Eastern	(215) 516-8021	7:30 a.m. – 4:00 p.m.
Kansas City ASAP Regional Office	Central	(816) 414-2100	7:30 a.m. – 4:00 p.m.
San Francisco ASAP Regional Office	Pacific	(510) 594-7182	7:30 a.m. – 4:00 p.m.

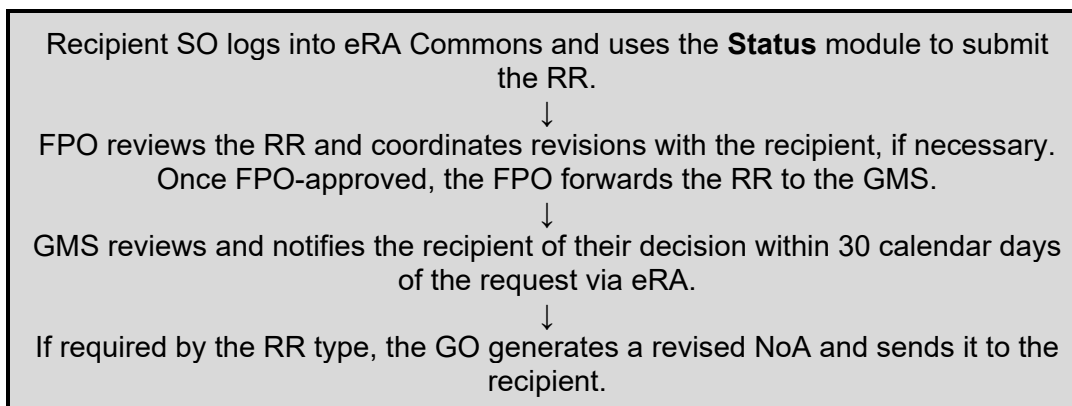
## 6. What are Revision Requests?

### a. Revision Requests Overview

TBCP Revision Requests (RRs) are one-time or irregular events involving changes to a recipient’s project, such as changes to contact information, project scope, or budget. Depending upon the type of change, a RR may result in an amendment to the award (revised NoA) signed by the Grants Officer. This section describes types of acceptable project modifications and instructions for submitting a RR in eRA Commons.

**Figure 3: RR Workflow in eRA Commons**





### *b. Types of Revision Requests*

The list below describes common types of acceptable project modifications. **Recipients must consult with their FPO before submitting a RR to eRA Commons.** Only the Grants Officer may provide final approval of an RR. Changes should be reported to the TBCP Program Office in accordance with [2 CFR § 200.308](#). It is important to note that prior approval from the Grants Officer is required to effectuate any of the below actions, although certain actions do not require the Grants Officer to issue a formal award amendment via a revised NoA.

Additional Recipient Revision Request Guidance is forthcoming. [No Cost Extension Guidance](#) is available on the BroadbandUSA website.

**Table 7: TBCP Revision Requests**

Action Requested	Description	Revised NoA?
ASAP Drawdown Request (ASAP Vendors Only)	Request to drawdown funds in ASAP proportionately with the amount of project completed (applicable to recipients with Reimbursement SACs only).	No
Change in Key Person Specified in the Application	Addition or modification of key personnel (e.g., SO) beyond those specified in the original or modified application.	No
Change in Principal Investigator / Project Director	Change in the PI/PPD specified in the original or modified application.	No
Change in Scope	Modification to the project program or budget from the original or modified application. Changes are considered on a case-by-case basis and may be requested at any time prior to the completion of the award closeout process but must be made prior to the recipient implementing the changes.  Changes in Scope may also require a modification to the budget.	
Disengagement for More Than 3 Months, or 25% Reduction by Project Director or PI	Absence of the approved project director for more than three months, or a 25% reduction in his or her time devoted to the project.	No
Inclusion of Costs Requiring Prior Approval in Cost Principles	The inclusion, unless waived by DOC, of costs that require prior approval in accordance with the applicable OMB cost principles listed in <a href="#">2 CFR Part 200, Subpart E</a> .	No



Action Requested	Description	Revised NoA?
No Cost Extension – Prior Approval Required	Modification of period of performance end date that does not request to change or increase the award amount.	Yes
Other	Other types of RRs not listed above may be submitted and reviewed as needed.	Varies
Rebudget – Prior Approval Required	This type of RR must be submitted if the modification of budget categories results from a change in scope or objective of the award or a revision is desired which involves specific costs for which prior written approval is required by applicable OMB cost principles listed in <a href="#">2 CFR Part 200, Subpart E</a> . The recipient must submit an adjusted SF-424A or SF-424C, budget detail, and narrative.	Yes
Satisfy Specific Conditions	Completion of activities required to fulfill a recipient's SACs, such as completion of an environmental assessment or resolution of an overlap SAC.	No
Subaward, Transfer or Contract Out Work Under the Award if Not Described in the Approved Application	Transfer of work or award to a subrecipient not described in the approved application.	Yes
Transfer of Funds Budgeted for Participant Support Costs to Other Categories of Expense	Transfer of funds allotted for training allowances (direct payment to trainees) to other expense categories.	No <sup>3</sup>

### *c. Revision Request Submission Requirements and Notification*

All TBCP RRs begin with consultation with the TBCP Program Office. Before submitting a RR, the recipient should contact their FPO and GMS for assistance in determining the type of RR that is needed.

The recipient submits a RR in eRA Commons. Then, the NTIA FPO and NOAA Grants Office reviews the request and notifies the recipient in eRA Commons within 30 calendar days of the request if no additional revisions by the recipient are required. All RRs must be submitted prior to the award's period of performance end date. After the closeout period has expired, only the following RRs will only be available for submission: (1) Request to extend the closeout period; and (2) Submit Additional Closeout Documents.

**Figure 5: RR Submission Process**

To submit a RR, recipients should do the following:

1. Consult with the FPO to determine which type of RR should be submitted.
2. Log into eRA Commons (<https://www.era.nih.gov>).
3. Navigate to the **Status** module.

<sup>3</sup> This request does not typically result in an amendment to the award. However, NOAA reserves the right to determine if the request results in an amendment.

4. The Signing Official (SO) uses the **Status search** options to search for the award.
5. In Status search results, click the award's **three dot ... menu** and select **Revision Request**.
6. Access the Revision Request for an award. The *Revision Request List* screen appears. If there are Revision Requests in progress, they are listed here.
7. Click the **Initiate a New Revision Request** button to initiate a new request. Choose the correct request type from the **Revision Request Sub type** dropdown and click the **Go** button. Note that **Description** and **Justification Document** fields are required for all requests.
8. Fill out the required fields (which have a red asterisk) and any option fields. The **Justification Document** is required. You can upload up to 10 files per upload type. Request History contains a record of when you or other colleagues previously save the request.
9. Save or Submit the request:
  1. To save the information and come back to it later, click **Save**. If you save it, you can edit and submit it later.
  2. To submit it to the awarding agency for consideration, click **Submit**.
10. A *Confirmation* popup appears; click **Yes**. A green bar appears on the *Revision Request List* screen indicating successful submission.

The NOAA Grants Office will confer with the FPO and render a final decision on the RR request.

## 7. What are my Award Compliance Requirements?

By accepting the TBCP award funds, the recipient agrees to fulfill the reporting and other requirements mandated by Federal regulations and SACs referenced in and/or attached to the recipient's grant award. Therefore, the recipient should carefully read and understand the SACs and Federal regulations referenced in and/or attached to the NoA. Recipients must comply with Federal laws and regulations, DOC policies, Executive Orders, and Office of Management and Budget (OMB) requirements that are incorporated into the terms and conditions of the award.

Consistent with the statutory purposes of TBCP and according to DOC regulations and authorities, NTIA makes specific requirements with which the recipient must comply for any post-award modification.

### *a. Allowable vs. Unallowable Costs*

Basic financial management cost principles define any charges incurred by the Federal grant as either allowable or unallowable. Allowable costs are charges incurred by a program that can be covered with the TBCP grant. Unallowable costs are charges incurred by a program that cannot be covered or reimbursed by the TBCP grant.

**Allowable costs** are those costs consistent with the principles set out in [2 CFR Part 200](#), Subpart E, and those permitted by the grant program authorizing legislation. *The fact that a cost requested in a budget is awarded does not ensure a determination of allowability.* The organization is responsible for consistently presenting costs. To be allowable under Federal

## 7. What are my Award Compliance Requirements?

awards, costs must be reasonable, allocable, and necessary to the project, and they must also comply with the funding statute and agency requirements (see [2 CFR § 200.403](#)).

Section D.7.a-c of the [Notice of Funding Opportunity \(NOFO\)](#) outlines the eligible uses of funds for TBCP. General categories of eligible uses of funds are: broadband infrastructure deployment; affordable broadband programs; distance learning; telehealth; and digital inclusion efforts. This is not an exhaustive list of allowable costs, and it is always advisable to consult the FPO and GMS with any questions about uses of funds. The specific eligible costs for your award will depend on whether you have received a TBCP award for Broadband Infrastructure Deployment or Broadband Use and Adoption (or both).

**Unallowable costs** are those costs that do not meet the criteria of reasonableness, allowability, and allocability. Non-Federal entities must not use Federal awards or match funding for unallowable costs under the award. Per [2 CFR § 200.31](#) (disallowed costs), *“Disallowed costs means those charges to a Federal award that the Federal awarding agency or pass-through entity determines to be unallowable, in accordance with the applicable Federal statutes, regulations, or the terms and conditions of the Federal award.”*

It is important that each TBCP recipient applies the allowable cost test when deciding on spending grant funds. Per [2 CFR § 200.410](#), *“Payments made for costs determined to be unallowable by either the Federal awarding agency, cognizant agency for indirect costs, or pass-through entity, either as direct or indirect costs, must be refunded (including interest) to the Federal Government in accordance with instructions from the Federal agency that determined the costs are unallowable unless Federal statute or regulation directs otherwise.”* See also [2 CFR § 200.346](#), Collection of amounts due.

Recipient should only maintain funds on hand needed to cover thirty calendar days worth of expenses and draw down proportionately based on percentage of project completion. Per [2 CFR § 305](#), *“Advance payments to a non-Federal entity must be limited to the minimum amounts needed and be timed to be in accordance with the actual, immediate cash requirements of the non-Federal entity in carrying out the purpose of the approved program or project. The timing and amount of advance payments must be as close as is administratively feasible to the actual disbursements by the non-Federal entity for direct program or project costs and the proportionate share of any allowable indirect costs. The non-Federal entity must make timely payment to contractors in accordance with the contract provisions.”*

Section D.7.e-f of the [NOFO](#) describes the ineligible uses of TBCP funds. Recipients and subrecipients must familiarize themselves with this section of the NOFO to ensure that Federal funds are not inappropriately expended. Examples of ineligible uses include: covered communications; equipment or services as defined in Section 9 of the [Secure and Trusted Communications Networks Act of 2019 \(47 U.S.C. 1608\)](#); profits and fees, and funding infrastructure that was completed prior to the grant award period.

### b. Award Conditions

NOAA GMD and NTIA apply both standard and specific award conditions (SACs) on TBCP grants.

The Standard Award Conditions (otherwise known as bureau-specific Standard Award Conditions) are programmatic requirements that are applied to all TBCP grants. The Standard Award Conditions document is included with a recipient’s award and also summarized below:

- Reporting Requirements
  - Financial Reporting
  - Performance Reporting

## 7. What are my Award Compliance Requirements?

- Annual Reports
- Reporting Subawards and Executive Compensation
- Property Reports and Disposition
- Baseline Project Plan
- Administrative and National Policy Requirements
  - Incorporation of TBCP Notice of Funding Opportunity
  - Uniform Administrative Requirements, Cost Principles, and Audit Requirements
  - Department of Commerce Financial Assistance Standard Terms and Conditions
  - Pre-Award Notification Requirements
  - Property Trust Relationship and Public Notice Filings for Grant-Acquired Property
  - No Duplication of Federal Funding
  - Audit Requirements
  - Prevention of Waste, Fraud, and Abuse
  - Protection of Whistleblowers
  - Tribal Employment Rights Ordinances
  - Domestic Preference for Procurements (Buy American)
  - Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms
- Environmental Compliance Requirements (*Infrastructure Deployment Projects-only*)
  - Environmental Assessment
  - National Historic Preservation Act
- TBCP Programmatic SACs
  - Project Management Conference
  - 2% Cap on Administrative Expenses
  - Open Network Requirements (*Infrastructure Deployment Projects-only*)
  - Land, Easements, and Rights of Way (*Infrastructure Deployment Projects-only*)
  - Prohibition on Use for Covered Communications Equipment or Services
  - Human Subjects Research Protection Requirements
  - Subgrantees
  - Post Award Actions Requests

NOAA GMD and NTIA may impose additional specific award conditions on a TBCP grant in accordance with [2 CFR § 200.208](#) or take other appropriate actions when the FPO determines that the specific conditions or actions are necessary to:

- Require a change or action that will remedy current non-compliance or reduce the risk of future non-compliance; and/or
- Help to ensure a TBCP recipient's success in implementing its project in accordance with the terms and conditions of a TBCP award.

Examples of common specific award conditions include:

- Contractual Restriction
- Correct Action Plan Submissions
- Delinquent Audit
- Post-Award National Environmental Policy Act (NEPA) Review Process
- Restriction on Equipment Purchase
- Tangible Property Reporting and Disposition
- Duplication SAC

For assistance locating the standard and specific award conditions in eRA, contact your FPO.

## 7. What are my Award Compliance Requirements?

A recipient's failure to comply with the SACs may cause NOAA GMD and NTIA to take one or more actions depending on the severity and duration of the non-compliance in accordance with applicable statutes, regulations, and policies. Depending on the specific circumstances, NOAA GMD and NTIA may allow the recipient to correct the deficiencies prior to action; however, even if a recipient is taking corrective action, NOAA GMD and NTIA may take proactive actions to protect the government's interest in the award. They may also take actions designed to prevent future non-compliance, such as additional monitoring activities.

### b.1. Expenditure Plans

Infrastructure Deployment projects are required to submit an expenditure plan per the standard award conditions.

The expenditure plan review process for recipients with independent utility is similar to the review process for non-independent utility recipients.

The expenditure plan consists of an Initial Expenditure Plan (IEP) which outlines how a recipient intends to spend funds while their environmental review process is ongoing. The IEP is designed to remain in effect for six months but should be extended until the recipient's Environmental Assessment (EA) is complete.

Activities that are **allowable** in the IEP include:

- Pre-construction project planning, including collecting environmental-related information
- Applications for environmental permits
- Studies, including Environmental Assessments and any wetland delineations, biological assessments, archeological surveys, or other required analyses
- Administrative and legal expenses
- Pre-award application costs
- Required consultation activities
- Preliminary procurements, including:
  - Purchase or lease of equipment, or entering into binding contracts to do so, for the purpose of completing environmental, historical, or cultural preservation related activities, or purchase or lease of equipment or materials needed for project implementation associated with supply chain constraints or long lead times, including telecommunications fiber optic cable and similar products
- Purchase of applicable or conditional insurance
- Funds used to secure land or building leases, including right-of-way easements

Activities that are **not allowable** in the initial expenditure plan include:

- Site preparation work
- Demolition
- Construction
- Ground disturbing activities

TBCP recipients should carefully consider the potential legal and financial risks that could affect the use of grant funds for preliminary procurements prior to receiving environmental clearance. A recipient may only use grant funds to pay for allowable costs under the TBCP. Using TBCP funds for acquiring equipment or materials through preliminary procurements that may not ultimately be necessary or allocable to the project once the environmental approvals are issued creates the risk that these expenditures may be disallowed, and the TBCP recipient would then have an obligation to the federal government to return these funds.

Upon the completion of the environmental review, recipients submit a Revised Expenditure Plan (REP) which describes how recipients intend to spend the remainder of their grant funds.

The IEP and REP are submitted via eRA Commons as “Other” type Revision Requests. However, a recipient should receive approval from their FPO before submitting the RR.

The IEP and REP for recipients with Independent Utility (IU) are due within 30 days of the receipt of a Categorical Exclusion (CE) or the issuance of a Finding of No Significant Impact (FONSI).

The TBCP Program Office has created a sample expenditure plan template, although recipients are not required to use the template.

### c. Classification of Costs

**Direct Costs:** Direct costs are those costs that can be identified specifically with a particular final cost objective, such as a Federal award, other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy. Examples of direct costs include salaries and fringe for grant administrative personnel, program coordination and project execution, equipment required to administer the program, office supplies, and postage.

**Indirect Costs:** Indirect costs represent the expenses of doing business that are not readily identified with a particular grant, contract, project function or activity, but are necessary for the general operation of the organization and the conduct of activities it performs. Examples of indirect costs include depreciation of facilities, facility occupancy costs, general liability insurance, general legal services, taxes, rent and utilities, indirect salaries, and accounting fees.

