

# Federal Agency Joint Webinar: Broadband Opportunities in Indian Country

February 2022

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This slide deck summary is intended for informational purposes only and is not intended to supersede any information that any entity has otherwise made available regarding relevant programs.

# Department of Commerce: National Telecommunications & Information Administration (NTIA)

**Adam Geisler**, Division Chief, Tribal Connectivity and Nation to  
Nation Coordination Division

# Broadband Programs Overview

1. Broadband Equity, Access & Deployment (BEAD) Program
2. Digital Equity Programs
3. Tribal Connectivity Technical Amendments
4. Enabling Middle Mile Broadband Infrastructure

# Infrastructure Act\* creates ~\$65B in BROADBAND funding

**NTIA will administer ~\$48B of this new funding**

## BEAD

**\$42.45B**

*Title I - Broadband Equity, Access & Deployment Program*

## MIDDLE MILE

**\$1.00B**

*Title IV - Enabling Middle Mile Broadband Infrastructure*

## DIGITAL EQUITY

**\$2.75B**

*Title III – Digital Equity Act*

## TRIBAL

**\$2.00B**

*Title II - Tribal Connectivity Technical Amendments*

**FCC to administer  
~\$14B**

**\$14.2B**

*Affordable Connectivity Program*

**USDA to administer \$2B**

**\$2.0B**

*Via the Rural Utilities Service*

**Private Activity Bonds  
\$600M**

**\$600M**

*Authorizes State/local gov'ts to use private activity bonds for rural broadband*

*\* Infrastructure Investment and Jobs Act, Division F, Pub. L. 117-58 (Nov. 15, 2021)  
Note: funding amounts inclusive of all administrative set-asides*

# BEAD (I/II) | The "BEAD" program Will provide ~\$42B for infrastructure planning and implementation

## OVERVIEW

**Official name:** Broadband Equity, Access and Deployment Program

**Funding pool:** \$42.45B

**Type of program:** State and Territory formula program

**Program objective:** to close the availability gap, as Congress finds that "access to affordable, reliable, high-speed broadband is essential to full participation in modern life in the United States."

## PROGRAM PRIORITIES

- 1 Unserved locations  
*No access to 25/3 Mbps*
- 2 Underserved locations  
*No access to 100/20 Mbps*
- 3 Community anchor institutions  
*Without gigabit connections*

**Eligible entity must also prioritize**

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

## OTHER KEY FEATURES

**Quality requirements**

Specific network requirements are included e.g., speeds of at least 100/20 Mbps

**Matching requirement**

Eligible entities must ensure that they or a subgrantee provide at least 25% match  
*(unless waiver granted)*

**Low-cost plan requirement**

Required to offer a low-cost plan to eligible subscribers *(to be determined by NTIA)*

*Note: funding amounts inclusive of all administrative set-asides*

# DIGITAL EQUITY (I/IV) | The Digital Equity Act creates 3 SEQUENCED programs to promote digital inclusion

OVERVIEW	PROGRAM/S PRIORITIES	PROGRAMS CREATED	
<p><b>Official name:</b> Title III – The Digital Equity Act</p> <p><b>Funding pool:</b> \$2.75B</p> <p><b>Programs' objective:</b> support the closure of the digital divide &amp; promote equity and digital inclusion, so that "individuals and communities have the information technology capacity that is needed for full participation in the society and economy of the United States."</p>	<ul style="list-style-type: none"><li>➤ <b>Veterans</b></li><li>➤ Individuals living in households <b>earning at or below 150% of the poverty line</b></li><li>➤ <b>Aging</b> individuals</li><li>➤ <b>Incarcerated</b> individuals</li><li>➤ Individuals with <b>disabilities</b></li><li>➤ Individuals with a <b>language barrier</b></li><li>➤ Individuals who are members of a <b>racial or ethnic minority group</b></li><li>➤ Individuals who primarily reside in a <b>rural area</b></li></ul>	<p><b>State program</b></p> <div>State Planning Grant Program (\$60M)</div> <p>↓</p> <div>State Capacity Grant Program (\$1.44B)</div>	<p><b>Comp. program</b></p> <div>Competitive Grant Program (\$1.25B)</div> <p><i>Created once state implementation grants begin being awarded</i></p>

*Note: funding amounts inclusive of all administrative set-asides*

# DIGITAL EQUITY (III/IV) | following planning program, states can apply for capacity grants to implement

## State Capacity Grant Program

### OVERVIEW

**Official name:** State Digital Equity Capacity Grants

**Funding pool:** \$1.44B

**Type of program:** State and Territory formula program

**Programs' objective:** To support the implementation of State Digital Equity Plans and digital inclusion activities

### ELIGIBILITY

Eligibility and administering entity options are **consistent with the planning program**

*Note, in order to apply for Capacity Grants, States must have participated in and completed the planning program*

### ELIGIBLE COSTS & ACTIVITIES

**Funds awarded under this program can only be used for the following purposes:**

- To update or maintain the State's Digital Equity Plan (no more than 20% of amount awarded)
- To implement the State's Digital Equity Plan
- To award sub-grants to 'eligible entities' to assist in implementation of the State's Plan
- To pursue digital inclusion activities in the State consistent with the Plan
- To report back to the State on related activities
- To determine the efficacy of efforts (no more than 5% of awarded funds can be used)

*No more than 3% can be used for administrative purposes*

*Note: funding amounts inclusive of all administrative set-asides*



# DIGITAL EQUITY (IV/IV) | once NTIA begins awarding state capacity grants, competitive program will be launched

## Competitive Grant Program

OVERVIEW	ELIGIBILITY	ELIGIBLE ACTIVITIES
<p><b>Official name:</b> Digital Equity Competitive Grant Program</p> <p><b>Funding pool:</b> \$1.25B</p> <p><b>Type of program:</b> Competitive grant</p> <p><b>Programs' objective:</b> Support efforts to promote digital inclusion, achieve digital equity &amp; improve adoption of broadband</p>	<p><b>Any of the following, if they are not serving / have not served, as administering entity under state program</b></p> <ul style="list-style-type: none"><li>• A political subdivision, agency, or instrumentality of a State, including an agency of a State that is responsible for administering or supervising adult education and literacy activities, or for providing public housing, in State</li><li>• Indian Tribe/ Alaska Native entity / Native Hawaiian organization</li><li>• A foundation, corporation, institution, or association that is a not-for-profit and not a school</li><li>• A community anchor institution</li><li>• A local educational agency</li><li>• Entity that carries out a workforce development program</li><li>• A partnership between any of the entities described above, and any additional entities approved by NTIA</li></ul>	<p><b>Must support at least one of the following, to benefit covered population/s</b></p> <ul style="list-style-type: none"><li>• Develop &amp; implement digital inclusion activities</li><li>• Facilitate broadband adoption to provide educational and employment opportunities</li><li>• Implement training and/or other workforce development programs</li><li>• Make equipment, instrumentation, networking capability, hardware and software, or digital network technology available at low/no cost</li><li>• Construct, upgrade, expend, or operate new or existing public access computing centers through CAIs</li></ul> <p><i>Max 10% for administration; Max Federal share of any project is 90%; Max 10% for evaluation</i></p>