It is essential that each item of cost incurred for the same purpose be treated consistently in like circumstances either as a direct or an indirect (F&A) cost in order to avoid possible double-charging of Federal awards.

### d. Records Retention Requirements

After the award program and performance period have ended, supporting documentation, financial records, and other documents may be subject to future review. TBCP recipients must provide NOAA/NTIA Inspectors General (IG), access to all records that are pertinent to the Federal award to make audits, examinations, and transcripts. NOAA/NTIA will provide advance notice in a timely and reasonable manner to allow the recipient time to engage in interviews and discussions related to the award documentation ([2 CFR § 200.337](#)). Per [2 CFR § 200.334](#), “records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report,” and may be required to be retained for a longer period in accord with the exceptions listed in [2 CFR § 200.334\(a\)-\(f\)](#).

**Figure 6: Records Retention Documents**

TBCP recipients are advised to retain these documents after closeout, to include but may not be limited to:

- Award package;
- Financial Records;
- Evidence of program accomplishments;
- Progress Reports;
- Audit follow-up records;
- Monitoring records;

- Written determinations and preapprovals between NOAA/NTIA and TBCP recipient;
- Records supporting all costs charge to the award;
- Procurement records;
- Subawards issued by the recipient and all documentation supporting the management and oversight of the subawards;
- Final closeout letter;
- Record of reconciliation; and
- Property disposition forms.

### e. Single Audit Requirements

A Single Audit is when a qualified auditor reviews a recipient's financial management processes, including its financial management system and compliance with all of its Federal grant requirements. A Single Audit combines one audit covering all of a recipient's Federal grants. The purpose is to ensure that recipients receiving Federal grant funds use the funds in compliance with the government's requirements. It was created to promote sound financial management, uniform guidelines for audits, and efficiently deploy audit resources. This cost-effective option replaces the need for the Federal government to audit the same recipient multiple times for different Federal awards.

The audit requirements for TBCP awards are contained in Section D. of the [Department of Commerce Financial Assistance Standard Terms and Conditions](#) (12 November 2020), which are incorporated by reference into every TBCP grant award. Specifically, recipients that are subject to the provisions of Subpart F of [2 CFR Part 200](#) and that expend \$750,000 or more in a year in Federal awards during their fiscal year must have an audit conducted for that year in accordance with the requirements contained in Subpart F of [2 CFR Part 200](#). A copy of the audit report must be submitted to the Federal Audit Clearinghouse (FAC) through the FAC's Internet Data Entry System (IDES) (<https://harvester.census.gov/facides/>) within 30 calendar days after receipt from the auditor, or nine months after the end of the recipients audit fiscal year end date, whichever comes first. In accordance with [2 CFR § 200.425](#) (Audit services), the recipient may include a line item in the budget for the allowable costs associated with the audit, which is subject to the approval of the Grants Officer.

Unless otherwise specified in the terms and conditions of the award, entities that are not subject to Subpart F of [2 CFR § 200](#) (e.g., for-profit entities, foreign public entities and foreign organizations) and that expend \$750,000 or more in DOC funds during their fiscal year (including both as a recipient and a subrecipient) must submit to the Grants Officer either: (i) a financial related audit of each DOC award or subaward in accordance with Generally Accepted Government Auditing Standards (GAGAS); or (ii) a project specific audit for each award or subaward in accordance with the requirements contained in [2 CFR § 200.507](#). Within the earlier of 30 calendar days after receipt of the auditor's report(s), or nine months after the end of the audit period, unless a different period is specified in a program-specific audit guide, a copy of the audit must be submitted to the Grants Officer. In accordance with [2 CFR § 200.425](#), the recipient may include a line item in the budget for the allowable costs associated with the audit, which is subject to the approval of the Grants Officer. Entities that are not subject to Subpart F of [2 CFR Part 200](#) and that expend less than \$750,000 in DOC funds in a given fiscal year are not required to submit an audit(s) for that year, but must make their award-related records available to DOC or other designated officials for review and audit.

Generally, the objectives of a Single Audit are to determine if the recipient receiving Federal funds has engaged in the following activities:

- Established an accounting system with adequate internal controls that provide full accountability for revenues, expenditures, assets, and liabilities.
- Prepared financial statements which are presented fairly and in accordance with generally accepted accounting principles (GAAP).
- Submitted financial reports (including Federal Finance Reports), cash reports, and claims for advances and reimbursements contain accurate and reliable financial data and are presented according to the terms of applicable agreements.
- Expended Federal funds in accordance with the terms of award agreements and those provisions of Federal law or regulations that could have a material effect on the financial statements or the awards tested.

When a recipient has an audit finding, it must develop a Corrective Action Plan to respond to each finding. The Corrective Action Plan has to provide the name(s) of the contact person(s) responsible for the plan, the actions taken, and the anticipated completion date. If the recipient disagrees with the findings, the recipient provides an explanation and specific reasons for disagreement in its Corrective Action Plan.

### *f. Internal Controls*

Internal controls are the processes and systems through which recipients ensure that they operate effectively, accurately handle their finances and accounting, report reliable data, and comply with their policies and procedures, and applicable laws and regulations. Internal controls detect fraud, waste, abuse, and mismanagement of Federal funds. Grant recipients must establish and maintain effective internal controls over the Federal award, thereby providing reasonable assurance that its awards are managed in compliance with Federal statutes and the terms and conditions of the award ([see 2 CFR § 200.303\(a\)](#))

A system of internal control includes written policies and procedures designating specific roles for various individuals. When possible, someone other than the person posting transactions should reconcile bank accounts. Someone who does not reconcile should always review the reports. Another critical element of an effective internal control system is the separation of duties. To ensure effective internal controls, no individual should perform two consecutive tasks in an accounting procedure. Recipients can plan for a separation of duties by developing a chart providing each step of the accounting procedure for a specific area, such as cash receipts or payroll. Each accounting procedure should be developed to ensure that no individual is assigned two consecutive tasks.

Recipients' internal controls plans should consist of five key elements: **control environment, risk assessment, control activities, information and communication, and monitoring activities**. To ensure effective internal controls are in place, recipients should develop policies and procedures.

### *g. Program Income*

Recipients and subrecipients of TBCP grants may generate and receive program income as a result of these Federally-funded projects. Program income means “gross income earned by the non-Federal entity that is directly generated by a supported activity or earned as a result of the Federal award during the period of performance.” To ensure allowability, a TBCP recipient must track and spend program income in an allowable manner. Generally, non-Federal entities are encouraged to earn income to defray program costs where appropriate ([2 CFR § 200.307](#)). Program income includes but is not limited to:



## 7. What are my Award Compliance Requirements?

- Income from fees for services performed;
- The use or rental of real or personal property acquired under Federal awards;
- The sale of commodities or items fabricated under a Federal TBCP Recipient award, license fees, and royalties on patents and copyrights; and
- Principal interest on loans made with Federal award funds.

Program income does not include rebates, credits, discounts, and interest earned on them. Nor does it include interest earned on advances of Federal funds or the sale of real property, equipment, or supplies. Program income must be treated the same as Federal funds and spent on project-related activities approved in the Federal grant award. Program income cannot be used to purchase anything considered unallowable. For example, if food is an unallowable expense, program income cannot be used to purchase food.

Recipients are expected to manage program income in a consistent, documented manner that is consistent with their accounting methodology and all applicable regulations. Program income requirements flow down from recipients to subrecipients. All of the responsibilities relating to program income also apply to all subrecipients of an award. Recipients also must monitor their subrecipients' receipt and expenditures of program income. Program income requirements do not, however, flow down to vendors or apply to third parties who happen to earn income as a result of the TBCP project.

Recipients must calculate program income according to a methodology listed in [2 CFR § 200.307\(e\)](#):

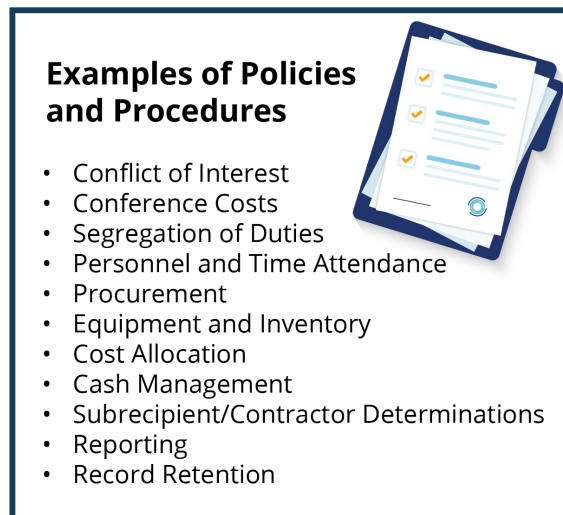
- **Addition:** Program income may be added to the Federal award by the Federal agency and the non-Federal entity. The program income must be used for the purposes and under the conditions of the Federal award. See [2 CFR § 200.307\(e\)\(2\)](#).
- **Cost sharing or matching:** Program income may be used to meet the cost sharing or matching requirement of the Federal award. The amount of the Federal award remains the same. See [2 CFR § 200.307\(e\)\(3\)](#).
- **Deduction:** Ordinarily, program income must be deducted from total allowable costs to determine the net allowable costs. Program income must be used for current costs unless the Federal awarding agency authorizes otherwise. Program income that the non-Federal entity did not anticipate at the time of the Federal award must be used to reduce the Federal award and non-Federal entity contributions rather than to increase the funds committed to the project. See [2 CFR § 200.307\(e\)\(1\)](#).

Recipients must report program income semi-annually on Form SF-425, Federal Financial Report. How program income is reported on the SF-425 depends upon whether the recipient uses the Additive, Cost-Sharing, or Deductive Method for utilizing program income.

### *h. Procurement*

Procurement is the process of obtaining goods and services for a TBCP recipient's organization. As part of procurement, recipients select vendors and establish the payment terms. When used correctly, procuring goods or services can help the organization implement a successful project or program.

Figure 7: Procurement Policies



General procurement requirements for recipients and subrecipients are located in [2 CFR § 200.317-327](#). The regulations require that procurement activities be performed in an equitable and competitive manner to promote equal treatment, efficiency, and economy in Federal grant activities. To ensure objective contractor performance and eliminate an unfair competitive advantage, contractors should be excluded from competing for such procurements, if they develop or draft grant applications or contract specifications, requirements, statements of work, invitations for bids, and/or requests for proposals. In addition, recipients should have an internal control or documented process to check for organizational conflict of interest with potential contractors. The Uniform Guidance sets strict requirements around procurement and guarding against conflicts of interest that can occur when purchasing goods and services under Federally funded grants and contracts.

Noncompetitive (sole source) procurement is allowed only under specific circumstances, as prescribed in [2 CFR 200.320\(c\)](#). Any noncompetitive procurement must be approved via a revision request. The circumstances that allow for noncompetitive procurement are:

- The acquisition of property or services does not exceed the micro-purchase threshold;
- The item is only available from a single source;
- The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation;
- The Federal awarding agency authorizes a noncompetitive procurement; or
- After solicitation of a number of sources, competition is deemed inadequate.

**Figure 8: Procurement Tips**

**Tips for Successful Procurement**

- Make reasonable requirements for the competitive purchases. For example, do not require excessive experience or bonding.
- Pay attention to and avoid possible entity conflicts of interest, such as buying goods from a family member.
- Compare price, quality, and/or performance of “brand” name items with equivalent items.
- Learn about (and practice) checking the debarment list.
- Compare lease to purchase costs for equipment; sometimes leasing is more economical.

### *i. Property and Equipment*

Tangible personal property means property of any kind that has physical existence and includes equipment and supplies. It does not include copyrights, patents, or securities. Property may be provided by NTIA or acquired by the recipient with award funds. Federally-owned property consists of items that were furnished by the Federal government. Equipment includes tangible personal property (including information technology systems) having a useful life of more than one year and per-unit acquisition costs that equal to or exceed \$5,000. A computing device is a supply if the acquisition cost is less than \$5,000, regardless of the length of its useful life.

Equipment must be used for the authorized purposes of the project during the period of performance or until the property is no longer needed for the purposes of the project. Recipients may use the equipment for the program or project for as long as needed, whether the project or program continues to be supported by the Federal award.

**Figure 9: Equipment Data Elements**

**Equipment Data Elements**

- Description of equipment
- Manufacturer’s serial number, model number, or other identification number
- Source of equipment, including grant/award number
- Acquisition date (or date received) and cost
- Information noting the equipment was acquired using Federal funding

The Grants Officer may require a non-Federal entity (*i.e.*, a Recipient or Subrecipient) to execute and to record (as applicable) a statement of interest, financing statement (Form UCC-1), lien, mortgage or other public notice of record to indicate that real or personal property acquired or improved in whole or in part pursuant to a TBCP award is subject to the Federal Interest, and that certain use and disposition requirements apply to the property. The statement

## 8. What are the Requirements if I have Subrecipients?

of interest, financing statement (Form UCC 1), lien, mortgage or other public notice must be acceptable in form and substance to NTIA and to the NOAA Grants Office, and must be placed on record in accordance with applicable State and local law, with continuances re-filed as appropriate. In such cases, the Grants Officer may further require the non-Federal entity to provide NTIA and the NOAA Grants Office with a written statement from a licensed attorney in the jurisdiction where the property is located, certifying that the Federal Interest has been protected, as required under the award and in accordance with applicable State and local law. The attorney's statement, along with a copy of the instrument reflecting the recordation of the Federal Interest, must be promptly returned to the Grants Officer. The non-Federal entity may use model documentation made available by NTIA.

The Uniform Guidance establishes specific rules for disposing of equipment, depending on what the equipment will be used for and its value ([see 2 CFR § 200.313\(e\)](#)). The recipient must request disposition instructions from the Federal awarding agency. If the equipment has a current per-unit fair market value of \$5,000 or less, the recipient may keep the equipment, sell it, or otherwise dispose of it with no further responsibility to the Federal government (see [2 CFR § 200.313\(e\)\(1\)](#)). However, if the equipment has a current, per-unit fair market value in excess of \$5,000 and NOAA GMD, in coordination with NTIA, fails to provide disposition instructions within 120 days after receiving a disposition request from a recipient, the recipient may keep or sell the equipment but must repay the Federal Government its Federal share based on a percentage of Federal participation in the initial acquisition ([2 CFR § 200.313\(e\)\(2\)](#)).

In addition, recipients must capture the acquisition costs of equipment in their accounting system and report it in their financial statements and financial report to NTIA. The SF-428 form is a standard form to collect information related to tangible personal property.

Recipients of Federal assistance awards may be required to provide Federal awarding agencies with information concerning property in their custody annually, at award closeout, or when the property is no longer needed. Specific requirements will vary based on award provisions, the type of property (equipment or supplies), and whether the property is Federally owned.

### *j. Human Subjects Research (HSR)*

Recipients of TBCP grants must comply with the DOC regulations relating to Human Subjects Research (HSR) protection requirements for any research conducted or supported with grant funds. The HSR standard award condition must be satisfied by the end of the period of performance. Guidelines for protecting the information of human subjects, which may be collected as a result of project implementation, can be found in [15 CFR Part 27](#). In addition, NTIA has provided detailed compliance guidance for recipients in Appendix A of this handbook.

While it is unlikely any TBCP recipients will be conducting HSR, all TBCP recipients must submit a completed HSR memo within eRA Commons as an "Other" type Revision Request. **You must have an approved HSR Memo on file by your period of performance end date** in order to satisfy the SAC and be able to close out your grant.

## 8. What are the Requirements if I have Subrecipients?

A subrecipient is a "non-Federal" entity such as a nonprofit organization, government agency, or group that receives a subaward from a recipient to carry out part of a Federal program. The pass-through entity is the organization that received a grant.

Recipients are required to have policies and procedures for monitoring all subrecipients ([2 CFR § 200.332](#)). Subrecipient performance is measured against the objectives of the program,

## 8. What are the Requirements if I have Subrecipients?

responsibility for programmatic decision making, adherence to applicable program compliance requirements, and uses of Federal funds to carry out their portion of the programmatic effort of the project. In addition, recipients must report subawards of greater than \$30,000 to [www.fsr.gov](http://www.fsr.gov), per the [DOC Standard Terms and Conditions](#) (see page 42).

Including a subrecipient monitoring policy as part of a recipient's financial management policies and procedures is necessary to ensure all Federal dollars are utilized for authorized purposes in compliance with applicable laws, regulations, and provisions to complete the objectives of the funded project. The procedures to implement the policy include making legal agreements with subrecipients and using a formal subrecipient monitoring plan.