*Note: funding amounts inclusive of all administrative set-asides*

# TRIBAL (I/II)| Technical amendments and new funding will strengthen CURRENT tribal connectivity program

## OVERVIEW

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**Official name:** Tribal Broadband Connectivity Technical Amendments

**Funding pool:** \$2.00B

**Type of program:** Grants to eligible entities with approved applications

**Program objective:** providing new funds and extending expenditure deadlines for the Tribal Broadband Connectivity Program (established by Consolidated Appropriations Act, 2021, Div. N, Tit. IX, Sec. 905(c))

## KEY AMENDMENTS TO PRIOR PROGRAM

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- ① Adding \$2 billion for NTIA to distribute to eligible entities, including to fund previously-proposed programs
- ② Relaxing time requirements of original program—after receipt of funding, eligible entities now have up to
  - 6 months to submit applications
  - 18 months to commit the funds to projects
  - 4 years to fully expend the grant funds
- ③ Allowing infrastructure grantees to expend up to 2.5% total project cost for related planning, feasibility and sustainability studies
- ④ Preserving unused allocated funds for other Tribal broadband projects instead of reverting back to the Treasury

*Note: funding amounts inclusive of all administrative set-asides*

# MIDDLE MILE (I/II)| \$1 billion allocated to middle mile grant program to support expansion of networks

## OVERVIEW

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**Official name:** Enabling Middle Mile Broadband Infrastructure

**Funding pool:** \$1.00B

**Type of program:** Direct competitive grant on technology-neutral basis

**Program objective:** "Encourage the expansion and extension of middle mile infrastructure to reduce the cost of connecting unserved and underserved areas ... and to promote broadband connection resiliency"

## PROGRAM PRIORITIES

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**1** For eligible entities meeting **at least two of five conditions:**

- ☐ Adopt "fiscally sustainable middle mile strategies"
- ☐ Commit to offering non-discriminatory interconnect
- ☐ Identify specific, documented and sustainable demand for middle mile interconnect
- ☐ Identify conditions/resources to speed up project
- ☐ Demonstrate benefits to national security interests

**2** **Eligible entities must also:**

- Agree to prioritize connecting to unserved areas, connecting to non-contiguous trust lands, or offering wholesale carrier-neutral service at reasonable rate
- Offer interconnection "in perpetuity ... on reasonable rates and terms"

*Note: funding amounts inclusive of all administrative set-asides*

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

BroadbandForAll@ntia.gov

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

- February 23, 2022 (Topic: Digital Equity Act Programs)
- March 18, 2022 Tribal Consultation on IIJA Funding

For more information about upcoming listening sessions:  
<https://broadbandusa.ntia.doc.gov/events/latest-events>

# Department of the Treasury

**Fatima Abbas**, Senior Advisor, Tribal Policy and Engagement

**Geng Ngarmboonant**, Senior Advisor, Office of Recovery  
Programs

# Overview

- Office of Recovery Programs
- Tribal Recovery Programs & Telecommunications Assistance

# Office of Recovery Programs

- In April 2021, the U.S. Department of the Treasury announced the establishment of the Office of Recovery Programs to lead the Department's implementation of economic relief and recovery programs, including nearly \$420 billion in programs from the American Rescue Plan Act of 2021.
- This office is led by the Chief Recovery Officer and focused on efficiently establishing and administering Treasury's programs to support an equitable and swift recovery from the economic challenges precipitated by the COVID-19 pandemic.
  - Ensure a coordinated, cohesive approach to implementing these programs and supporting the recovery.
  - Provide accountability and transparency for outcomes in these programs.
- Programs include the Coronavirus Aid, Relief, and Economic Security (CARES) Act, the Consolidated Appropriations Act of 2021, and the American Rescue Plan Act.

The American Rescue Plan and prior relief laws include key programs to support pandemic recovery in Indian Country

Program	Total Funds	Tribal Funds	Purpose
Coronavirus Relief Fund	\$150B	\$8B	Support COVID-19-response
States, Local & Tribal Fiscal Recovery Funds	\$350B	\$20B	Support COVID-19 public health and economic response and replace lost revenue
Local Assistance & Tribal Consistency Fund	\$2B	\$500M	Support for general government services, allocated based on economic conditions
Capital Projects Fund	\$10B	\$100M	Critical capital projects like broadband that enable work, education, and health care
Emergency Rental Assistance	\$46B	\$800M	Aid for rent and utility costs – as well as housing stability services
Homeownership Assistance Fund	\$10B	\$500M	Aid for mortgage and home costs
State Small Business Credit Initiative	\$10B	\$500M	Programs to provide credit and investment to small businesses and support growth
<div></div> Aid to Governments	<div></div> Aid to Households	<div></div> Aid to Businesses	



# CARES Act

## Coronavirus Relief Fund (CRF)

- **Telecommunications:** The Final Rule lists non-exclusive examples of eligible expenditures that include facilitation of distance learning, including technological improvements; expansion of telework capabilities; and establishing and operating telemedicine capabilities for COVID-19 related treatment.
  - **Final Rule #36.** May recipients use Fund payments to expand rural broadband capacity to assist with distance learning and telework?

Such expenditures would only be permissible if they are necessary for the public health emergency. The cost of projects that would not be expected to increase capacity to a significant extent until the need for distance learning and telework have passed due to this public health emergency would not be necessary due to the public health emergency and thus would not be eligible uses of Fund payments.