To ensure that there is compliance between the pass-through entity and subrecipient, an agreement must be in place. It is important that each party signs the agreement. An effective agreement is required to include all elements identified in accordance with [2 CFR § 200.332](#), some of which include:

- Subrecipient name (which must match the name associated with its unique entity identifier);
- Subrecipient's unique entity identifier;
- Federal Award Identification Number (FAIN);
- Federal Award Date (see the definition of Federal award date in § 200.1 of this part) of award to the recipient by the Federal agency;
- Subaward Period of Performance Start and End Date;
- Subaward Budget Period Start and End Date;
- Amount of Federal Funds Obligated by this action by the pass-through entity to the subrecipient;
- Total Amount of Federal Funds Obligated to the subrecipient by the pass-through entity including the current financial obligation;
- Total Amount of the Federal Award committed to the subrecipient by the pass-through entity;
- Federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA);
- Name of Federal awarding agency, pass-through entity, and contact information for awarding official of the Pass-through entity;
- Assistance Listings Number and Title; the pass-through entity must identify the dollar amount made available under each Federal award and the Assistance Listings Number at time of disbursement;
- Identification of whether the award is R&D
- Indirect cost rate for the Federal award (including if the de minimis rate is charged) per [2 CFR § 200.414](#).
- All requirements imposed by the pass-through entity on the subrecipient so that the Federal award is used in accordance with Federal statutes, regulations and the terms and conditions of the Federal award; and
- Any additional requirements that the pass-through entity imposes on the subrecipient in order for the pass-through entity to meet its own responsibility to the Federal awarding agency, including identification of any required financial and performance reports.

As a best practice, monitoring plans include a tool for assessing the risk of the subrecipient's compliance with the agreement and a detailed list of monitoring activities. Risk assessment begins with determining the subrecipient's risk of not meeting the grant award terms and conditions, including all Federal rules and regulations associated with grant management.

Table 8: Risk Assessment Table

	Low Risk	Medium Risk	High Risk
Recommended Assessment of Risk Levels	<ul style="list-style-type: none"> <li>• Less than \$100,000 in pass through dollars</li> <li>• Experienced subrecipient with no prior performance issues</li> </ul>	<ul style="list-style-type: none"> <li>• New to the program</li> <li>• Turnover in key staff positions</li> <li>• Previous compliance or performance</li> <li>• New or substantially changed system</li> <li>• More than \$100,000, but less than \$749,999 in pass through dollars</li> </ul>	<ul style="list-style-type: none"> <li>• \$750,000 or more in pass through dollars requires a review of the subrecipient's single audit</li> </ul>
Minimum Recommended Monitoring Schedule	Two times/year	Quarterly	Monthly

## 9. How will NTIA Monitor Grants and Provide Technical Assistance?

### a. What are my Reporting Requirements?

Under [2 CFR § 200.329\(a\)](#), the grant recipient is responsible for oversight of the operations of the Federal award supported activities. As a recipient receiving Federal funds, it is the recipient's responsibility to ensure that all reports are submitted timely, documents are maintained properly, and if questions arise pertaining to the grant, FPOs are immediately contacted for further guidance. [2 CFR § 200.329\(a\)](#) states: *"The non-Federal entity must monitor its activities under Federal awards to assure compliance with applicable Federal requirements and performance expectations are being achieved. Monitoring by the non-Federal entity must cover each program, function, or activity."*

TBCP recipients are required to follow the reporting guidelines in the SACs associated with the award. TBCP recipients will submit a Baseline Report, Semi-Annual Reports (Performance [Technical] and Financial), Annual Report(s), and Final Reports (Performance [Technical] and Financial).

All reports will be submitted to NTIA via eRA Commons. Submission varies based on the report type; see [Table 1](#).

NTIA is required to review the submission of Performance (Technical) and Financial Reports. NTIA ensures that the reports are submitted on time and that they demonstrate how the recipient has carried out the grant. The Performance (Technical) Reports should document that recipients fulfill all program requirements. NTIA compares the Performance (Technical) Report to the Financial Report to assess whether reported spending areas align with the activities performed. NTIA will review costs incurred with drawdowns to ensure both sets of documentation match. In addition, the Financial Reports are reviewed for alignment with the proposed budget and, to the extent possible, for compliance with Federal cost principles.

## b. Desk Reviews and Site Visits

Desk Reviews and Site Visits are monitoring activities which may occur over the course of your award. You will be notified by your FPO if your organization has been selected for a site visit or desk review.

Desk Reviews are typically conducted virtually, while Site Visits occur at a recipient's office or program location. All staff who work on the TBCP grant should be available to participate in the site visit or desk review; your FPO will provide an agenda ahead of time and coordinate with you to ensure all staff can participate.

Desk Reviews and Site Visits can also be executed by the Grants Office with proper notification to the recipients. This is noted in the recipient's assurances as part of the Terms and Conditions of the award.

During desk reviews and site visits, NTIA examines the recipient's compliance with all aspects of the Uniform Guidance, program guidelines, and any additional administrative requirements placed on the award. NTIA will review the recipient's administrative policies and procedures, including:

- **Internal controls:** Key controls, documented business processes, and policies and procedures governing business cycles involved in award execution.
- **Accounting systems:** Sampling may be conducted, which would involve sampling transactions included in the financial reports. NTIA may request expenditure source documentation such as canceled checks, paid bills, and payroll.
- **Allowability:** Written procedures for determining the allowability of costs will be examined. In addition, sample transactions in recent financial reports will be examined to look for documentation supporting each transaction's compliance with internal policies and procedures and the requirements at [2 CFR § 200.403](#) that costs are necessary, reasonable, and allocable to Federal awards.
- **Procurement system:** NTIA will most likely review a sample of procurements to ensure that the procurement requirements of [2 CFR § 200.317–200.327](#) have been met.
- **Inventory process:** NTIA may review the recipient's property management and inventory controls.
- **Audit resolution process:** NTIA will confirm and review any required audits and review a copy of the most recent audit report. If there are audit findings, NTIA may request a copy of any corrective action plans submitted, any records detailing the implementation of the corrective action plan, and any records demonstrating resolution of the underlying concern.
- **Records retention:** NTIA will confirm if the recipient has or follows any policies and procedures governing the retention of records, and that those policies and procedures meet the minimum Federal requirements ([2 CFR § 200.334](#)).

If an organization is selected for a desk review or site visit, it is critical to have the necessary documentation organized and readily available, as NTIA may request it for review.

Documentation which may be requested during a Site Visit or Desk Review includes, but is not limited to:

- Copies of written policies and procedures
- Current negotiated indirect cost rate agreement
- Employee handbook
- Evidence of budget or scope changes
- Description of account system and chart of accounts

## 9. How will NTIA Monitor Grants and Provide Technical Assistance?

- Financial reports from the recipient's accounting system and supporting payment requests and reported expenditures
- Most recent single audit report (if applicable)
- Organizational charts
- Records of necessary prior approvals
- Records of payments and reported expenditures
- Records supporting actions required in specific conditions
- Results and status of audits or monitoring reviews that have been conducted on the recipient's award
- Standard and Specific Award Conditions

ID recipients may be asked to conduct service or infrastructure validation in order to ensure recipients have constructed networks in compliance with NOFO requirements. If selected for service or infrastructure validation, your FPO will be in contact with you to explain the process.

### *c. Additional Technical Assistance*

NTIA offers technical assistance on a broad set of topics, including infrastructure development, grants financial management, and governance and policy. This support includes but is not limited to the following: technical assistance on engineering, construction and broadband topics, regulatory compliance requirements related to EHP, financial reporting, and digital literacy and inclusion activities. Technical Assistance will be delivered through various methods (Tiers 1-3) including workshops and webinars, self-service materials such as templates and FAQs, as well as one-one-one assistance tailored to specific situations.

**Environmental and National Historical Preservation Requirements.** Recipients are required to comply with the environmental and historic preservation requirements listed in the SACs, including the [National Environmental Policy Act \(NEPA\) \(42 U.S.C. 4321 et seq.\)](#) and the [National Historic Preservation Act \(NHPA\) \(54 U.S.C. 300101 et seq.\)](#). NTIA will provide guidance regarding how to meet these requirements. It is the recipient's responsibility to obtain all necessary Federal, State, Tribal, and local governmental permits and approvals necessary for the work to be conducted, whether the recipient receives a Categorical Exclusion (the project does not significantly affect the quality of the human environment), needs to prepare an Environmental Assessment (EA) (effects are unknown), or must prepare an Environmental Impact Statement (EIS) (project is expected to significantly affect the quality of the human environment).

NTIA expects recipients to design their projects to minimize the potential for adverse impacts on the environment. Impacts required to be assessed include those to environmental (e.g., wetland, endangered species, and others), historic, or cultural resources. Recipients should work with FPOs and NTIA EHP staff to identify feasible measures to reduce or avoid any identified adverse environmental or cultural impacts of projects.

**Project Management Conference.** After the award start date, NTIA will contact the recipient to arrange a project management conference. The purpose of the project management conference is to explain to the recipient its post-approval responsibilities for the administration of the award, including its responsibilities with respect to the terms and conditions of the award and applicable Federal requirements. The recipient's authorized representative, architect/engineer (as applicable), and the recipient's financial representative should attend. Following the Project Management Conference, the recipient is responsible for submitting an "Other" type RR to satisfy the SAC.



## 9. How will NTIA Monitor Grants and Provide Technical Assistance?

**Open Network Requirements.** The recipient must comply with NTIA's open network requirements, which allows all other broadband service providers to interconnect with networks and other broadband infrastructure deployed using funds from this grant program on fair and non-discriminatory terms and conditions. The requirement to interconnect will apply to recipients that deploy middle mile networks or submarine cable landing stations and not last mile networks.

**Interconnection.** Recipients shall allow interconnection to grant-funded facilities at any technically feasible point along the network (without exceeding current or reasonably anticipated capacity limitations). This duty includes, at a minimum, the physical interconnection of the recipient's facilities to a requesting party's facilities for the exchange of traffic. In addition, recipients shall connect to the public Internet directly or indirectly and provide requesting parties with an ability to connect to the Internet. Rates and terms for interconnection shall be reasonable and nondiscriminatory.

**Negotiate in Good Faith.** Recipients shall negotiate in good faith with all requesting parties (*i.e.*, public, private, non-profit, or other parties) making a bona fide request for interconnection or wholesale services.

**Wholesale Broadband Service.** NTIA encourages recipients to offer wholesale broadband service at rates and terms that are reasonable and nondiscriminatory.

**Land, Easements, and Rights of Way.** The recipient must disclose all encumbrances to NTIA. NTIA will not accept any encumbrance that interferes with the construction, intended use, operation, or maintenance of the project.

**Prohibition on Use for Covered Communications Equipment or Services.** Pursuant to [section 905\(e\)\(4\) of Consolidated Appropriations Act, 2021](#), a recipient may not use grant funds received under the TBCP to purchase or support any covered communications equipment or service (as defined in [section 9 of the Secure and Trusted Communications Networks Act of 2019 \(47 U.S.C. § 1608\)](#)).

### *d. Fraud, Waste, Abuse, and Mismanagement, and Whistleblower Protections*

As a recipient of Federal funds, TBCP recipients are required to use the funds only for the intended purpose and within the established guidelines. Recipients are responsible for providing adequate safeguards to prevent fraud, waste, abuse, and mismanagement of Federal funds. Proper management of award funds prevents misuse of funds.

The definitions of fraud, waste, abuse, and mismanagement are as follows:

- **Fraud** is an attempt to obtain something valuable through intentional misrepresentation. An example of fraud would be an individual stealing money by directing contracts to bogus companies.
- **Waste** is the misuse of funds or resources through excessive or nonessential expenditures. An example of waste is a program manager purchasing overpriced equipment that could have been purchased for a lesser price at a different company.
- **Abuse** occurs when there is an intentional and unacceptable use of grant funds or misuse of one's position.
- **Mismanagement** is failure to appropriately manage budgets, expenditures, or documentation for grant funds.

Misuse of grant funds can occur in many different ways. However, the common types of misuse of grant funds are:

## 9. How will NTIA Monitor Grants and Provide Technical Assistance?

- **Conflict of interest:** When an individual has a personal or business interest that conflicts with their professional obligations or responsibilities to the organization.
- **Failure to properly support the use of award funds:** When an individual deliberately re-budgets funds in a manner different from the purpose outlined in the award agreement.
- **Theft:** The embezzlement of the funds that are awarded to the organization.

Committing fraud can have drastic consequences. If a grant recipient or subrecipient is found guilty of grant fraud, waste, abuse, and mismanagement, the consequences could be any or all of the following:

- The recipient or subrecipient is banned from receiving future Federal funding.
- The recipient or subrecipient is responsible for the administrative recoveries of the funds.
- The recipient or subrecipient has a civil lawsuit or criminal prosecution brought against them.

Recipients or subrecipients of award funds should develop and implement preventative measures and processes to decrease the risk of fraud, waste, abuse, and mismanagement. The following examples show ways to reduce fraud, waste, abuse, and mismanagement.

- Examine existing operations and internal controls to identify if they are vulnerable to fraud. Examples of vulnerabilities include:
  - Lack of separation of duties;
  - Unclear authorization for transactions;
  - Outdated or ineffective accounting systems;
  - Improperly collected and stored documentation; and
  - Incomplete, unclear, or not implemented conflict of interest policies.
- Implement fraud prevention measures and have regular trainings to educate staff and volunteers on risks.
- Review and test internal control systems regularly for vulnerabilities and areas of improvement.
- Verify that all financial and progress reports are sufficiently supported with the required documentation.
- Develop and implement procurement processes that are reasonable, fair, and transparent.
- Conduct monthly bank reconciliations to identify errors or irregularities in bank statements and detect fraud.

**Whistleblower Protections:** All TBCP awards are subject to the whistleblower protections afforded by [41 U.S.C. § 4712](#) (Enhancement of contractor protection from reprisal for disclosure of certain information), which generally provide that an employee or contractor (including subcontractors and personal services contractors) of a non-Federal entity may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body information that the employee reasonably believes is evidence of gross mismanagement of a Federal award, subaward, or a contract under a Federal award or subaward, a gross waste of Federal funds, an abuse of authority relating to a Federal award or subaward or contract under a Federal award or subaward, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal award, subaward, or contract under a Federal award or subaward. These persons or bodies include:

- a. A Member of Congress or a representative of a committee of Congress.
- b. An Inspector General.
- c. The Government Accountability Office.

- d. A Federal employee responsible for contract or grant oversight or management at the relevant agency.
- e. An authorized official of the Department of Justice or other law enforcement agency.
- f. A court or grand jury.
- g. A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct.

Non-Federal entities and contractors under Federal awards and subawards must inform their employees in writing of the rights and remedies provided under [41 U.S.C. § 4712](#), in the predominant native language of the workforce. See Section F.05 of the [Department of Commerce Financial Assistance Standard Terms and Conditions](#) (12 November 2020).

## 10. How Do I Close Out My Grant?

Closeout is the process by which the NTIA and NOAA determine that the recipient has completed all applicable administrative actions and all required work associated with its award. The FPO works with the recipient to verify that all mandatory final documentation required by Federal regulations is submitted.

### a. Closeout Timeline

In accordance with the [FY21 NOFO](#), the TBCP closeout period is 120 calendar days. Per the TBCP Standard Award Conditions, subrecipients must submit all closeout reports to the pass-through entity no later than 90 calendar days after the period of performance end date. NOAA may extend the closeout period if requested and justified by the recipient (see [2 CFR § 200.344](#)).

**Table 9: Closeout Timeline**

Timeline	Task
<b>90 calendar days before period of performance end date</b>	TBCP recipient meets with their FPO to assess outstanding standard and specific award conditions and financial and programmatic responsibilities. Recipients request an extension to the period of performance if needed.
<b>30 calendar days before period of performance end date</b>	NOAA sends a letter to the recipient outlining the specific documents required for the closeout process and any associated deadlines and submission instructions.
<b>Period of Performance Ends</b> <b>120 Calendar Day Closeout Period Begins</b>	
<b>90 calendar days after period of performance end date</b>	Subrecipients must submit all required reports to the pass-through entity.
<b>120 calendar days after the period of performance end date</b>	Recipients must submit all closeout documents to the eRA Commons Closeout Module. Per <a href="#">2 CFR § 200.344</a> , NOAA may extend the closeout period if requested and justified by the recipient.

Timeline	Task
<b>All final documentation is submitted</b>	NOAA de-obligates any remaining funds and closes out the award. When the award has been closed, no further transactions will be permitted, and no reports may be submitted or replaced.
<b>Closeout is complete</b>	eRA Commons sends notification of closeout 30 calendar days prior to the PoP end date.

### *b. Closeout Requirements*

TBCP recipients must follow the requirements under [2 CFR § 200.344](#) to ensure a proper closeout process. These requirements include:

- Submitting all financial and performance reports (see [Table 10: Closeout Documentation](#))
- Liquidating all financial obligations;
- Refunding any unobligated cash balances; and
- Accounting for real and personal property.

The recipient and its subrecipients and/or contractors cannot charge for work conducted or incur programmatic costs for Federal reimbursement after the period of performance end date. Reasonable, necessary, allowable, and allocable administrative award closeout costs are authorized during the closeout period. In accordance with [DOC Financial Assistance Standard Terms and Conditions](#), closeout activities are limited to the preparation of final performance, financial, and required project audit reports, unless otherwise approved in writing by the Grants Officer.

NOAA will de-obligate any remaining funds and close out the award after the final reports are submitted. When the award has been closed, no further transactions will be permitted, and no reports may be submitted or replaced.

Once the closeout process is complete, eRA Commons will send the TBCP recipient a notification informing them that all items have been satisfied and the award is officially closed. Remember that even after award closeout, recipients are still advised to retain documentation. See section [7. d. Records Retention Requirements](#) for a list of documents TBCP recipients are advised to retain. The retention period starts the day the recipient submits their Final Financial Report. Supporting documentation, financial records, and other documents may be subject to future review.

**Table 10: Closeout Documentation**

Document Type	Description	Applicable To:
<b>Final Performance (Technical) Report</b>	The Final Performance (Technical) Report should be cumulative of all activities conducted by the recipient.  Please note, since the Performance (Technical) Reports are cumulative, the final report should mirror the information in the recipient's last submitted Semi-Annual Performance (Technical) Report.	All TBCP recipients
<b>Form SF-425 (Final Federal Financial Report)</b>	The Final SF-425 should include all financial transactions that occurred during the life of the award. The Grant	All TBCP recipients

Document Type	Description	Applicable To:
	<p>Closeout Module will appear for the recipient in eRA Commons after the period of performance has ended.</p> <p>The Final SF-425 details all financial transactions from award inception through completion, including costs that may be incurred during closeout (<i>i.e.</i>, wrap-up activities such as paying salaries). The Final SF-425 may not include any unliquidated obligations or cash on hand.</p>	
<b>Annual Report</b>	<p>Annual Reports are due one year after the period of performance start date, and annually thereafter. Due to No Cost Extensions (NCEs), a recipient's period of performance end date might not end on a year increment. In this case, the recipient must submit an Annual Report covering the months since their last Annual Report was due.</p> <p>For example, a recipient received a NCE and has a period of performance of 1/1/2022 – 6/30/2024 (one year, six months).</p> <ul style="list-style-type: none"> <li>• Their first Annual Report is due 1/1/2023 (one year).</li> <li>• At closeout, they would submit a report covering 1/1/2023 – 6/30/2024 (six months).</li> </ul>	All TBCP recipients
<b>Form SF-428 (Tangible Personal Property Report)</b>	<p>The SF-428 forms are for equipment acquisition and/or an aggregate sum of supplies of \$5,000 or greater, purchased with federal funds that remain in the organization's possession.</p> <p>If you do not have equipment or supplies acquired or remaining that is \$5,000 or greater, complete the cover page indicating "no tangible personal property (equipment or supplies) valued at \$5,000 or greater" on line #8 in the Comment section and mark "No" in line #7.</p> <p>If you do have equipment (or supplies) valued at \$5,000 or greater, complete the remainder of the form. You must also complete the SF-428-B and SF-428-S.</p>	All TBCP recipients
<b>Form SF-428-B (Tangible Personal Property Report Final Report)</b>	<p>The SF-428-B must be completed by recipients with a residual inventory of equipment or unused supplies exceeding \$5,000 in total aggregate value.</p> <p>Please note if the institution wants to transfer tangible property to a different award, they must ask for permission. This can be found under section 2a of this form.</p>	TBCP recipients with equipment/supplies of \$5,000 or greater to report
<b>Form SF-428-S (Tangible Personal Property Report Supplemental Sheet)</b>	<p>The SF-428-S must be completed by recipients with a residual inventory of equipment or unused supplies exceeding \$5,000 in total aggregate value.</p> <p>Please note, under section 2b. option (i) "Request unconditional transfer of title with no further obligation to</p>	TBCP recipients with equipment/supplies of \$5,000 or greater to report

Document Type	Description	Applicable To:
	the Federal Government" is NOT an allowable option. This is an error on the form.	
<b>Form SF-429 (Real Property Status Report)</b>	<p>This is a standard report to be used by recipients of Federal financial assistance to report real property status (Attachment A) or to request agency instructions on real property (Attachments B, C) that was/will be provided as Government Furnished Property (GFP) or acquired (<i>i.e.</i>, purchased or constructed) in whole or in part under a Federal financial assistance award.</p> <p>This includes real property that was improved using Federal funds and real property that was donated to a Federal project in the form of a match or cost share donation. This report is to be used for awards that establish a Federal Interest on real property.</p>	Infrastructure Deployment (ID) recipients that acquired or improved real property with TBCP funds

## APPENDICES

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- Appendix A    Helpful Resources
- Appendix B    Glossary of Acronyms and Key Terms
- Appendix C    Agency Contact List
  
- Appendix D    **Infographics**
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## Appendix A: Helpful Resources

Resource	Website Location	Description
<b>Websites</b>		
Advisory Council on Historic Preservation	<a href="http://www.achp.gov/">http://www.achp.gov/</a>	<ul style="list-style-type: none"> <li>This website provides information regarding compliance with Section 106 of NHPA.</li> </ul>
ASAP Website	<a href="http://www.asap.gov">http://www.asap.gov</a>	<ul style="list-style-type: none"> <li>This website is maintained by the U.S. Department of Treasury and is used by the recipient to draw down award funds.</li> </ul>
Code of Federal Regulations (CFR)	<a href="https://www.govinfo.gov/app/collection/cfr/">https://www.govinfo.gov/app/collection/cfr/</a>	<ul style="list-style-type: none"> <li>This website contains the codification of the Uniform Administrative Requirements with which all TBCP recipients must comply.</li> </ul>
Council on Environmental Quality (CEQ)	<a href="http://www.whitehouse.gov/administration/eop/ceq/">http://www.whitehouse.gov/administration/eop/ceq/</a>	<ul style="list-style-type: none"> <li>This website is for guidance and information concerning NEPA requirements.</li> </ul>
eRA Commons	<a href="https://www.era.nih.gov/">https://www.era.nih.gov/</a>	<ul style="list-style-type: none"> <li>National Institutes of Health (NIH) grants management processing tool used by NOAA to administer TBCP grants. Recipients submit reports and RRs via eRA Commons.</li> </ul>
TBCP Website	<a href="https://www.ntia.doc.gov/page/tribal-broadband-connectivity-program">https://www.ntia.doc.gov/page/tribal-broadband-connectivity-program</a>	<ul style="list-style-type: none"> <li>Homepage of TBCP which contains all publicly available guidance on compliance and program requirements, as well as descriptions of each award.</li> </ul>
Technical Assistance Hub	<a href="https://broadbandusa.ntia.gov/technical-assistance-hub">https://broadbandusa.ntia.gov/technical-assistance-hub</a>	<ul style="list-style-type: none"> <li>Hub for TA resources. Ensure you select “Tribal Broadband Connectivity Program” in the Funding Program column to filter to just TBCP resources.</li> </ul>
<b>Post-Award Resources</b>		
Department of Commerce Grants and Cooperative Agreements Manual (dated 04/20/21)	<a href="https://www.commerce.gov/sites/default/files/2021-04/Department%20of%20Commerce%20Grants%20%20Cooperative%20Agreements%20Manual%20%2820%20April%202021%29.pdf">https://www.commerce.gov/sites/default/files/2021-04/Department%20of%20Commerce%20Grants%20%20Cooperative%20Agreements%20Manual%20%2820%20April%202021%29.pdf</a>	<ul style="list-style-type: none"> <li>Overview of the DOC grants process. Includes standard DOC policies, procedures, and requirements.</li> </ul>
Department of Commerce Financial Assistance Standard Terms and Conditions (dated 11/12/20)	<a href="https://www.commerce.gov/sites/default/files/2020-11/DOC%20Standard%20Terms%20and%20Conditions%20-%2012%20November%202020%20PDF_0.pdf">https://www.commerce.gov/sites/default/files/2020-11/DOC%20Standard%20Terms%20and%20Conditions%20-%2012%20November%202020%20PDF_0.pdf</a>	<ul style="list-style-type: none"> <li>Sets out the standard terms and conditions applicable to U.S. Department of Commerce financial assistance awards.</li> </ul>



Resource	Website Location	Description
eRA Commons User Guide	<a href="https://www.era.nih.gov/docs/Commons_UserGuide.pdf">https://www.era.nih.gov/docs/Commons_UserGuide.pdf</a>	<ul style="list-style-type: none"> <li>Step-by-step guidance for navigating and using eRA Commons.</li> </ul>
Human Subjects Research Protection Guidance	<a href="https://broadbandusa.ntia.doc.gov/sites/default/files/2023-04/Guidance_for_Human_Subjects_Research_Protection_-_Tribal_Broadband_Connectivity_Program.pdf">https://broadbandusa.ntia.doc.gov/sites/default/files/2023-04/Guidance_for_Human_Subjects_Research_Protection_-_Tribal_Broadband_Connectivity_Program.pdf</a>	<ul style="list-style-type: none"> <li>Overview of HSR requirements required by the DOC regulations.</li> </ul>
No Cost Extension Guidance	<a href="https://broadbandusa.ntia.doc.gov/technical-assistance/No_Cost_Extensions_Guidance">https://broadbandusa.ntia.doc.gov/technical-assistance/No_Cost_Extensions_Guidance</a>	<ul style="list-style-type: none"> <li>Overview of NCE process.</li> </ul>
TBCP Fiscal Year 2021 Notice of Funding Opportunity (NOFO)	<a href="https://broadbandusa.ntia.doc.gov/sites/default/files/2021-06/NTIA.Tribal%20Broadband%20Connectivity%20Program_Final_.OMB%20Cleared.pdf">https://broadbandusa.ntia.doc.gov/sites/default/files/2021-06/NTIA.Tribal%20Broadband%20Connectivity%20Program_Final_.OMB%20Cleared.pdf</a>	<ul style="list-style-type: none"> <li>Outlines the requirements that TBCP recipients must abide by.</li> </ul>
<b>Report Resources</b>		
Annual Report Template	<a href="https://broadbandusa.ntia.doc.gov/node/8145">https://broadbandusa.ntia.doc.gov/node/8145</a>	<ul style="list-style-type: none"> <li>Required report template for completing the Annual Report.</li> </ul>
Baseline Report Template	<a href="https://broadbandusa.ntia.doc.gov/node/8147">https://broadbandusa.ntia.doc.gov/node/8147</a>	<ul style="list-style-type: none"> <li>Required report template for completing the Baseline Report.</li> </ul>
Performance (Technical) Report Template	<a href="https://broadbandusa.ntia.doc.gov/technical-assistance/TBCP_Round_One_Performance_Technical_Report_Template">https://broadbandusa.ntia.doc.gov/technical-assistance/TBCP_Round_One_Performance_Technical_Report_Template</a>	<ul style="list-style-type: none"> <li>Required report template for completing the semi-annual Performance (Technical) Report.</li> </ul>
Reporting Guidance and Instructions	<a href="https://broadbandusa.ntia.doc.gov/sites/default/files/2022-12/TBCP_Reporting_Guidance_and_Instructions.pdf">https://broadbandusa.ntia.doc.gov/sites/default/files/2022-12/TBCP_Reporting_Guidance_and_Instructions.pdf</a>	<ul style="list-style-type: none"> <li>Detailed instructions for completing and submitting the required TBCP reports.</li> </ul>
Infrastructure Deployment Report Sample	<a href="https://broadbandusa.ntia.doc.gov/sites/default/files/2022-12/TBCP_Sample_Infrastructure_Deployment_Report.xlsx">https://broadbandusa.ntia.doc.gov/sites/default/files/2022-12/TBCP_Sample_Infrastructure_Deployment_Report.xlsx</a>	<ul style="list-style-type: none"> <li>Example completed Baseline, Performance (Technical), and Annual Report showing which fields Infrastructure Deployment projects should complete and how.</li> </ul>
Use and Adoption Report Sample	<a href="https://broadbandusa.ntia.doc.gov/sites/default/files/2022-12/TBCP_Sample_Use_and_Adoption_Report.xlsx">https://broadbandusa.ntia.doc.gov/sites/default/files/2022-12/TBCP_Sample_Use_and_Adoption_Report.xlsx</a>	<ul style="list-style-type: none"> <li>Example completed Baseline, Performance (Technical), and Annual Report showing which fields Use &amp; Adoption projects should complete and how.</li> </ul>

Resource	Website Location	Description
<b>Environmental Resources</b>		
Categorical Exclusion (CE) Questionnaire	<a href="https://broadbandusa.ntia.doc.gov/sites/default/files/2022-12/IFA_Categorical_Exclusion_Questionnaire.pdf">https://broadbandusa.ntia.doc.gov/sites/default/files/2022-12/IFA_Categorical_Exclusion_Questionnaire.pdf</a>	<ul style="list-style-type: none"> <li>Answers questions related to environmental considerations for determining the applicability of a categorical exclusion.</li> </ul>
National Historic Preservation Act, Section 106, Consultation Process Fact Sheet	<a href="https://broadbandusa.ntia.doc.gov/sites/default/files/2022-12/NHPA_Sect_106_Consultation_Process_Fact_Sheet.pdf">https://broadbandusa.ntia.doc.gov/sites/default/files/2022-12/NHPA_Sect_106_Consultation_Process_Fact_Sheet.pdf</a>	<ul style="list-style-type: none"> <li>Overview of NHPA Section 106 requirements for consultation.</li> </ul>
Endangered Species Act (ESA) Section 7 Consultation Fact Sheet	<a href="https://broadbandusa.ntia.doc.gov/sites/default/files/2022-12/Endangered_Species_Act_Section_7_Consultations_Fact_Sheet.pdf">https://broadbandusa.ntia.doc.gov/sites/default/files/2022-12/Endangered_Species_Act_Section_7_Consultations_Fact_Sheet.pdf</a>	<ul style="list-style-type: none"> <li>Overview of ESA Section 7 requirements for consultation.</li> </ul>
Wetland Regulatory Authority Fact Sheet	<a href="https://broadbandusa.ntia.doc.gov/sites/default/files/2022-12/Wetland_Regulatory_Authority_Fact_Sheet.pdf">https://broadbandusa.ntia.doc.gov/sites/default/files/2022-12/Wetland_Regulatory_Authority_Fact_Sheet.pdf</a>	<ul style="list-style-type: none"> <li>Overview of permits required by the Wetland Regulatory Authority.</li> </ul>

## Appendix B: Glossary of Acronyms and Key Terms

Letter	Glossary Terms
A	<ul style="list-style-type: none"> <li>● <b>Advance Payment:</b> Advance on grant funds limited to the minimum amount necessary to meet immediate monetary needs (limited to a 30-day period).</li> <li>● <b>Advisory Council on Historic Preservation (ACHP):</b> Independent agency of the U.S. government that promotes the preservation, enhancement, and productive use of the nation's historic resources.</li> <li>● <b>Allocable Cost:</b> Cost chargeable to the award in accordance with benefits received by the project.</li> <li>● <b>Allowable Cost:</b> Cost that may legitimately be charged to an award, per the terms of the award, applicable laws, and applicable regulations.</li> <li>● <b>Audit:</b> Evaluation of an organization's compliance, internal controls, and financial management. Audits are a tool to demonstrate effective stewardship of Federal funds and to prevent waste, fraud, and abuse. See <a href="#">Section 7.e.</a> of this handbook for further information.</li> <li>● <b>Authorized Organization Representative (AOR):</b> Individual authorized by an award recipient to act for the recipient organization and to assume the obligations imposed by the Federal laws, regulations, requirements, and conditions that apply to a grant application or grant award. An AOR submits a grant on behalf of a company, organization, institution, or government. Only an AOR has the authority to sign and submit grant applications.</li> </ul>
C	<ul style="list-style-type: none"> <li>● <b>Community Anchor Institution (CAI):</b> Schools, libraries, medical and healthcare providers, public safety entities, public housing authorities, institutes of higher education and other community support organizations that provide outreach, access, equipment, and support services to facilitate greater use of broadband service by the entire population and local governments.</li> </ul>
D	<ul style="list-style-type: none"> <li>● <b>Deobligation of Award:</b> Withdrawal of awards made to recipients that demonstrate an insufficient level of performance or wasteful or fraudulent spending. Awards may also be deobligated for non-performance reasons, such as when a recipient de-scopes an award or terminates for convenience.</li> <li>● <b>Direct Costs:</b> Costs identified specifically with a particular project or activity, or that can be directly assigned to such projects or activities relatively easily with a high degree of accuracy. For budget purposes, line items listed as specific project expenses are direct costs. Direct costs of a project may be charged to the award if they are allowable costs and are included within approved budget categories.</li> </ul>
E	<ul style="list-style-type: none"> <li>● <b>Eligible Costs:</b> Project costs that may be paid for using NTIA grant funds consistent with the cost principles identified in the applicable OMB circulars and in the grant program's authorizing legislation.</li> <li>● <b>Environmental Assessment (EA):</b> Document that determines whether a proposed action has the potential to significantly impact the human environment based on context and intensity and proposes approaches to mitigate impacts.</li> </ul>