# Housing

## Emergency Rental Assistance (ERA)

- Enacted on December 27, 2020, the Emergency Rental Assistance program (ERA1) provides \$25 billion to States; the District of Columbia and U.S. Territories; and Tribal governments for rent and utility assistance and housing stability services.
- \$797.6 million set aside for Indian tribes and tribally designated housing entities (TDHEs).
- The statute directs that 90% of ERA funds be spent on direct financial assistance and that up to 10% could be spent on administrative expenses and housing stability services.
- The statute defines financial assistances as assistance to tenants for:
  - rent and rental arrears,
  - utilities and home energy costs and arrears, and
  - *other expenses* related to housing incurred due, directly or indirectly, to the COVID-19 outbreak, as defined by the Treasury Secretary.
- **Telecommunications:** Treasury FAQs provide that “other expenses” eligible for assistance to include internet service, if it allows renters to engage in distance learning, telework, and telemedicine and obtain government services.

# Housing

## Homeowner Assistance Fund

- The Homeowner Assistance Fund (HAF) provides \$9.9 billion to States, the District of Columbia, territories and Tribes or Tribally designated housing entities and the Department of Hawaiian Homelands to prevent mortgage delinquencies and defaults, foreclosures, loss of utilities or home energy services, and displacement of homeowners experiencing financial hardship after January 21, 2020.
  - \$498 million for Tribes or Tribally designated housing entities and the Department of Hawaiian Homelands.
- **Telecommunications:** Treasury Guidance states that payment assistance for a homeowner's internet service, including broadband internet access service, as defined in 47 CFR 8.1(b), is a qualified expense.

# Capital Projects Fund

## Purpose

Provides \$10 billion to governments to carry out critical capital projects that directly enable work, education, and health monitoring, including remote options, in response to the public health emergency.

## Tribal Set Aside and Disbursements

- **\$100 million Tribal set aside**
  - Funding is allocated in equal shares to Tribal governments amounting to \$167,504 for each Tribe.
  - **Deadline to apply is June 1, 2022.**

## Implementation

- Treasury adopted a streamlined Tribal application that contained presumptively eligible uses as follows:
  - Purchasing digital connectivity devices to facilitate internet access (ex. Laptops).
  - Purchasing digital connectivity technologies, such as public Wi-Fi, to facilitate internet access
  - Supplementing another federal government broadband program (e.g., Coronavirus State and Local Fiscal Recovery Funds, NTIA Tribal Broadband Connectivity Program, or other funds) that meet minimum service standards provided by the Capital Projects Fund Guidance
  - Installing or enhancing broadband infrastructure to serve communities by meeting minimum service standards provided by the Capital Projects Fund Guidance
  - Constructing or improving buildings, such as multi-purpose community centers, that are designed to jointly enable work, education, and health monitoring
- Tribal governments may apply jointly, including via a Tribal consortium.

# State Small Business Credit Initiative

**Purpose:** \$10 billion in funding for jurisdictions to establish capital programs such as:

- Equity programs (startup and growth equity): direct programs, fund programs
- Debt programs: Loan participation, guarantee, collateral support, and insurance programs

## Tribal Allocation and Disbursements

- **\$500 million Tribal-specific capital allocation**
  - Distributed based on Tribal population subject to a \$607,000 minimum for all Tribes
  - 415 Tribes have submitted a Notice of Intent (NOI)
- ~\$700 million in total capital funding available for Tribal governments
- Technical assistance (TA) funding will be available to Tribal governments, when the SSBCI TA program rolls out
- **Deadline for application submission is May 11, 2022.**

## Implementation

- Requires 1:1 private financing, private capital being meaningfully at risk, and \$1 “cause and result in” \$10 of private finance
  - Private capital may include Tribal enterprise funds acquired in commerce.
- Tribal governments may apply as a consortia for SSBCI funding.
- A Tribal enterprise may implement & administer Tribal SSBCI or serve as a lender \$500 million Tribal-specific capital allocation
  - Distributed based on Tribal population subject to a \$607,000 minimum for all Tribes
  - 415 Tribes have submitted a Notice of Intent (NOI)
- **Eligible small businesses include those in the telecommunications field.**

# Coronavirus State and Local Fiscal Recovery Funds for Tribal Governments

- The Coronavirus State & Local Fiscal Recovery Funds provides \$350 billion for state, local, territorial, and Tribal governments to respond to COVID-19 and support public health and economic recovery. **\$20 billion is reserved for Tribal governments.**
  - \$1 billion to be allocated equally among each of the eligible Tribal governments.
  - \$19 billion to be allocated to the Tribal governments in a manner determined by the Secretary (Treasury).
- **Statutory Uses**
  - To respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
  - To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;
  - For the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency; and
  - To make necessary investments in water, sewer, or ***broadband infrastructure***.

# Build Broadband Infrastructure

Recipients may use these funds to make a broad range of necessary investments in broadband infrastructure, in order to meet access, affordability, and other challenges.

## 1 Identify an eligible area for investment

- Recipients are encouraged to invest in locations without reliable wireline service of at least 100/20 Mbps speed, but are broadly able to invest in locations where recipient has identified need for additional investment NEW
- Such need can include lack of access to high speeds, affordability & reliability

## 2 Design project to meet high-speed technical standards

- Deliver reliable high-speed service of minimum 100 Mbps symmetrical speeds unless impracticable

## 3 Require enrollment in a low-income subsidy program NEW

- Recipients must require service providers for a broadband project that provides service to households to either:
  - ✓ Participate in the FCC's Affordable Connectivity Program
  - ✓ Provide access to a broad-based, low-income affordability program commensurate to the Affordable Connectivity Program

**Flexibility in eligible areas for investment complements Capital Projects and IIJA broadband funding; recipients are also able to invest in cybersecurity for broadband infrastructure regardless of service delivery standards**

# Replace Public Sector Revenue Loss

Recipients may use these funds to provide government services, up to the amount of revenue loss experienced due to the COVID-19 public health emergency.

## 1 Determine revenue loss, using one of two available options:

- A Elect “**standard allowance**” of up to **\$10 million** to spend on government services through the life of the program, which greatly simplifies the program for small localities NEW
- B **Calculate actual revenue loss** according to Treasury formula
  - » Calculate revenue loss either on a calendar or fiscal year basis NEW
  - » Must adjust actual revenue totals for the effect of tax cuts and tax increases that are adopted after January 6, 2022, to more accurately reflect revenue loss due to the pandemic NEW

## 2 Spend on government services up to the revenue loss amount

- Government services generally include **any service traditionally provided by a government** unless Treasury has stated otherwise, such as:
  - ✓ Construction of schools and hospitals
  - ✓ Road building and maintenance, and other infrastructure
  - ✓ Health and other services
  - ✓ Environmental remediation
  - ✓ Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)



# Non-Federal Match and Cost-Share Requirements

The final rule provides clarity on use of FRF funds to meet non-federal match and cost-sharing requirements of other federal programs.

1

## **“Revenue Loss” Eligible Use Category**

- **Generally, funds available under the “revenue loss” eligible use category can be used to meet the non-federal cost-share or matching requirements of other federal programs**
- Except that funds may not be used as the non-federal share for a state’s Medicaid and CHIP programs, even under the “revenue loss” eligible use category

2

## **Other Eligible Use Categories**

- **Generally, funds in other eligible use categories beyond “revenue loss” cannot be used to meet the non-federal cost-share or matching requirements of other federal programs**
- Except when a federal statute specifically and/or expressly permits FRF to be used as match (e.g., IIJA permits FRF as match on certain broadband deployment projects and authorized Bureau of Reclamation projects)

# Section 605

**Purpose:** to be used for any governmental purpose, except lobbying activities.

## **Tribal Set Aside and Disbursements**

- \$500 million Tribal set aside

## **Methodology**

- Currently determining methodology, eligible uses, and guidance

## **Consultations and Outreach**

- 3 consultations held on February 8, 9, and 10, 2022
- Comment deadline is February 28, 2022

# Thank You and More Information



For More Information on Recovery Programs, please visit <https://home.treasury.gov/policy-issues/coronavirus>

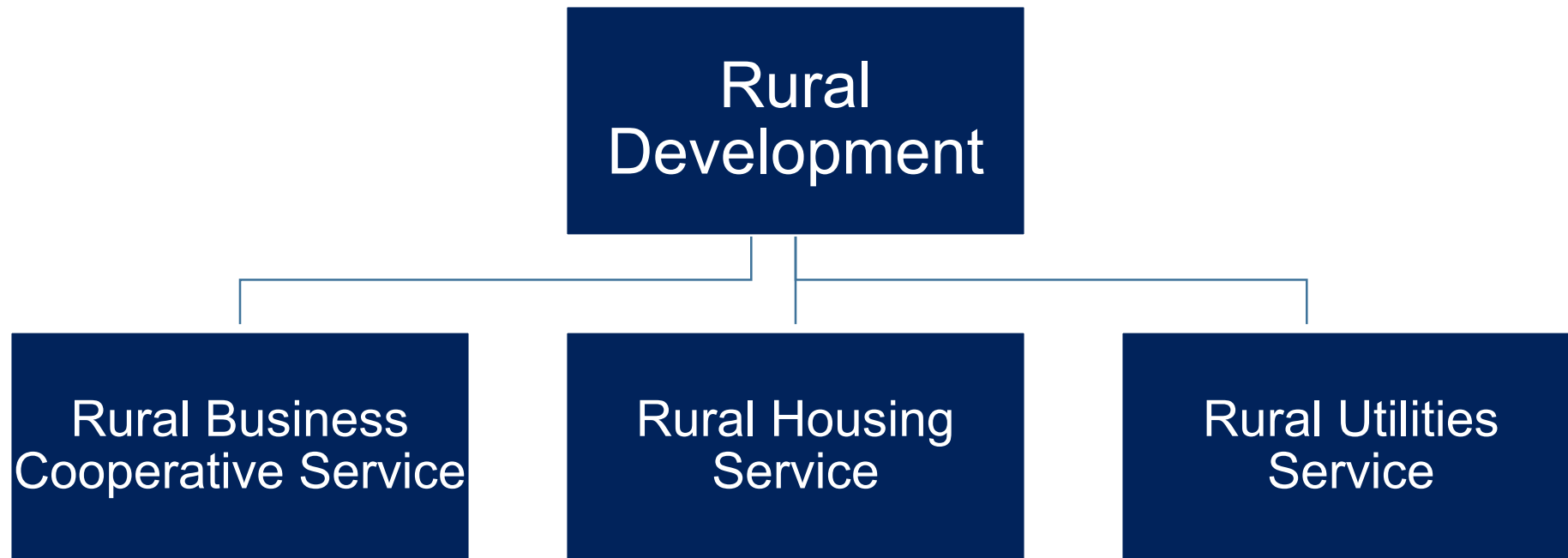
For Information on Fiscal Recovery Funds, please visit Treasury's website at [www.treasury.gov/SLFRPTribal](http://www.treasury.gov/SLFRPTribal)

If you have questions about Tribal Affairs at Treasury, please email [Tribal.Consult@treasury.gov](mailto:Tribal.Consult@treasury.gov)

# Department of Agriculture (USDA)

**Edyael Casaperalta**, Senior Policy Advisor, Rural Utilities Service |  
Rural Development

# USDA Rural Development Agencies



# **Rural Utilities Service**

RUS provides funding for infrastructure and infrastructure improvements to rural communities. These include water and waste treatment, electric power, and telecommunications services.

These services help to expand economic opportunities and improve the quality of life in rural areas.

# **Telecommunications Program**

- 1. Distance Learning & Telemedicine Grant Program**
- 2. Community Connect Grant Program**
- 3. ReConnect Program**
4. Telecommunications Infrastructure Loan Program
5. Rural Broadband Loan Program

# Distance Learning & Telemedicine Grant Program

- **Purpose:** Equipment to deliver telemedicine service and distance learning curriculums in rural communities with a population of 20,000 people or less.
- **Funding Type:** Grants with 15% Matching Fund Requirement.
- **Eligible entities:** Federally recognized Tribes, nonprofits, for-profit businesses, consortia
- **Broadband Facilities:** Up to 20% of a grant can be used for broadband facilities that support distance learning or telemedicine



# Community Connect Grant Program

- **Purpose:** Construction and expansion of broadband service in rural communities with a population of 20,000 people or less, where broadband service **does not** currently exist.
  - Must focus on a single community.
  - Must have a community center. Cover the cost of providing broadband service free of charge in critical community facilities for 2 years.
  - Less than 10% of the grant amount or up to \$150,000 may be used for the improvement, expansion, construction or acquisition of the community center.
- **Funding Type:** Grants with 15% Matching Fund Requirement.
- **Eligible entities:** Federally recognized Tribes, nonprofits, businesses, coops, etc.