Letter	Glossary Terms
	<ul style="list-style-type: none"> <li>● <b>eRA Commons:</b> National Institutes of Health (NIH) grants management processing tool used by NOAA to administer TBCP awards. eRA Commons is located at <a href="https://www.era.nih.gov/">https://www.era.nih.gov/</a>.</li> </ul>
F	<ul style="list-style-type: none"> <li>● <b>Federal Program Officer (FPO):</b> Department of Commerce official responsible for the technical, scientific, or other programmatic aspects of an award/program. He/she oversees a specified subset of grant awards within each TBCP project area and serves as the primary NTIA point-of-contact for a subset of TBCP recipients. The FPOs are responsible for the administration, performance, and compliance monitoring of the work conducted under their respective projects, including evaluation of financial and progress reports, and identification of recipient needs and provision of technical assistance.</li> <li>● <b>Financial Accounting Standards:</b> Statements of financial accounting standards, which are set by the Financial Accounting Standards Board (FASB) and are part of Generally Accepted Accounting Principles (GAAP).</li> <li>● <b>Federal Financial Report (FFR):</b> Report that must be submitted on a semi-annual basis using the OMB FFR Standard Form-425 for the periods ending March 31 and September 30. Reports must be submitted to Grants Offices no later than 30 days following the end of each reporting period. A Final Federal Financial Report must be submitted after the expiration date of the award.</li> <li>● <b>Fiscal Year:</b> Twelve-month period for which financial results are prepared and reported. It may be identical to or different from the calendar year. The Federal government’s fiscal year is from October 1 to September 30 of the next calendar year. The recipient’s fiscal year may not correspond to the Federal government’s fiscal year.</li> <li>● <b>For-Profit:</b> Commercial organization whose primary function is to generate profit. Some large non-profits are treated as profit makers for Federal grant purposes and are required to follow the cost principles in <a href="#">2 CFR § 200.401(c)</a>.</li> <li>● <b>Fringe Benefits:</b> Personnel-related costs such as medical and life insurance, pension contributions, and vacation leave. These costs typically are reflected in the budget as a percentage of salary or wage costs.</li> </ul>
G	<ul style="list-style-type: none"> <li>● <b>Generally Accepted Accounting Principles (GAAP):</b> Uniform minimum standards of, and guidelines for, financial accounting and reporting.</li> <li>● <b>Grants Coordinator:</b> Contract staff that partner and work closely with Federal Program Officers to manage grant portfolios and ensure that all required information is available and various program reviews are completed.</li> <li>● <b>Grants Office:</b> Department of Commerce staff responsible for awarding, administering, and closing out all OICG grants. In this case, the Grants Office is at the National Oceanic and Atmospheric Administration.</li> <li>● <b>Grants Officer:</b> Department of Commerce official with delegated authority to award, amend, administer, closeout, suspend, and/or terminate grants and cooperative agreements, and make related decisions and findings.</li> </ul>

Letter	Glossary Terms
	<ul style="list-style-type: none"> <li>● <b>Grants Management Specialist:</b> Department of Commerce staff who reports to the Grants Officer and who handles the administration of recipients on a daily basis.</li> </ul>
I	<ul style="list-style-type: none"> <li>● <b>Indirect Costs:</b> Costs incurred for common or joint objectives and cannot be identified readily and specifically with a particular project or activity. See Section 7.c. of this handbook.</li> <li>● <b>Indirect Cost Rate:</b> Percentage of grant funds that can be used for indirect costs. For more information on establishing an indirect cost rate, refer to pages 13-15 of the <a href="#">DOC Financial Assistance Standard Terms and Conditions</a>. For memorandums of any approved deviations from indirect cost rates for DOC programs, refer to <a href="https://www.commerce.gov/oam/policy/financial-assistance-policy">https://www.commerce.gov/oam/policy/financial-assistance-policy</a>. Recipients cannot use more than two percent (2%) of grant funds received under the Tribal Broadband Connectivity Program for administrative expenses. For this purpose, the two percent limitation on administrative expenses includes the combined total of indirect costs and direct administrative costs charged to an award.</li> <li>● <b>Ineligible Costs:</b> Project costs that may not be paid using NTIA grant funds. If a recipient’s budget proposes to use any portion of the grant funds for any ineligible cost, the recipient must revise its budget to remove such costs.</li> <li>● <b>In-Kind Contribution:</b> Non-cash donations to a project that may count toward satisfying the non-Federal matching requirement of a project’s total budgeted costs. In-kind contributions, including third party in-kind contributions, must be allowable project expenses.</li> </ul>
N	<ul style="list-style-type: none"> <li>● <b>National Environmental Policy Act (NEPA):</b> Act requiring Federal agencies to consider the environmental impacts of their proposed actions and reasonable alternatives to those actions (42 U.S.C. 4321 <i>et seq.</i>).</li> <li>● <b>Notice of Award (NoA):</b> Document the Grants Officer uses to authorize and issue the TBCP award (referred to as the CD-450 in Grants Online).</li> </ul>
P	<ul style="list-style-type: none"> <li>● <b>Performance (Technical) Report:</b> Semi-annual report that documents details regarding key project outputs and outcomes. Performance reports must be submitted on a semi-annual basis for periods ending March 31 and September 30 to the recipient’s Program Officer, unless stated by the Program Officer.</li> <li>● <b>Program Income:</b> <a href="#">See 2 CFR § 200.307</a>. For further information, see Section 7.g. of this handbook.</li> <li>● <b>Program Office:</b> NTIA works with the Grants Office in the post-award management of TBCP grants, including administrative tasks, performance tracking, and recipient monitoring for award compliance on a daily basis.</li> </ul>
R	<ul style="list-style-type: none"> <li>● <b>Reasonable Costs:</b> Costs based on one or more of the following principles: ordinary and necessary, market prices, prudent person, or established practices. A reasonable cost does not exceed what a prudent person would incur under the circumstances prevailing at the time the decision was made to incur the cost. Please see the cost principles applicable to the recipient or subrecipient for the relevant definition.</li> </ul>

Letter	Glossary Terms
	<ul style="list-style-type: none"> <li>● <b>Recipient:</b> Organization(s) awarded a grant to implement a TBCP Project. Recipient or Award Recipient is the preferred term in place of Awardee or Grantee.</li> </ul>
S	<ul style="list-style-type: none"> <li>● <b>Standard Form-424 (SF-424):</b> Core government-wide standard data sets and forms for grant application packages. Use of the SF-424 Form Families reduces the administrative burden to the Federal grants community, including applicants, recipients, and Federal staff involved in grants-related activities.</li> <li>● <b>Specific Award Conditions (SACs):</b> Specific conditions attached to an award that may amend or take precedence over DOC standard terms and conditions on a case-by-case basis when allowed by the Department’s standard terms and conditions.</li> <li>● <b>Standard Award Conditions (SACs):</b> Standard award conditions applied to all TBCP grants, including reporting requirements.</li> <li>● <b>State Historic Preservation Officer (SHPO):</b> Administers the national historic preservation program at the State level, including consultations with Federal agencies during Section 106 review.</li> <li>● <b>Subrecipient:</b> Entity that receives funds when a recipient makes a subaward to carry out a Federal program. Subrecipients do not include individuals who are beneficiaries of a project.</li> </ul>
T	<ul style="list-style-type: none"> <li>● <b>Tribal Historic Preservation Officer (THPO):</b> Administers the national historic preservation program with respect to tribal lands including consultations with Federal agencies during Section 106 review.</li> <li>● <b>Tribal Organization:</b> the recognized governing body of any Indian tribe; any legally established organization of Indians which is controlled, sanctioned, or chartered by such governing body or which is democratically elected by the adult members of the Indian community to be served by such organization and which includes the maximum participation of Indians in all phases of its activities: provided, that in any case where a contract is let or grant made to an organization to perform services benefiting more than one Indian tribe, the approval of each such Indian tribe shall be a prerequisite to the letting or making of such contract or grant.</li> </ul>
U	<ul style="list-style-type: none"> <li>● <b>Unserved Household:</b> (A) the household lacks access to qualifying broadband service; and (B) no broadband provider has been selected to receive, or is otherwise receiving, Federal or State funding subject to enforceable build out commitments to deploy qualifying broadband service in the specific area where the household is located by dates certain, even if such service is not yet available, provided that the Federal or State agency providing the funding has not deemed the service provider to be in default of its buildout obligations under the applicable Federal or State program. Qualifying broadband service is defined as 25/3 Mbps or greater.</li> </ul>

### Appendix C: Agency Contacts List

Office	Title	Name	Email
OICG Grants Management, Administration, and Compliance (GMAC) Office	Director	Jennifer Duane	<a href="mailto:jduane@ntia.gov">jduane@ntia.gov</a>
TBCP Program Office	Acting Division Chief	Margaret Gutierrez	<a href="mailto:mgutierrez@ntia.gov">mgutierrez@ntia.gov</a>
	Post-Award Team Lead	Isabel Lopez	<a href="mailto:ilopez@ntia.gov">ilopez@ntia.gov</a>
	Pre-Award Team Lead	Nick Courtney	<a href="mailto:ncourtney@ntia.gov">ncourtney@ntia.gov</a>
	Mapping Team Lead	Andrew Orosco	<a href="mailto:aorosco@ntia.gov">aorosco@ntia.gov</a>
	Federal Program Officers	Mykah Alverson	<a href="mailto:malverson@ntia.gov">malverson@ntia.gov</a>
		Chris Becenti	<a href="mailto:cbecenti@ntia.gov">cbecenti@ntia.gov</a>
		Kevin Blake	<a href="mailto:kblake@ntia.gov">kblake@ntia.gov</a>
		Victoria Canales	<a href="mailto:vcanales@ntia.gov">vcanales@ntia.gov</a>
		Patrick Carroll	<a href="mailto:pcarroll@ntia.gov">pcarroll@ntia.gov</a>
		Teri Caswell	<a href="mailto:tcaswell@ntia.gov">tcaswell@ntia.gov</a>
		Vanesscia Cresci	<a href="mailto:vcresci@ntia.gov">vcresci@ntia.gov</a>
		Josh Deixler	<a href="mailto:jdeixler@ntia.gov">jdeixler@ntia.gov</a>
		Stephanie Henning	<a href="mailto:shenning@ntia.gov">shenning@ntia.gov</a>
		Crystal Hottowe	<a href="mailto:chottowe@ntia.gov">chottowe@ntia.gov</a>
Gabe Montoya	<a href="mailto:gmontoya@ntia.gov">gmontoya@ntia.gov</a>		
Matt Rogotzke	<a href="mailto:mrogotzke@ntia.gov">mrogotzke@ntia.gov</a>		
Theron Rutyna	<a href="mailto:trutyna@ntia.gov">trutyna@ntia.gov</a>		

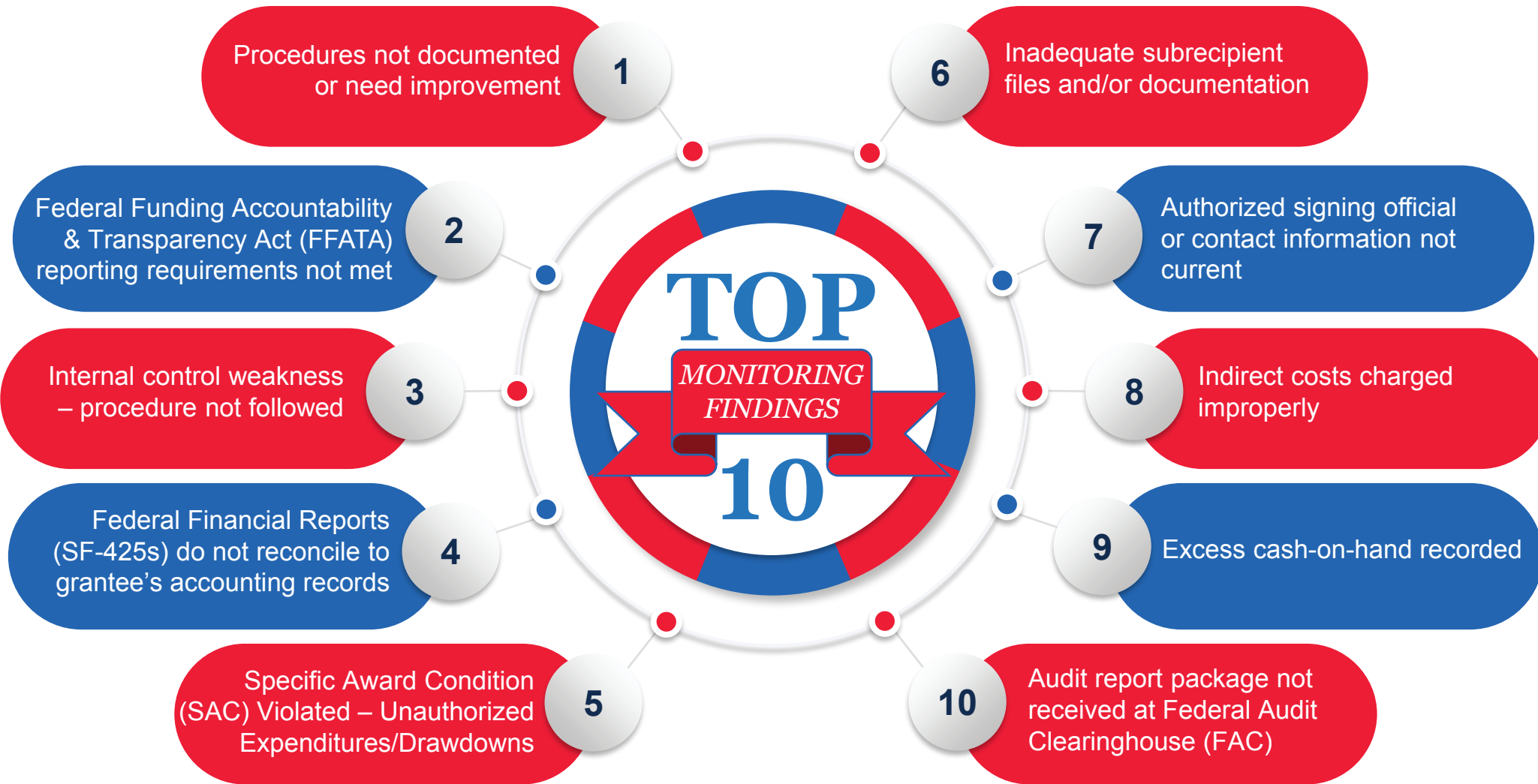
		Joshua Standing Horse	<a href="mailto:jstandinghorse@ntia.gov">jstandinghorse@ntia.gov</a>
		Mike Tibodeau	<a href="mailto:mtibodeau@ntia.gov">mtibodeau@ntia.gov</a>
		Kelbie Witham	<a href="mailto:kwitham@ntia.gov">kwitham@ntia.gov</a>
NOAA Grants Office	Grants Officer	Nicola Bell	<a href="mailto:nicola.bell@noaa.gov">nicola.bell@noaa.gov</a>
	Grants Team Lead	Angela Carpenter	<a href="mailto:angela.carpenter@noaa.gov">angela.carpenter@noaa.gov</a>
	Grants Management Specialists	William R. Ball	<a href="mailto:william.r.ball@noaa.gov">william.r.ball@noaa.gov</a>
		Raul Hernandez	<a href="mailto:Raul.hernandez@noaa.gov">Raul.hernandez@noaa.gov</a>
		Mikayla Lyons	<a href="mailto:Mikayla.lyons@noaa.gov">Mikayla.lyons@noaa.gov</a>
		Jessica Paulk	<a href="mailto:jessica.paulk@noaa.gov">jessica.paulk@noaa.gov</a>

Table last updated 06/12/2024

Location	Time Zone	Phone	Business Hours
Philadelphia ASAP Regional Office	Eastern	(215) 516-8021	7:30 a.m. – 4:00 p.m.
Kansas City ASAP Regional Office	Central	(816) 414-2100	7:30 a.m. – 4:00 p.m.
San Francisco ASAP Regional Office	Pacific	(510) 594-7182	7:30 a.m. – 4:00 p.m.



# TOP 10 MONITORING FINDINGS



Avoid monitoring findings by coordinating with your National Telecommunications and Information Administration (NTIA) Federal Program Officer (FPO).



# PREVENTING WASTE, FRAUD, ABUSE, AND MISMANAGEMENT

## WASTE

Squandering grant funds or resources through excessive or non-essential spending.



*Example: Buying overpriced or unnecessary equipment*

*Example: Inflating hours billed to the project*



## FRAUD

Attempting to obtain something of value through willful misrepresentation.

## ABUSE

Misusing one's position or grant funds intentionally or unacceptably.



*Example: Writing specifications to favor a specific contractor*

*Example: Renewing the license for a software that is no longer needed*



## MISMANAGEMENT

Failing to appropriately manage grant funds.

**ALLEGATIONS OF WASTE, FRAUD, ABUSE, OR MISMANAGEMENT CAN RESULT IN OFFICE OF INSPECTOR GENERAL (OIG) AUDITS OR INVESTIGATIONS.**



## TIPS FOR MITIGATION

- ✔ Develop and implement fair, transparent, and effective processes, including a system of accounting, procurement policies, internal controls, records control, and records retention.
- ✔ Examine existing processes and internal controls to identify areas vulnerable to fraud.
- ✔ Host regular trainings to educate staff on risks.
- ✔ Implement an internal compliance and ethics program that encourages the recognition and reporting of waste, fraud, abuse, and mismanagement.
- ✔ Check that all financial and performance reports are supported with the required documentation.
- ✔ Conduct monthly bank reconciliations to identify errors or irregularities.



Allegations of waste, fraud, abuse, and mismanagement may be made anonymously through the OIG Hotline at 1-800-424-5197.



# TRACKING ADMINISTRATIVE COSTS



Total administrative costs are capped at 2% of award funds received and include the combined total of indirect costs and direct administrative costs charged to an award.

## Direct Administrative Costs



Costs associated with specific work for the effective grant administration, but not specific to the project.

Examples: Salaries and fringe for grant administrative personnel | Office supplies | Postage | Program coordination and project execution | Required equipment

## Indirect Administrative Costs



Costs incurred by the organization during execution of the project, but not clearly identifiable to the project.

Examples: Depreciation of facilities | Facility occupancy costs | General liability insurance | General legal services | Taxes | Rent and utilities | Indirect salaries | Accounting fees

## Strategies for Tracking Administrative Costs

- Identify the 2% cap amount first to understand your budget for administrative costs.\*
- Track when direct administrative costs are incurred and retain documentation.
- Identify key personnel associated with administering the program. Record their salaries and fringe.
- Report operating expenses of facilities required to administer the program.
- Check spent administrative costs against the 2% cap estimate on a monthly basis.
- Contact FPO if you have any questions about costs that may qualify as administrative costs.

*\*The 2% cap on administrative costs is calculated based on total award funds received. Award amounts can be used to determine an estimate for budgeting purposes.*





# Allowable & Unallowable Costs



- ★ Recipients need to know what they can and cannot use grant funds for in order to maximize impact and minimize risk.
- ★ **Allowable costs** are reasonable, allocable, and necessary costs that may be paid for by the Federal grant. They must be allowable as defined by the terms of the award and 2 CFR Part 200.
- ★ **Unallowable costs** cannot be paid for by the grant. They include excessive or unreasonable costs and those expressly unallowable by the terms of the award and 2 CFR Part 200.

## DO'S

### Personnel Costs

Salaries, wages, & fringe for personnel working directly on the grant



### Travel Expenses

For key project staff & consultants



### Equipment & Devices

Directly related to project activity



### Sub-Awards

As well as third-party contractor costs



### Training and Outreach

For purposes necessary to meet the requirements of the award



### Reasonable Pre-Application Expenses

Except lobbying & contingency fees



### Other Allowable Costs

Refer to the Notice of Funding Opportunity (NOFO)



## DON'TS

### Personnel Costs

For non-project staff



### Completed Infrastructure

Funding for infrastructure completed prior to the grant award period



### Duplicative/Redundant Costs

Example: Last mile deployment to the same building



### Profits & Fees

Or other incremental charge above actual cost



### Covered Communications Equipment/Services

As defined in 47 U.S.C. 1608



### Repaying Loans

Or as collateral for new loans



### Other Unallowable Costs

Refer to the NOFO and 2 CFR Part 200, Subpart E



# WHAT IS PROCUREMENT?

**Procurement** is the process of obtaining goods and services for your organization. As part of procurement, recipients select vendors and establish the payment terms.

## – METHODS OF PROCUREMENT –

### *MICRO-PURCHASES*

The acquisition of supplies or services where the aggregate dollar amount of which does not exceed the Micro-Purchase Threshold, currently set at \$10,000.\*

- To the extent practical, purchases must be distributed equitably among qualified suppliers with reasonable prices.
- Purchases can be awarded without competition if the price is reasonable.

### *SMALL PURCHASES*

Relatively simple and informal procurement method for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold, currently set at \$250,000.\*

- Bids must be obtained from an adequate number of qualified sources.

### *COMPETITIVE SEALED BIDDING*

Bids are publicly solicited and a firm-fixed-price contract is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price.

### *COMPETITIVE PROPOSAL (NEGOTIATED PROCUREMENT)*

Normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded.

- Generally used when conditions are not appropriate for the use of sealed bids.

### *PROCUREMENT BY NONCOMPETITIVE PROPOSALS*

Procurement through the solicitation of a proposal from only one source. This method may be used only under specified circumstances:

- Single source
- Emergency or exigent circumstances
- Federal agency authorizes non-competitive procurement
- Competitive procurement did not yield an adequate number of vendors

\*The current micro-purchase and small purchase thresholds were set on 8/31/20 by FAR-2018-0011 and are subject to change.



Refer to 2 CFR Part 200.317-326 (General procurement standards) for the Federal requirements for procurement.





# TIPS FOR SUCCESSFUL PROCUREMENT



- ✔ Maintain written standards of conduct covering conflicts of interest and governing the performance of employees engaged in the selection, award, and administration of contracts.
- ✔ Establish and maintain written procurement policies and procedures that reflect applicable State, tribal, or local laws and regulations, as well as conform to applicable Federal law.
- ✔ Make reasonable requirements for your competitive purchases. For example, do not require excessive experience or bonding.
- ✔ Pay attention to real or apparent entity conflicts of interest, such as buying goods from a family member.
- ✔ Compare price, quality, and/or performance of “brand” name items with equivalent items.
- ✔ Learn about (and practice) checking the contractor debarment list on SAM.gov.
- ✔ Compare lease to purchase costs for equipment; sometimes leasing is more economical.
- ✔ When selecting a contractor, consider contractor integrity, compliance with public policy, record of past performance, financial and technical resources, responsive bid, and exclusion record.
- ✔ Retain sufficient records detailing every procurement transaction related to the project.
- ✔ Use the Dynamic Small Business Search tool to view databases for minority businesses, women-owned businesses, and small businesses. Document these searches to demonstrate compliance with 2 CFR Part 200.321 (Contracting with Small and Minority Businesses, Women’s Business Enterprises, and Labor Surplus Area Firms).
- ✔ A State must follow the same policies and procedures it uses for procurements from its non-Federal funds and adhere to applicable Federal standards. If there is a conflict, follow the most strict requirement.



Refer to 2 CFR Part 200.317-326 (General procurement standards) for the Federal requirements for procurement.



## Appendix E: Checklists

In this section of the Appendix, you will find helpful checklists to guide you through the post-award reporting and compliance process.

### Allowable and Unallowable Costs Checklist

**Allowable costs** are reasonable, allocable, and necessary costs that may be paid for by the Federal grant. They must be allowable as defined by the terms of the award and 2 CFR § 200 and approved by the Grants Officer as part of the project budget.

**Unallowable costs** cannot be paid for by the grant. If a cost is not reasonable, allocable, or necessary, then the cost is unallowable. They include excessive or unreasonable costs and those expressly unallowable by the terms of the award and 2 CFR § 200.

This checklist generally outlines allowable and unallowable costs under the NTIA Tribal Broadband Connectivity Program (TBCP). Refer to the approved project budget, [Notice of Funding Opportunity](#) and [2 CFR § 200 Subpart E \(Cost Principles\)](#) for additional information on how grant funds can be spent. Please contact your assigned Federal Program Officer (FPO) or Grants Specialist if you have any questions.

### Allowable Costs Checklist

Type	Description
<input type="checkbox"/> <b>Personnel Costs</b>	Salaries, wages, and fringe for staff and consultants providing services directly connected to the implementation of the grant.
<input type="checkbox"/> <b>Travel Expenses</b>	For key project staff and consultants. Requires prior written approval from the awarding agency.
<input type="checkbox"/> <b>Equipment</b>	Must be directly related to project activities and identified in the approved project budget. Allowable equipment varies by project type.
<input type="checkbox"/> <b>Subawards and Third-Party Contractor Costs</b>	Associated with carrying out programmatic activities, including program implementation and consulting services.
<input type="checkbox"/> <b>Administrative Costs</b>	Including indirect costs. The combined total of direct and indirect administrative costs is limited to no more than 2% of the grant funds received. Examples of administrative costs include costs attributable to: accounting, auditing, contracting, budgeting, and general legal services; facility occupancy costs, e.g., rent, utilities, insurance, taxes, and maintenance; general liability insurance that protects the organization (not directly related to a program); depreciation on buildings and equipment; general office supplies; and general and administrative salaries and wages.
<input type="checkbox"/> <b>Reasonable Pre-Application Expenses</b>	Not to exceed 5% of the award. May be reimbursed if incurred after the publication date of the NOFO and prior to the date of issuance of the grant award.

Type		Description
<input type="checkbox"/>	<b>Other Necessary Costs</b>	Costs necessary to carry out programmatic activities of an award.
<b>Broadband Infrastructure Deployment Allowable Costs</b>		
<input type="checkbox"/>	<b>Construction, Improvement, Replacement, Extension, or Acquisition of Facilities and Telecommunications Equipment</b>	Must be required to provide qualifying broadband service, including infrastructure for backhaul, middle, and last mile networks, as well as for submarine cable landing stations.
<input type="checkbox"/>	<b>Long-Term Leases of Facilities</b>	Leases must be for terms greater than one year. Facilities must be required to provide qualifying broadband service, including indefeasible right-of-use (IRU) agreements.
<input type="checkbox"/>	<b>Planning, Feasibility, and Sustainability Studies</b>	Not to exceed 1% of the total project cost.
<input type="checkbox"/>	<b>Engineering and Network Design</b>	Including route mapping for broadband infrastructure, permitting, and work related to environmental, historical, and cultural reviews.
<input type="checkbox"/>	<b>Performance Bonds or ILOCs</b>	The costs of performance bonds, irrevocable Letters of Credit (ILOCs), or other surety.
<input type="checkbox"/>	<b>Workforce Training</b>	Workforce training and development costs.
<b>Broadband Adoption and Use Allowable Costs</b>		
<input type="checkbox"/>	<b>Broadband-Related Equipment</b>	Acquire broadband-related equipment, instrumentation, networking capability, hardware, software, and other digital technology for broadband services, telehealth, and remote education.
<input type="checkbox"/>	<b>Provide Affordable Broadband Programs</b>	Including providing free or reduced-cost broadband service and preventing disconnection of existing broadband service.
<input type="checkbox"/>	<b>Training and Outreach</b>	Provide digital training, education, technology support, outreach, and awareness programs, including curricula and web-based resources. Includes design and printing for training and outreach materials.
<input type="checkbox"/>	<b>Facilitate Access to Broadband Services</b>	Including public computer centers; public WiFi networks; broadband in public housing; improvement of broadband services and equipment in schools, libraries, health centers, workforce development centers, and other Tribal anchor institutions.
<input type="checkbox"/>	<b>Implement Affordable Broadband Programs</b>	Programs must facilitate greater access to broadband services, devices, and equipment, and prevent disconnection of existing broadband services.
<input type="checkbox"/>	<b>Needs Assessment</b>	Conduct needs assessment and develop plans for increasing broadband adoption, digital inclusion, online education, telehealth, and digital workforce.



<input type="checkbox"/>	<b>Evaluate Digital Inclusion and Broadband Adoption</b>	Gather data and conduct an evaluation of the digital inclusion and broadband adoption programs funded by the grant to determine their effectiveness and develop best practices to facilitate digital inclusion and broadband adoption on Tribal Lands.
<input type="checkbox"/>	<b>Equipment and Devices</b>	Must support connectivity for telehealth and remote education, such as laptops, tablets, and hotspots.
<input type="checkbox"/>	<b>Internships and Fellowships</b>	Including stipends.

### Unallowable Costs Checklist

Type	Description
<input type="checkbox"/> <b>Administrative Expenses Over 2% Cap</b>	Limited to no more than 2% of the grant funds received.
<input type="checkbox"/> <b>Infrastructure Completed Prior to Grant Award Period</b>	Projects that were started but not completed or that deploy upgraded broadband infrastructure may be funded under this program, not to include costs associated with activities that occurred prior to the grant award period.
<input type="checkbox"/> <b>Profits and Fees</b>	Or any other incremental charge above actual cost.
<input type="checkbox"/> <b>Unauthorized Activities</b>	Costs attributable to any other activities not authorized by the eligible use categories specified in the Consolidated Appropriations Act, 2021.
<input type="checkbox"/> <b>Covered Communications Equipment or Services</b>	Cannot purchase or support any covered communications equipment or service, as defined in 47 U.S.C. 1608.
<input type="checkbox"/> <b>Personnel Costs</b>	For non-project staff.
<input type="checkbox"/> <b>Duplicative or Redundant Costs</b>	For example, last mile deployment to the same building.
<input type="checkbox"/> <b>Repaying Loans</b>	Or as collateral for new loans.
<input type="checkbox"/> <b>Lobbying Costs and Contingency Fees</b>	These pre-application expenses are not reimbursable.

## Internal Controls Checklist

This checklist provides specific tasks and measures for effective internal control as well as steps to establish them if they are not in place. For additional guidance, please see [2 CFR 200.303](#).

Accounting System	
<input type="checkbox"/>	Accounting system identifies the receipt and expenditure of program funds separately for each contract/grant.
<input type="checkbox"/>	Accounting system has provisions to record expenditures for each grant/contract by the component project and budget cost categories shown in the approved budget.
<input type="checkbox"/>	Time distribution records are maintained for an employee when his/her effort can be specifically identified to a particular cost objective.
<input type="checkbox"/>	Recipients have an approved indirect cost rate with the Federal Government.
<input type="checkbox"/>	Accounting/financial system include budgetary controls to preclude incurring obligations in excess of: <ol style="list-style-type: none"> <li>a. Total funds available for a grant</li> <li>b. Total funds available for a budget cost category (e.g., Personnel, Travel)</li> </ol>
<input type="checkbox"/>	Recipients are generally familiar with the existing regulations and guidelines containing the cost principles and procedures for the determination and allowance of costs in connection with Federal contracts/grants.
<input type="checkbox"/>	Federal grant/contract funds and related costs and expenses can be distinctly accounted for if grant/contract funds are commingled with recipient's funds.
Financial Capabilities	
<input type="checkbox"/>	An independent certified public accountant (CPA) has examined the financial statements.
<input type="checkbox"/>	The recipient has retained copies of the CPA's latest report and any management letters issued.
<input type="checkbox"/>	The recipient is generally familiar with the existing regulations and guidelines containing the cost principles and procedures for the determination and allowance of costs in connection with Federal contracts/grants.
<input type="checkbox"/>	The recipient files audits with the Federal Audit Clearinghouse in a timely manner, if applicable.

Property Management	
<input type="checkbox"/>	<p>The recipient's property management system provides for maintaining:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> a description of the property;</li> <li><input type="checkbox"/> an identification number;</li> <li><input type="checkbox"/> source of the property;</li> <li><input type="checkbox"/> where the title vests;</li> <li><input type="checkbox"/> the acquisition date;</li> <li><input type="checkbox"/> the Federal share of property cost;</li> <li><input type="checkbox"/> the location and condition;</li> <li><input type="checkbox"/> the acquisition cost; and</li> <li><input type="checkbox"/> the ultimate disposition information.</li> </ul>
<input type="checkbox"/>	<p>The recipient's property management system provides for a physical inventory and reconciliation of property at least every two years.</p>
Procurement Management	
<input type="checkbox"/>	<p>The recipient maintains written procurement procedures to:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> promote competition;</li> <li><input type="checkbox"/> avoid unnecessary purchases;</li> <li><input type="checkbox"/> provide an analysis of lease vs. purchase alternatives; and</li> <li><input type="checkbox"/> provide a process for soliciting goods and services.</li> </ul>
<input type="checkbox"/>	<p>There is a written code of conduct covering conflicts of interest for procurement staff.</p>
<input type="checkbox"/>	<p>Conflict of interest rules are in place to apply to the recipient's procurement system.</p>
<input type="checkbox"/>	<p>Employees sign a conflict of interest statement annually.</p>
<input type="checkbox"/>	<p>The recipients include the Federal clauses in contracts and sub-grants.</p>
<input type="checkbox"/>	<p>The recipient's procurement system provides for the conduct and documentation of cost or price analysis for each procurement action.</p>
<input type="checkbox"/>	<p>The recipient assesses the financial capability of a contractor to perform the contract.</p>
<input type="checkbox"/>	<p>The recipient conducts internal reviews of the procurement files for adherence to statutes, regulations, and organization policies.</p>
<input type="checkbox"/>	<p>Duties and functions are segregated within a recipient's organization to ensure that adequate checks and balances exist.</p>
<input type="checkbox"/>	<p>Policies regarding subrecipient suspension or debarment are in place.</p>

Subrecipient Management	
<input type="checkbox"/>	There is a subrecipient monitoring system in place (i.e., written policies).
<input type="checkbox"/>	There is regular communication with subrecipients.
<input type="checkbox"/>	A process for recipient review of the costs contained in a sub-grant Application is in place.
<input type="checkbox"/>	A schedule for subrecipients to submit required financial and progress reports to the recipient is in place.
<input type="checkbox"/>	The recipient conducts subrecipient site visits and site visit criteria are in place.
Contractor Management	
<input type="checkbox"/>	A contract administration system is in place (i.e., written policies).
<input type="checkbox"/>	There is regular communication with the contractor.
<input type="checkbox"/>	Recipient reviews invoices submitted by the contractor.
<input type="checkbox"/>	The recipient verifies contract deliverables.