# ReConnect Program - Closes **3/9/2022**

- **Purpose:** Fund rural broadband infrastructure – construction, maintenance, improvement, and expansion of broadband service.
- **Funding Type:** Loans, grants, and loan/grant combinations. 25% matching requirement for grants.
- **Eligibility:**
  - Rural communities of 20,000 or less
  - 90% of the proposed service area must be unserved
  - Tribes, telecom carriers, nonprofits, cooperatives, etc.

# ReConnect Round 3 - Closes **3/9/2022**

- **\$1.15 Billion in Funds Available**
  - Areas without 100/20 Mbps are eligible for funding.
  - **\$350 Million Grant Set-Aside** with no match for Tribes and Socially Vulnerable Communities.
  - Projects that propose to serve Tribal Lands will be required to submit a Resolution of Support from the corresponding Tribal Government.
  - Priority points:
    - Rurality; Lack of service at 25/3 Mbps; Economic Need
    - Tribal Governments, local governments, nonprofits, and cooperatives
    - Projects that serve Socially Vulnerable Communities, Tribal Lands

# Application Tips

1. Build a strong working relationship with your RUS Telecom General Field Representative (GFR)
2. Don't be shy! If you have a question or concern, reach out and schedule a call or meeting with RUS Telecom Program staff at any time!
3. Attend future USDA broadband programs application webinars
4. Build relationships and lines of communication across Tribal Government departments that will be involved in the application and project execution
5. Look for opportunities to leverage other federal funding and identify early what can, and what can't, be used as non-federal match!

# Contact Information

## **Edyael Casaperalta**

Senior Policy Advisor

Rural Utilities Service

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## **Tedd Buelow**

Tribal Coordinator

Innovation Center

Rural Development

[Tedd.Buelow@usda.gov](mailto:Tedd.Buelow@usda.gov)

Telecom Program GFRs

<https://www.rd.usda.gov/contact-us/telecom-gfr>

# Economic Development Administration (EDA)

**Carolee Wenderoth**, Tribal Engagement Coordinator

**\$3 billion** in American Rescue Plan funding allows EDA to lead an unprecedented approach to: *“prevent, prepare for, and respond to coronavirus and for necessary expenses for responding to economic injury as a result of coronavirus.”*

**EDA’s American Rescue Plan programs are designed to:**

1. Accelerate the economic recovery from the coronavirus pandemic
2. Build local economies that will be resilient to future economic shocks

# \$3 billion in American Rescue Act funding to Invest in America's Communities

## Jobs for Today



*Good Jobs Challenge*

*Travel, Tourism & Outdoor Recreation*

## Communities Built for All



*Economic Adjustment Assistance*

**Indigenous Communities**

*Coal Communities Commitment*

## Regions for the Future



*Build Back Better Regional Challenge*

*Statewide Planning, Research, & Networks*



# \$100 million for Indigenous Communities

*The Indigenous Communities program recognizes that Native communities have been disproportionately affected by the coronavirus pandemic, in health and economic impacts. **The only eligible entities are:***

## **Indian Tribes or a consortium of Tribes**

State-recognized Tribes, unrecognized Tribes, and non-profits that do not fall within the definition of “Indian Tribe” are not eligible.

## **Public/private nonprofit organizations/associations serving:**

Native Hawaiians, Native Pacific Islanders of Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau

## **For Profit entities**

See next slide

# Tribal Eligibility Update

In September 2021, EDA updated its regulations to create greater opportunities for Native American Communities to participate in its grant programs.

The new rule, published in the *Federal Register*, extends EDA Tribal eligibility to include for-profit entities that are wholly owned by and established for the benefit of a Tribe.

This action follows a government-to-government consultation in April 2021 between EDA and representatives of Native American Communities, who were broadly supportive of the eligibility expansion.

# Indigenous Communities Definition

***Under EDA's regulations, the term "Indian Tribe" includes:***

- the governing body of an Indian Tribe
- a non-profit Indian corporation (restricted to Indians)
- an Indian authority
- any other non-profit Indian tribal organization or entity; provided that the Indian tribal organization or entity is wholly owned by, and established for the benefit of, the Indian Tribe
- for-profit entities that are wholly owned by and established for the benefit of a Tribe

# Award Timeline



**July 2021**

Applications accepted

*Rolling competitive grant applications and awards. EDA strongly encourages all applicants to start early and contact their economic development representative for assistance.*  
<https://eda.gov/contact/>



**Sept 30, 2022**

All funds must be obligated



**May 31, 2027**

Period of performance must end to allow for close out

# Similarities to EDA's Economic Adjustment Assistance Program

- A wide range Economic Adjustment Assistance project types are eligible, including planning, workforce development, entrepreneurship, revolving loan funds, public works, and infrastructure projects.
- EDA encourages application submissions based on:
  - long-term, regionally oriented, coordinated, and collaborative economic development or
  - redevelopment strategies that foster economic growth and resilience.
- Any project that supports recovery from the economic effects of the pandemic is eligible.

# Differences for Indigenous Communities

- A wider range of projects are eligible:
  - Foundational economic infrastructure: broadband, energy, roads, water, and wastewater
  - Vocational and higher education facilities
  - Community health facilities, even if the connection to job creation is indirect

***Note:** Projects that directly support casinos or requests to replace lost revenue remain ineligible.*
- All awards will be made at 100% grant rate.
- Applicants are not required to demonstrate committed beneficiaries or provide signed ED-900Bs to be competitive.
- EDA will reimburse certain pre-award project costs.
  - Includes Preliminary Engineering Reports preparation and environmental and historic preservation requirement compliance costs.

# Next Steps to Apply

1. **Read the Notice of Funding Opportunity (NOFO)** and Eligibility Requirements:  
<https://eda.gov/funding-opportunities/>
2. **Find your Economic Development District** for planning support and technical assistance: <https://eda.gov/resources/directory/>
3. **Email your questions** about the American Rescue Plan Indigenous Communities program to [indigenous@eda.gov](mailto:indigenous@eda.gov)

# More Questions?

Visit our website  
[www.eda.gov/arpa](http://www.eda.gov/arpa) for more  
details





# Federal Communications Commission (FCC)

**Ed Bartholme**, Associate Bureau Chief in the Consumer and  
Governmental Affairs Bureau

# Universal Service Fund Programs

- **Lifeline**
- **High-cost**
- **E-Rate**
- Rural Health Care & Connected Care Pilot Program

## Congressionally Appropriated Programs

- **Affordable Connectivity Program**
- **Emergency Connectivity Fund**
- COVID-19 Telehealth Program

Contributions flow from telecom providers via an assessment on their interstate end-user revenues

Wireline telco

Wireless telco

Cable

... Into the four Universal Service Fund programs, administered by the Universal Service Administrative Co. (USAC) under FCC direction ...

High-Cost

Lifeline

E-Rate

Rural  
Health Care

For questions about FCC programs  
email: [native@fcc.gov](mailto:native@fcc.gov)

# Affordable Connectivity Program (ACP)

The Affordable Connectivity Program is an FCC Program that provides a discount on monthly broadband bills for qualifying low-income households. Eligible households can receive:

- Up to \$30/month discount for broadband service and associated equipment rentals;
- Up to \$75/month discount for households on Tribal lands, and;
- A one-time discount for \$100 for a laptop, desktop, or tablet purchased through a participating provider.

# Who is Eligible for the ACP?

A household is eligible for the Affordable Connectivity Program if the household income is at or below 200% of the Federal Poverty Guidelines, or if a member of the household meets **at least one** of the criteria below:

- Participates in certain assistance programs, such as SNAP, Medicaid, Federal Public Housing Assistance, SSI, WIC, or Lifeline;
- Participates in Tribal specific programs, such as Bureau of Indian Affairs General Assistance, Tribal TANF, or Food Distribution Program on Indian Reservations;
- Participates in the National School Lunch Program or the School Breakfast Program, including through the USDA Community Eligibility Provision;
- Received a Federal Pell Grant during the current award year; or
- Meets the eligibility criteria for a participating broadband provider's existing low-income internet program.

# ACP - Two Steps to Enroll

1. Go to [ACPBenefit.org](http://ACPBenefit.org) to apply, or print out a mail-in application; and
2. Contact your preferred participating provider to select a plan and have the discount applied to your bill.

Eligible households must **both apply for the program and contact a participating provider to select a service plan.**

**Learn More:** [www.fcc.gov/ACP](http://www.fcc.gov/ACP)

**ACP Support Center:** (877) 384-2575

# Lifeline

## What is Lifeline?

Lifeline is a federal program that lowers the monthly cost of phone and internet. Eligible customers will get up to \$9.25 (up to \$34.25 on Tribal lands) toward their bill.

## Who Qualifies for Lifeline?

Household income is less than 135% of the Federal poverty guidelines

or

A member of the household participates in one of these programs:

- Supplemental Nutrition Assistance Program (SNAP), formerly known as Food Stamps
- Medicaid
- Supplemental Security Income (SSI)
- Federal Public Housing Assistance (FPHA)
- Veterans Pension and Survivors Benefit
- Participates in Tribal specific programs, such as Bureau of Indian Affairs General Assistance, Tribal TANF, or Food Distribution Program on Indian Reservations (and you live on federally-recognized Tribal lands)

# Lifeline Application and Resources



Consumers can apply online at [CheckLifeline.org](https://www.checklifeline.org)



Consumers can apply via mail by printing or requesting an application by phone



Consumers can apply with a service provider identified through the [Companies Near Me](https://www.lifelinesupport.org/companies-near-me/) tool available on [www.lifelinesupport.org/companies-near-me/](https://www.lifelinesupport.org/companies-near-me/)

Consumers can receive support via email at [LifelineSupport@usac.org](mailto:LifelineSupport@usac.org) or via telephone at (800) 234-9473

# High-Cost Program

- Program designed to ensure that consumers in rural, insular, and high-cost areas have access to reasonably comparable services at rates that are reasonably comparable to those in urban areas.
- Funding goes to Eligible Telecommunications Carriers (ETC) for deployment and ongoing operations
- The FCC factors in the unique challenges of serving rural Tribal communities to ensure that ETCs have sufficient support to serve them.
- The FCC requires engagement with Tribal governments in recognition of its vital importance to the successful deployment and provision of service.
- More information is available by visiting: [www.usac.org/high-cost/program-overview/](http://www.usac.org/high-cost/program-overview/)



# The E-Rate Program

- **The E-Rate Program** provides support to schools and libraries across the nation to obtain affordable, high-speed broadband services and internal connections to connect students and library patrons with learning opportunities and services.
- **Eligible Services:** Eligible schools and libraries may apply for funding for the following:
  - *Category One:* Services that support connectivity to schools and libraries. This includes, for example, data transmission and Internet access service, including special construction services for network builds.
  - *Category Two:* Services that support connectivity within schools and libraries. This includes, for example, internal connections (i.e., routers, switches, cabling); managed Internet broadband services, and basic maintenance of internal connections.

# The E-Rate Program

- **Eligible Applicants:** Public or private schools (K-12), libraries, and groups of schools and libraries (e.g., consortia, districts, systems) can apply for funding for eligible equipment services.
  - On January 27, 2022, the FCC unanimously adopted an Order ([FCC 22-8](#)) to add “Tribal library” to the definition of a “library” in the E-Rate rules.
  - On February 2, 2022 the FCC announced a partnership with the Institute of Museum and Library Services to raise awareness about the E-Rate program among Tribal libraries and organizations
- **Annual Funding Cap:** \$4.276 billion, adjusted annually for inflation.
- **Discounts:** Range from 20-90% based on level of poverty (based on percentage of students eligible for National School Lunch Program or an Alternative Discount Mechanism), urban/rural status, and type of service.

# Emergency Connectivity Fund (ECF)

**The Emergency Connectivity Fund** is a **\$7.171 billion** fund established as part of the American Rescue Plan Act of 2021 to help schools and libraries provide connected devices and broadband connectivity to students, school staff, and library patrons during the coronavirus pandemic.