ASAP / Draw Down Funds Checklist		Completion Dates
<input type="checkbox"/>	Understand payment policies, allowable costs, and restrictions on use of TBCP funds.	Before drawing down TBCP funds.
<input type="checkbox"/>	Register with ASAP (if not registered already).	As soon as possible.
<input type="checkbox"/>	Draw down funds from ASAP into an insured, interest-bearing account.	Monthly, or as needed.
<input type="checkbox"/>	Return any unused funds or interest accrued to ASAP.	Monthly, or as needed.
<input type="checkbox"/>	ASAP funds should be drawn proportionately with the amount of project completed.	When drawdowns occur.

# NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION FACT SHEET

## TRIBAL BROADBAND CONNECTIVITY PROGRAM AWARD OVERVIEW

### WHAT IS THE PURPOSE OF THIS PROGRAM?

The Department of Commerce (DOC) National Telecommunications and Information Administration (NTIA) Tribal Broadband Connectivity Program (TBCP) provides grants to expand access to and adoption of broadband service on Tribal Land. TBCP grants support programs promoting broadband use and providing digital training and inclusion programs to Native American communities for remote learning, telework, and telehealth.

### HOW MUCH FUNDING HAS NTIA AWARDED?

NTIA made up to \$980,000,000 available for Federal assistance, with not less than \$30,000,000 of the funds allocated for the benefit of Native Hawaiians. NTIA allocated up to \$500,000 to each of the Federally Recognized Tribes delineated by the Department of the Interior's Bureau of Indian Affairs. Awards are being announced on a rolling basis.

### WHICH LEGISLATION ESTABLISHED THE TBCP?

The TBCP was authorized by the Consolidated Appropriations Act of 2021.

### HOW MAY FUNDS BE USED?

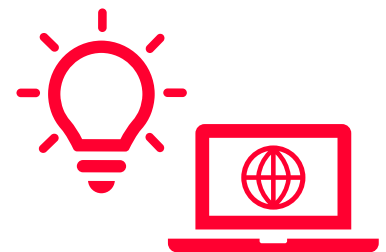
The program consists of two funding categories:

- **Broadband Infrastructure Deployment:** Projects that expand the availability of broadband services by deploying new or upgraded broadband infrastructure on Tribal Lands. Funds can also be used to conduct planning, engineering, feasibility, or sustainability studies as part of the steps to develop a technological solution for broadband deployment.
- **Broadband Use and Adoption:** Projects that expand the adoption of broadband services by Tribal communities, including enabling anchor institutions to provide affordable broadband programs, remote learning, telework, or telehealth services. Funds can also be used to build the capacity of Tribal communities to access and fully benefit from online services.

### WHAT ARE THE REPORTING REQUIREMENTS?

The recipient of Federal funds is responsible for ensuring all reports are submitted on time and complete. TBCP recipients have the following reporting requirements:

- **Baseline Report:** Due date varies by project type
- **Federal Financial Report (SF-425):** Due semi-annually every April 30th and October 30th
- **Performance (Technical) Report:** Due semi-annually every April 30th and October 30th
- **Annual Report:** Due one year after receiving grant funds and annually thereafter
- **Final Performance (Technical) and Financial Reports:** Due 120 days after the end of the project period



# NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION FACT SHEET

## TRIBAL BROADBAND CONNECTIVITY PROGRAM AWARD OVERVIEW CONTINUED

### WHAT STATUTES, RULES, AND REGULATIONS NEED TO BE FOLLOWED?

- 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements
- DOC Financial Assistance Standard Terms and Conditions
- National Environmental Policy Act (NEPA) Requirements
- National Historic Preservation Act (NHPA) Requirements
- Property Trust Relationship and Public Notice Filings for Grant-Acquired Property
- Tribal Laws, including Tribal Employment Rights Ordinance, Environmental Protections Ordinances, and other applicable laws
- Open Network Requirements
- Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms

### HOW DO RECIPIENTS ACCESS AWARD FUNDS?

Recipients drawdown funds using the Department of the Treasury Automated Standard Application for Payment (ASAP) system. Recipients must enroll in ASAP within 10 days of award. Payments are made through pre-authorized Electronic Funds Transfers withdrawn online or via the Voice Response System (VRS). Unless otherwise specified in the award terms, withdrawal of funds through ASAP is considered a funding advance.

### HOW WILL NTIA MONITOR GRANTS AND PROVIDE TECHNICAL ASSISTANCE?

NTIA, in coordination with the National Oceanic and Atmospheric Administration (NOAA) Grants Office, will conduct monitoring and oversight activities of awards. Recipients should ensure they are fulfilling the requirements mandated by Federal regulations and any specific award conditions (SACs).

NTIA offers technical assistance on a broad set of topics, including engineering, construction, financial management, and regulatory compliance requirements. In addition, NTIA will select some awardees for desk reviews or site visits.

### WHERE DO RECIPIENTS GO FOR HELP?

Resources:

- Broadband USA Website
- TBCP Post-Award Recipient Handbook

Agency Contacts:

- Assigned Federal Program Officer (FPO)
- Assigned NOAA Grants Specialist
- Grants Online (Available between 8:00 a.m. and 6:00 p.m. EST)
  - (240) 533-9533
  - [grantsonline.helpdesk@noaa.gov](mailto:grantsonline.helpdesk@noaa.gov)
- ASAP (Available between 7:30 a.m. and 4:00 p.m.)
  - Philadelphia ASAP Regional Office (Eastern Time): (215) 516-8021
  - Kansas City ASAP Regional Office (Central Time): (816) 414-2100
  - San Francisco ASAP Regional Office (Pacific Time): (510) 594-7182



# NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION FACT SHEET

## SUBRECIPIENTS AND CONTRACTORS

Recipients may work with subrecipients and contractors (vendors) for assistance throughout the course of the awarded projects. The roles of each entity in a Federal assistance award are characterized below:

- A **subrecipient** is involved in the substantive activities of the awarded project to accomplish program objectives. Terms and conditions from the grant award flow down to the subrecipient.
- A **contractor** provides goods and services to benefit the grant recipient. A contractor does not seek to accomplish a public benefit; rather, it pursues its own commercial objectives.

### SUBRECIPIENT AND CONTRACTOR DETERMINATIONS (2 CFR § 200.331)

Use the checklist below in determining whether grant payments expected to be made to a project participant constitute a Federal award or a payment for goods and services.

#### SUBRECIPIENT

Characteristics that indicate a Federal award received by a subrecipient are when the organization:

- Determines who is eligible to receive Federal financial assistance.
- Has its performance measured against whether the objectives of the Federal program are met.
- Has responsibility for programmatic decision making.
- Has responsibility for adherence to applicable Federal program compliance requirements.
- Uses the Federal funds to carry out a program of the organization as compared to providing goods or services for a program of the recipient.

#### CONTRACTOR

Characteristics that indicate a payment for goods and services received by a vendor are when the organization being paid:

- Provides the goods and services within normal business operations.
- Provides similar goods or services to many different purchasers.
- Operates in a competitive environment, subject to procurement requirements.
- Provides goods or services that are ancillary to the operation of the Federal program.
- Is not subject to compliance requirements of the Federal program.

### WHAT NEEDS TO BE PRESENT IN A SUBAWARD? (2 CFR § 200.332)

Recipients ensure that every subaward is clearly identified to the subrecipient as a subaward (as opposed to a contract) and includes the following Federal award identification information at the time the subaward is made:

- Subrecipient name (which must match the name associated with its unique entity identifier) and unique entity identifier
- Federal Award Identification Number (FAIN) and Federal Award Date
- Subaward Period of Performance Start and End Date
- Subaward Budget Period Start and End Date
- Amount of Federal Funds Obligated by this action by the recipient to the subrecipient
- Total Amount of Federal Funds Obligated to the subrecipient by the recipient including the current financial obligation
- Total Amount of the Federal Award committed to the subrecipient by the recipient
- Federal award project description, as required by the Federal Funding Accountability and Transparency Act (FFATA)
- Name of Federal awarding agency, recipient, and contact information for awarding official of the recipient
- Assistance Listings number and Title: The recipient must identify the dollar amount made available under each Federal award and the Assistance Listings Number at time of disbursement
- Identification of whether the award is R&D
- Indirect cost rate for the Federal award (including if the de minimis rate is charged)
- All Federal statutes, regulations, and the terms and conditions of the award required for the pass-through entity to meet its own responsibility to the Federal awarding agency including any required financial and performance reports

# NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION FACT SHEET

## *SUBRECIPIENT MONITORING (2 CFR § 200.332)*

### **SUBRECIPIENT RISK ASSESSMENT**

Recipients must evaluate each subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions. Recipients should consider the following:

- The subrecipient's prior experience with the same or similar subawards.
- The results of previous audits including whether or not the subrecipient receives a Single Audit in accordance with Subpart F of this part, and the extent to which the same or similar subaward has been audited as a major program.
- Whether the subrecipient has new personnel or new or substantially changed systems.
- The extent and results of Federal awarding agency monitoring (e.g., if the subrecipient also receives Federal awards directly from a Federal awarding agency).

Recipients may also impose additional requirements upon subrecipients in the terms of the subaward agreement.

### **SUBRECIPIENT MONITORING**

Recipients must monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes. Recipient monitoring of the subrecipient must include:

- Reviewing financial and performance reports required by the recipient.
- Following-up and ensuring that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the Federal award provided to the subrecipient from the recipient.
- Issuing a management decision for applicable audit findings pertaining only to the Federal award provided to the subrecipient from the pass-through to clearly state whether or not the audit finding is sustained, the reasons for the decision, and the expected auditee action to repay disallowed costs, make financial adjustments, or take other action. The management decision should describe any appeal process available to the auditee.

Recipients may choose to take additional actions to ensure subrecipient compliance depending upon the recipient's assessment of risk posed by the subrecipient. The following monitoring tools may be useful for the Recipient to ensure proper accountability and compliance:

- Providing subrecipients with training and technical assistance on program-related matters.
- Performing on-site reviews of the subrecipient's program operations.
- Arranging for agreed-upon-procedures engagements and establishing standard operating procedures for subrecipient activities.

### **SUBRECIPIENT AUDIT REQUIREMENTS**

The Recipient is responsible for verifying that every subrecipient is audited as required by Subpart F of 2 CFR Part 200 when it is expected that the subrecipient's Federal awards expended during the respective fiscal year equaled or exceeded the Single Audit threshold of \$750,000.

### **AUDIT REQUIREMENTS FOR FOR-PROFIT SUBRECIPIENTS**

The recipient is responsible for establishing requirements, as necessary, to ensure compliance by for-profit subrecipients (see section D.01.c. of the DOC Financial Assistance Standard Terms and Conditions). The agreement with the for-profit subrecipient must describe applicable compliance requirements and the for-profit subrecipient's compliance responsibility. Methods to ensure compliance for Federal awards made to for-profit subrecipients may include pre-award audits, monitoring during the agreement, and post-award audits.





# NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

## SPECIFIC AWARD CONDITIONS

### WHAT ARE SACs?

Specific Award Conditions (SACs) are standardized terms of Federal awards supporting project execution, grant administration, and regulatory compliance. SACs are established by the Program and Grants Offices and must be followed by all recipients. While there are some general SACs applicable to all grant recipients, some recipients may have additional SACs imposed depending on administrative burdens and project complexity. Examples of SACs include, but are not limited to:

- **Period of Performance and Funding Limitations**
- **Department of Commerce Financial Assistance Standard Terms and Conditions**
- **Incorporation of the Notice of Funding Opportunity**
- **Reporting Requirements and Timeline**
- **Domestic Preferences for Procurements (Buy American):** Recipients must, to the greatest practical extent, provide a preference for materials, goods, and services produced in the United States.
- **Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms:** Recipients must take affirmative steps to ensure that small and minority owned-businesses, women-owned businesses, and labor surplus area firms are used whenever possible.

### DO ALL RECIPIENTS HAVE THE SAME SACs?

No, not all recipients will have the same SACs. Though most SACs will be consistent across a grant program, some will be specific to certain subsets of awards or to certain recipients. For example, all recipients will have to comply with SACs such as *Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms*. Only Infrastructure Deployment projects have to comply with the SAC mandating that they complete an environmental assessment before project work can begin. The Program and Grants Offices determine recipient-specific SACs during the application review phase. These SACs will be communicated to the recipient directly.

### WHERE CAN RECIPIENTS FIND THE SACs THAT APPLY TO THEIR AWARD?

Recipients should consult their CD-540 to determine the full spectrum of SACs that apply to their project. If recipients have any questions about SACs, they should contact their FPO.

### HOW DO RECIPIENTS REMAIN SAC COMPLIANT?

To remain compliant with SACs, recipients should:

- Read and understand the SACs associated with your award (read your CD-450).
- Ensure that your organization has adequate policies and procedures to verify and validate compliance. If not, establish procedures to monitor compliance with SACs.
- Always maintain records, written communications, and correspondence with the FPO and Grants Office.

The FPOs and Grants Specialists will continue to monitor programmatic and regulatory compliance. If recipients deviate from the SACs, the Grants Office may implement corrective actions to bring delinquent recipients into compliance.



## Guidance for Human Subjects Research Protection<sup>1</sup>

### Human Subjects Research Protection Requirements for the Tribal Broadband Connectivity Program

All Tribal Broadband Connectivity Program (TBCP) grant recipients must comply with Department of Commerce (DOC or Department) regulations relating to the protection of human subjects for all research conducted or supported pursuant to a NTIA grant award. The Department's policies related to the protection of human subjects are found in 15 CFR § 27.<sup>2</sup>

While the TBCP Notice of Funding Opportunity (NOFO) does allow for certain data collection activities, we believe it is unlikely that any TBCP recipient-conducted data collection activities would involve human subjects.<sup>3</sup> Nevertheless, because the requirements in 15 CFR § 27 apply to TBCP grants, recipients must review the following information and make an independent assessment of their planned activities and act in accordance with the Human Subjects Research (HSR) protection requirements.

Below are a few key concepts that apply to HSR:

**Research:** The systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalized knowledge. Examples of systematic investigations include surveys, interviews, observations, research development of testing, and evaluations that are designed to develop or contribute to the generalized knowledge. Factors that may be used to evaluate whether research will develop or contribute to generalized knowledge include:

- The information collected will be applied beyond a particular program or individual.
- The activity is conducted to examine whether the program had the desired effect on program participants, and that evaluation can inform other programs.
- The activity is conducted with the intent to replicate the program.
- The activity is designed to draw general conclusions.

**Human Subject:** A living individual about whom an investigator (whether professional or student) conducting research obtains: (1) Data through intervention or interaction with the individual; or (2) Identifiable private information.

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<sup>1</sup> This guidance document is intended to assist recipients of TBCP awards with understanding and navigating the Human Subjects Research Protection requirements applicable to such awards. This document does not and is not intended to supersede, modify, or otherwise alter applicable statutory or regulatory requirements pertaining to Human Subjects Research Protection. In all cases, statutory and regulatory mandates and the requirements set forth in the terms and conditions of a TBCP award shall prevail over any inconsistencies or inaccuracies contained in this document.

<sup>2</sup> 15 CFR § 27, available at <https://www.ecfr.gov/current/title-15/subtitle-A/part-27>.

<sup>3</sup> See TBCP Notice of Funding Opportunity at [https://broadbandusa.ntia.doc.gov/sites/default/files/2021-06/NTIA.Tribal%20Broadband%20Connectivity%20Program.Final\\_.OMB%20Cleared.pdf](https://broadbandusa.ntia.doc.gov/sites/default/files/2021-06/NTIA.Tribal%20Broadband%20Connectivity%20Program.Final_.OMB%20Cleared.pdf).