**Eligible Equipment & Services:** Eligible equipment includes Wi-Fi hotspots, modems (including air cards), routers, devices that combine a modem and router, and connected devices (laptop and tablet computers). Schools and libraries can also receive funding for commercially available broadband service that provides a fixed or mobile broadband connection for off-campus use by students, school staff or library patrons.

# Emergency Connectivity Fund

- **Eligible Applicants:** Schools, libraries, and consortia of schools and libraries that are eligible for support under the E-Rate Program are eligible for ECF Program support.
  - Note: Tribal libraries are eligible for support under the Library Services and Technology Act and are therefore eligible for ECF Program support.
- **Filing Windows:** The FCC and USAC have opened and closed two application filing windows for schools and libraries to apply for ECF Program support for eligible equipment and services received or delivered between July 1, 2021 and June 30, 2022.
  - Applicants requested over \$6.4 billion in funding in the first two windows.
  - To date, over \$4.5 billion have been committed to over 10,800 schools, 875 libraries, and 125 consortia across the nation to support the purchase of:
    - nearly 9.9 million connected devices; and
    - over 4.9 million broadband connections.

# E-Rate and ECF Resources

**Further information on the E-Rate and Emergency Connectivity Fund Programs can be found at:**

- **E-Rate:**
  - <https://www.fcc.gov/general/e-rate-schools-libraries-usf-program>
  - <https://www.fcc.gov/document/fcc-connecting-tribal-libraries-through-e-rate-program-o>
  - <https://www.usac.org/e-rate/>
  - For further questions, contact the E-Rate Customer Service Center at (888) 203-8100.
- **Emergency Connectivity Fund (ECF):**
  - <https://www.emergencyconnectivityfund.org/>
  - <https://www.fcc.gov/emergency-connectivity-fund>
  - For further questions, contact the ECF Customer Support Center at (800) 234-9781.

# Department of the Interior

**Kathryn Isom-Clause**, Deputy Assistant Secretary – Indian  
Affairs for Policy and Economic Development

# Inter-Agency Collaboration

- Indian Affairs continues to work with our federal colleagues through the White House Council on Native American Affairs and the American Broadband Initiative.
- In 2021 BIA created and provided NTIA with a geospatial database of lands eligible for funding under the Tribal Broadband Connectivity Program.
  - Includes BIA-designated service areas

# Planning and Permitting Your Broadband Project

- Early engagement with BIA Regional staff can be critical to the success of a broadband project.
  - Landowner information for ROW consents
  - Information on existing ROW and leases
  - Technical assistance on NEPA and NHPA requirements
  - Geospatial data and mapping support for 900 Indian Affairs staff and 4,000 tribal personnel
  - Access to ESRI Products, Avenza Maps Pro, DigitalGlobe, ERDAS IMAGINE and many others
- BIA is the permitting authority for Tribal trust and restricted fee lands
- BIA Regions can also provide technical assistance to State and local governments, NGOs, and industry looking to work in Indian Country.



# Contact

BIA Branch of Geospatial  
Support

1 (977) 239-9494

[geospatial@bia.gov](mailto:geospatial@bia.gov)

BIA Office of Trust Services

1 (202) 208-3615

[OTS@bia.gov](mailto:OTS@bia.gov)

BIA Regional Offices

<https://www.indianaffairs.gov/regional-offices>

# Department of Transportation (DOT) Department of Housing & Urban Development (HUD)

**Julie Johnston**, Utility & Value Engineering Program Manager  
Federal Highway Administration, DOT

**Gary Cooper**, Associate Deputy Assistant Secretary, Office of  
Native American Programs, HUD

# Broadband Infrastructure Deployment Final Rule

- Section 607 of the MOBILE NOW Act, in the Consolidated Appropriations Act, 2018 (Pub. L. 115-141), required the Secretary of Transportation to promulgate regulations to ensure States meet specific registration, notification, and coordination requirements to facilitate broadband infrastructure deployment in the right-of-way (ROW) of applicable Federal-aid highway projects. 47 U.S.C. 1504.
- FHWA issued a Final Rule on December 3, 2021 (86 FR 68553) with an effective date of March 3, 2022.
- The Final Rule established new regulations found at 23 CFR Part 645, Subpart C.
- The regulations apply to each State that receives funds under 23 U.S.C. Chapter 1
  - The term "State" means
    - (A) a State;
    - (B) the District of Columbia; and
    - (C) the Commonwealth of Puerto Rico.

# Broadband Infrastructure Deployment Regulations (23 CFR Part 645, Subpart C)

- In general, the regulations require State DOTs to:
  - identify a broadband utility coordinator
  - establish a process to register broadband entities
  - establish a process (in consultation with appropriate State agencies) to electronically notify such entities of the State transportation improvement program (STIP) on an annual basis and provide additional notifications as necessary; and
  - coordinate (in consultation with appropriate State agencies) with telecommunication and broadband plans and State and local transportation and land use plans, including strategies to minimize repeated excavations. (“Dig Once”)

(See 23 CFR 645.307)

# Potential Benefits of the New Regulations

- Help streamline broadband deployment by offering coordination and broadband installation opportunities whenever there is a Federal-aid project in a highway ROW.
- Provide broadband entities economic investment opportunities through this expedited approach.
- Minimize repeated excavations that will preserve highway infrastructure and help plan for future broadband installations.

# FHWA Guidance on Broadband Accommodation

- It is in the public interest for utility facilities to be accommodated on the right-of-way provided certain conditions are met (23 CFR 645.205).
  - Must not adversely affect safety
  - Must not impair the highway or its aesthetic quality
  - Does not conflict with the provisions of Federal, State or local laws or regulations.
- April 27, 2021, FHWA Memorandum: State DOTs Leveraging Alternative Uses of the Highway Right-of-Way Guidance
  - ([www.fhwa.dot.gov/real\\_estate/right-of-way/corridor\\_management/alternative\\_uses\\_guidance.cfm](http://www.fhwa.dot.gov/real_estate/right-of-way/corridor_management/alternative_uses_guidance.cfm))
  - Provided clarification on alternative uses of the highway ROW that can be leveraged by State DOTs for addressing climate change, communications and energy reliability
- Resource Sharing Opportunities

# FHWA Guidance on Utility Accommodation on Federal Lands

- December 8, 2021, FHWA Memorandum, Utility Accommodation on Federal Lands ([www.fhwa.dot.gov/utilities/pdf/20211208.pdf](http://www.fhwa.dot.gov/utilities/pdf/20211208.pdf)).
- 23 CFR 645.205(d) states: “When utilities cross or otherwise occupy the right-of-way of a direct Federal or Federal-aid highway project on Federal lands, and when the right-of-way grant is for highway purposes only, the utility must also obtain and comply with the terms of a right-of-way or other occupancy permit for the Federal agency having jurisdiction over the underlying land.”

# HUD Tribal Grant Programs: Broadband As An Eligible Activity



## Indian Housing Block Grant – Formula and Competitive and Title VI Loan Guarantee

### **Deployment, Devices, Affordability, and Digital Skills**

Provide affordable housing; can be used to makes homes broadband ready, pay for broadband connectivity as utility assistance, purchase devices to facilitate education or self-sufficiency training.





# HUD Tribal Grant Programs: Broadband As An Eligible Activity



## Indian Community Development Block Grant

### **Deployment and Affordability**

- Infrastructure development

  - Installation of Fiber, dish systems, mesh networks, etc.

- Construction/Rehabilitation of housing

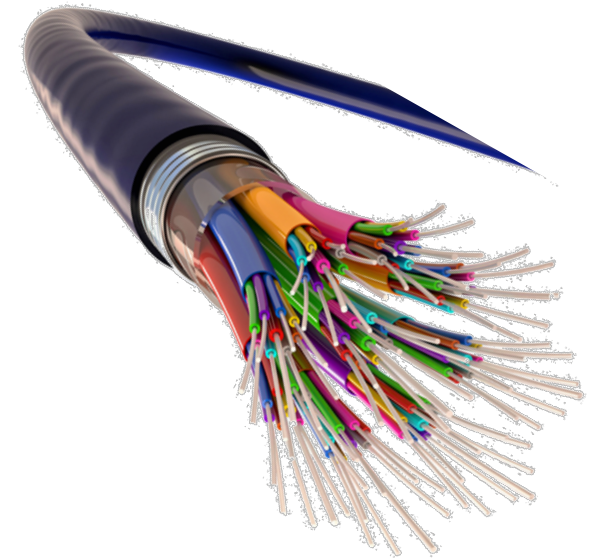
  - Fiber or cable installation

  - Community connectivity through dish or mesh networks

- Public Facilities and Improvements

- Public Services – 15% cap

  - Utility Assistance



# HUD Tribal Grant Programs: Broadband As An Eligible Activity



- Pre-Development Planning
  - Utilize the “Dig Once” concept
    - Installing fiberoptic lines when putting in electrical, water, sewer or roadways.
    - Recognizing the cost savings.
- Ability for tenants to obtain self sufficiency through education and/or employment.
  - Remote working, online job applications, virtual learning, financial literacy workshops, etc.



## Connect to the Internet – Connect to the World

- Bridging the Digital Divide through public – private collaborative efforts
- Currently 100 participating communities including Public Housing Authorities, Tribes and TDHEs.
- Hoping to add 100 new communities this year – possibly September or November
- HOW IT WORKS:
  - Partnerships developed with non-profit companies
  - Low-cost internet offers
  - Partnerships for devices through refurbishing companies
  - Network with like minded communities to share ideas and resources
  - Resources include educational programs that can be deployed for residents

Website: <https://www.hud.gov/connecthomeusa>



**BOYS & GIRLS CLUBS**



**GitHub**

**KANO**  
anyone can make





For more information or to subscribe to our ListServ please visit our website at:

[www.hud.gov/codetalk](http://www.hud.gov/codetalk)

To join our ListServ, click the “Subscribe to Codetalk” option on the right-hand side of the page.

The screenshot shows the U.S. Department of Housing and Urban Development website. The header includes the HUD logo, the text "U.S. Department of Housing and Urban Development", and navigation links "About Us" and "What We Do". A search bar is also present. Below the header is a dark navigation bar with links: "PIH Home", "About PIH", "Public Housing", "Housing Choice Vouchers", "Indian Housing", "Real Estate Assessment Center", and "More".

The main content area is titled "Home / Indian Housing's Office of Native American Programs (ONAP)". Below this is a red icon of a house with a person inside, followed by the text "OFFICE OF NATIVE AMERICAN PROGRAMS (ONAP)".

Below the title is a table titled "ONAP PROGRAMS" with the following columns and links:

COVID-19 Recovery Programs	Indian Housing Block Grant Competitive	Indian Housing Block Grant	Indian Community Development Block Grant	Section 184 Home Loan Guarantee	Title VI Leveraging	Tribal HUD-VASH	Hawaiian Programs
<a href="#">COVID-19 Recovery Programs</a>	<a href="#">Indian Housing Block Grant Competitive</a>	<a href="#">Indian Housing Block Grant</a>	<a href="#">Indian Community Development Block Grant</a>	<a href="#">Section 184 Home Loan Guarantee</a>	<a href="#">Title VI Leveraging</a>	<a href="#">Tribal HUD-VASH</a>	<a href="#">Hawaiian Programs</a>

Below the table is a section titled "QUICK LINKS" with the following links:

EnVision Centers	NAHASDA	Dear Tribal Leader Letters	Environmental	Forms	Homeownership	PIH Notices	Program Guidance
<a href="#">EnVision Centers</a>	<a href="#">NAHASDA</a>	<a href="#">Dear Tribal Leader Letters</a>	<a href="#">Environmental</a>	<a href="#">Forms</a>	<a href="#">Homeownership</a>	<a href="#">PIH Notices</a>	<a href="#">Program Guidance</a>

Below the quick links is a section titled "What's New on Codetalk" with a yellow background. It contains two links: "American Rescue Plan Resources" and "CARES Act Resources".

On the right side of the page, there is a "Contact" section with the following links:

- [Twitter.com/HUD ONAP](#)
- [Codetalk@hud.gov](mailto:Codetalk@hud.gov)
- [Tribal Directory](#)
- [Subscribe to Codetalk](#)

Below the contact section is a section titled "ONAP Offices and Tribal Contacts" with a map of the United States. The map shows the locations of ONAP offices and tribal contacts. A legend indicates "Northern Plains" and "Headquarters".