For the purposes of the HSR policy, NTIA is particularly concerned about protecting certain populations from being subject to research without their informed consent and that human subjects should not incur increased risk of harm from their research involvement beyond the normal risks inherent in everyday life. To that end, NTIA requires grant recipients to take special precautions if HSR involves certain populations. These populations include pregnant women, children, fetuses, and prisoners as set forth in the Code of Federal Regulations, 45 CFR § 46 Subparts B, C, and D.<sup>4</sup>

## **TBCP Program Office Expectations**

Some TBCP recipients may conduct surveys of individuals as part of their TBCP-funded activities. Although it is unlikely these activities will qualify as HSR, NTIA must ensure that all TBCP recipients understand and comply with the appropriate HSR protection classifications, policies, and requirements by obtaining written assurances from and certifying that any TBCP recipient research activities comply with the requirements set forth in 15 CFR § 27 (Protection of Human Subjects), as incorporated into every TBCP award through a Specific Award Condition and the DOC Standard Terms and Conditions:

1. All proposed research involving human subjects must be conducted in accordance with 15 CFR § 27. **No research involving human subjects is permitted under this award unless expressly authorized by specific award condition, or otherwise in writing by the Grants Officer.**
2. Federal policy defines a human subject as a living individual about whom an investigator (whether professional or student) conducting research: (1) Obtains information or biospecimens through intervention or interaction with the individual, and uses, studies, or analyzes the information or biospecimens; or (2) Obtains, uses, studies, analyzes, or generates identifiable private information or identifiable biospecimens. Research means a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge.
3. Fifteen CFR § 27 requires that non-Federal entities maintain appropriate policies and procedures for the protection of human subjects. In the event it becomes evident that human subjects may be involved in this project, the non-Federal entity (generally through the recipient) must submit appropriate documentation to the Federal Program Officer (FPO) for approval by the appropriate DOC officials. As applicable, this documentation must include:
  - i. Documentation establishing approval of an activity in the project by an Institutional Review Board (IRB) under a Federal-wide Assurance issued by the Department of Health and Human Services or other Federal agency guidelines (see also 15 CFR § 27.103);

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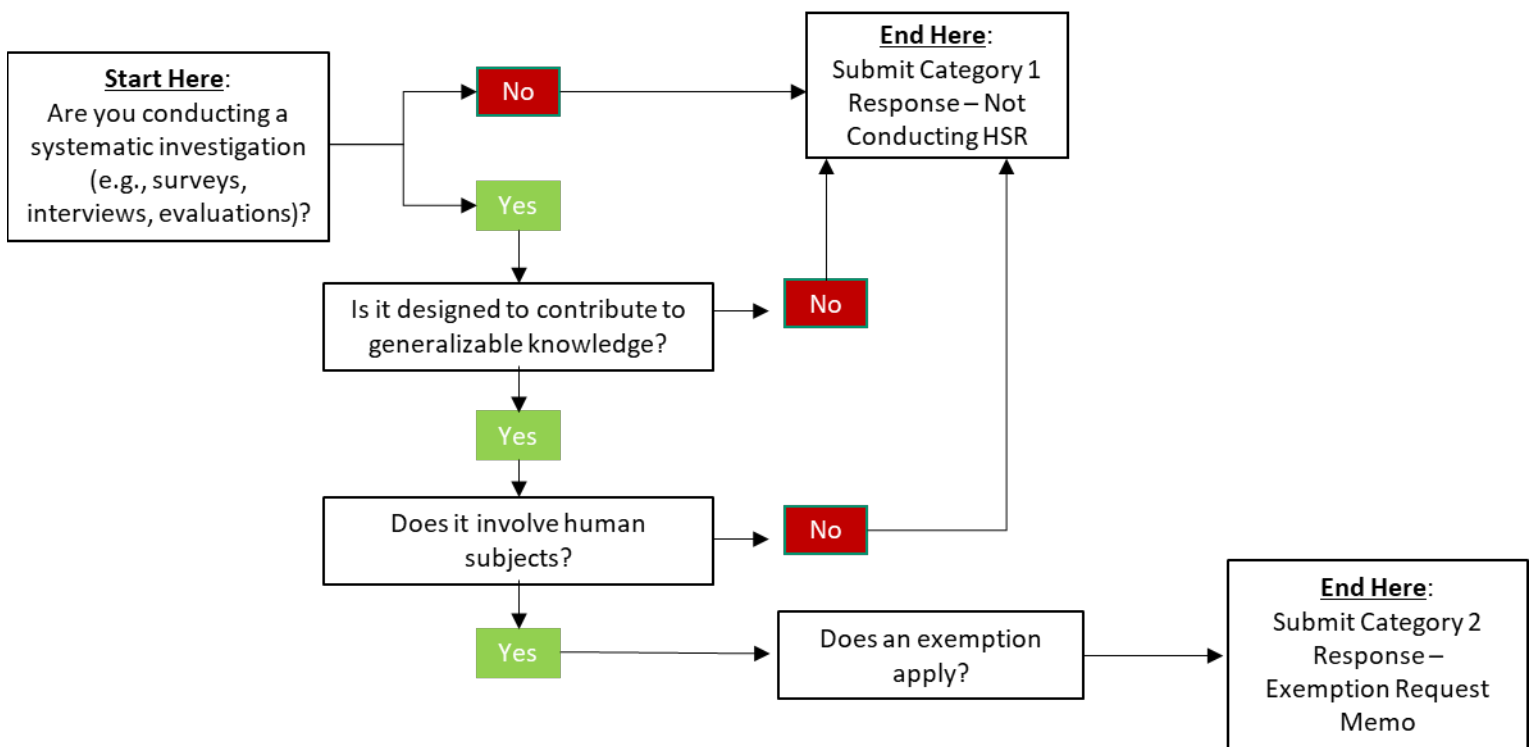
<sup>4</sup> 45 CFR § 46, Subparts B, C, and D available at <https://www.ecfr.gov/current/title-45/subtitle-A/subchapterA/part-46>.

- ii. Documentation to support an exemption for an activity in the project under 15 CFR § 27.104(d);
  - iii. Documentation of IRB approval of any modification to a prior approved protocol or to an informed consent form;
  - iv. Documentation of an IRB approval of continuing review approved prior to the expiration date of the previous IRB determination; and
  - v. Documentation of any reportable events, such as serious adverse events, unanticipated problems resulting in risk to subjects or others, and instances of noncompliance.
4. **No work involving human subjects may be undertaken or conducted, and no costs may be incurred and/or charged for human subjects research, until the appropriate documentation is approved in writing by the Grants Officer.** In accordance with 15 CFR § 27.118, if research involving human subjects is proposed after an award is made, the non-Federal entity must contact the FPO and provide required documentation. Notwithstanding this prohibition, work may be initiated or costs incurred and/or charged to the project for protocol or instrument development related to human subjects research.

TBCP recipients should review the *TBCP HSR Classification – Decision Tree* below and consider the TBCP planned activities to determine which HSR category applies to their grants.

### TBCP HSR Classification – Decision Tree

The decision tree included below can be used by TBCP recipients to determine if human subjects are involved in their research, and, if the research does involve human subjects, whether it may be exempt under current Department of Commerce regulations on the protection of human subjects. Please note that because of TBCP's programmatic focus and allowable grant activities and expenditures, as defined in the NOFO, TBCP recipients will not be likely engaging in research that would require review and approval by an Institutional Review Board (IRB). Therefore, information on the IRB review approval process is not included in the decision tree.



## TBCP HSR Classification Categories and Determination Criteria

After completing the decision tree, all TBCP recipients should be able to determine their HSR classification categories (defined below). TBCP recipients should contact their Federal Program Officer (FPO) if they have questions about the categories.

HSR Classification Category	Determination Criteria <sup>5</sup>
Category 1: Not Conducting Human Subjects Research	<ul style="list-style-type: none"> <li>• The activity does not qualify as research, as defined in 15 CFR § 27.102(l), because it does not follow a systematic investigation designed to develop or contribute to generalizable knowledge.</li> <li>• The activity does not involve human subjects as defined in 15 CFR § 27.102(e)(1).</li> </ul>
Category 2: Exemption Request <sup>6</sup>	<ul style="list-style-type: none"> <li>• The research is conducted in established or commonly accepted educational settings involving normal education practices, such as (1) research on regular and special education instructional strategies, or (2) research on the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods. See 15 CFR § 27.104(d)(1).</li> <li>• The research involves the use of educational tests (i.e., cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless: (1) the information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and (2) any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability, or be damaging to the subjects' financial standing, employability, or reputation. If research involves survey or interview procedures, it does not involve children under the age of 18 as subjects. If research involves observation of public behavior and children under the age of 18 as subjects, the investigator(s) will not participate in the activities being observed. See 15 CFR § 27.104(b)(3), (d)(2).</li> <li>• The research will involve benign behavioral interventions in conjunction with the collection of information from an adult subject through verbal or written responses (including data entry) or audiovisual recording if the subject prospectively agrees to the intervention and information collection. The information collected is recorded by the investigator in such a manner that subjects cannot be identified, directly or through identifiers linked to the subjects, or disclosure of the subjects' responses outside the</li> </ul>

<sup>5</sup> Determinations only remain valid so long as the activities on which the determination is based remain unchanged.

<sup>6</sup> The listed exemptions are those most likely to be relevant to TBCP grant recipient activities. For the full list of exempt research categories, grant recipients should review 15 CFR § 27.104(d).

	<p>research would not reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, educational advancement, or reputation. See 15 CFR § 27.104(d)(3).</p> <ul style="list-style-type: none"><li>• Secondary research for which consent is not required: Secondary research uses of identifiable private information or identifiable biospecimens, if at least one of the following criteria is met:<ul style="list-style-type: none"><li>○ (i) The identifiable private information or identifiable biospecimens are publicly available;</li><li>○ (ii) Information, which may include information about biospecimens, is recorded by the investigator in such a manner that the identity of the human subjects cannot readily be ascertained directly or through identifiers linked to the subjects, the investigator does not contact the subjects, and the investigator will not re-identify subjects. See 15 CFR § 27.104(d)(4).</li></ul></li></ul>
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### **Required Grant Recipient Action**

Recipients must provide an HSR memo to their TBCP FPO prior to conducting any research or administration of any surveys funded with TBCP funds. To satisfy the TBCP HSR requirements, recipients must state which HSR classification category is applicable and the examples of planned TBCP project activities that justify inclusion in that category.

If research activities require an exemption request, a recipient may not conduct any research involving human subjects until NTIA has approved the recipient's request substantiating an HSR exemption. If a recipient conducts research before receiving NTIA approval of an exemption, recipients will be considered in material non-compliance with award terms and conditions, and any costs incurred to conduct the research could be disallowed.

The templates provided below are samples that may help recipients complete an HSR memo.

**For Category 1 Grant Recipients:**

Provide an email or letter to FPO certifying the following (*recommended text*):

Based on our review of the policy described in Part 27 of Title 15 of the Code of Federal Regulations, the Common Rule for Protection of Human Subjects, we advise the National Telecommunications and Information Administration (NTIA) that the activities we expect to perform under our TBCP project grant number **[INCLUDE GRANT NUMBER HERE]** do not include human subjects research as defined in 15 CFR § 27.102(e).

We understand that the protection of human subjects is an ongoing activity. If our planned activities under the grant change, then we will advise our assigned Federal Program Officer (FPO) and seek approval from the Department of Commerce prior to any work involving human subjects research being undertaken or any charges for activities involving human subjects being incurred and/or charged to the project. We will also submit appropriate documentation to allow NTIA to certify that the research and evaluation activities we will undertake are either: (1) **exempt** from Human Subjects Research Protections under one of the exemptions listed in 15 CFR § 27.104(d); or (2) **approved** by an outside Institutional Review Board in accordance with 15 CFR § 27.109.



### **For Category 2 Grant Recipients:**

Recipients requesting an Exemption from the Human Subjects Research Policy should submit a request in letter format that resembles in form and substance the sample language set forth below. Please note, only the DOC can confer a Research Exemption.

**[Federal Program Officer]**

Tribal Broadband Connectivity Program  
U.S. Department of Commerce  
National Telecommunications and Information Administration  
1401 Constitution Avenue, NW  
Room 4078  
Washington, DC 20230

**Dear [NAME OF THE FEDERAL PROGRAM OFFICER]:**

Based on review of the policy described in Part 27 of Title 15 of the Code of Federal Regulations, the Common Rule for Protection of Human Subjects, we request an exemption for the proposed research for our TBCP project grant number **[INCLUDE GRANT NUMBER HERE]**.

As described in 15 CFR § 27.104(d), we believe that the following exemption(s) listed below apply to our proposed evaluation:

***[From the exemptions listed below, INCLUDE ONLY THE EXEMPTION(S) THAT APPLY TO YOUR RESEARCH. Please discuss your planned activities with your FPO to decide which exemptions apply to your planned activities.]***

The research is conducted in established or commonly accepted educational settings involving normal educational practices, such as: (1) research on regular and special education instructional strategies, or (2) research on the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods. 15 CFR § 27.104(d)(1).

The research involves the use of educational tests (*i.e.*, cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless: (1) the information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and (2) any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability, or be damaging to the subjects' financial standing, employability, or reputation. If research involves survey or interview procedures, it does not involve children under the age of 18 as subjects. If research involves observation of public behavior and children under the age of 18 as subjects, the investigator(s) will not participate in the activities being observed. 15 CFR § 27.104(d)(2).

The research involves benign behavioral interventions in conjunction with the collection of information from an adult subject through verbal or written responses (including data entry) or audiovisual recording if the subject prospectively agrees to the intervention and information collection and at least one of the following criteria is met: (1) the information obtained is recorded by the investigator in such a manner that the identity of the human subjects cannot readily be ascertained, directly or through identifiers linked to the subjects; or (2) any disclosure of the human subjects' responses outside the research would not reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, educational advancement, or reputation. 15 CFR § 27.104(d)(3).

The research will involve the collection or study of existing data, documents, or records. The information collected is publicly available, or the information is recorded by the investigator in such a manner that subjects cannot be identified, directly or through identifiers linked to the subjects. 15 CFR § 27.104(d)(4).

Our research will involve:

[In this section you should summarize your research plan. Please describe:

- What information do you plan to collect?
- What type of research instrument you will use to collect the information (e.g., survey, focus groups, interviews)?
- Who will participate in the research (e.g., public safety professionals, government officials, individuals who work for utility companies)?
- Who will administer the research (e.g., a contracted vendor, an internal state agency that conducts similar types of surveys/evaluation)?
- How will you use the information that you collect?
- As applicable, how will you ensure that information obtained from subjects is recorded in such a manner that the subjects cannot be readily identified?

There must be sufficient information to determine how the research will be conducted.]

I believe the exemption is warranted because:

[Example 1: The investigator will not record the names of survey participants, and the information that will be collected could not reasonably place the participants at risk of criminal or civil liability, or be damaging to their financial standing, employability, or reputation.

Moreover, there will be no participants under the age of 18. Exemption Available: 15 CFR § 27.104(d)(2).

Example 2: The research relies on sources that are publicly available and can be found at [list locations where the data is publicly available]. Exemption Available: 15 CFR § 27.104(d)(4).

Example 3: The research relies on existing data, documents, and records that are not publicly available. However, the investigator will record the information in such a manner that subjects cannot be identified directly or through identifiers linked to the subject. Exemption Available: 15 CFR § 27.104(d)(4).

Recipient should clearly specify that procedures you will employ to ensure that certain populations (e.g., prisoners) will be excluded from your research.]

[Please note that if your research cannot qualify for an exemption or includes certain populations, you will need to subject your research protocol to Institutional Review Board (IRB) review and approval as described in 15 CFR § 27.109 and 45 CFR § 46.109.]

[In addition, you should include as attachments any items (including your evaluation plan, evaluation contracts, evaluator strategies, evaluator qualifications, sample questions to be used in surveys or focus groups, etc.) that will support your request for an exemption.]

I request an exemption based on the research information submitted at this time. I recognize that we cannot proceed with any research activities that involve human subjects until this exemption is approved. If our planned activities under the grant change, then we will advise our assigned Federal Program Officer (FPO) and seek approval from the Department of Commerce before conducting any work involving human subjects research being undertaken or any charges for activities involving human subjects being incurred and/or charged to the project. If applicable, we will also submit appropriate documentation to allow NTIA to certify that the research and evaluation activities we will undertake are either: (1) exempt from Human Subjects Research protections under one of the exemptions listed in 15 CFR § 27.104(d); or (2) approved by an outside IRB in accordance with 15 CFR § 27.109.

**[Signed by Authorized Organization Representative, including their title]**