

NOTICE OF FUNDING OPPORTUNITY
TRIBAL BROADBAND CONNECTIVITY PROGRAM

EXECUTIVE SUMMARY

A. Federal Awarding Agency Name

National Telecommunications and Information Administration (NTIA), U.S. Department of Commerce

B. Funding Opportunity Title

Tribal Broadband Connectivity Program

C. Announcement Type

Amendment

D. Funding Opportunity Number

2026-NTIA-TBCP

E. Assistance Listing (CFDA Number)

11.029

F. Key Dates

Complete applications from Eligible Entities must be received no later than 11:59 p.m. Eastern Time (ET) on November 17, 2026. Applications submitted by postal mail or courier service must be postmarked or show clear evidence of mailing by the same date and time. Application materials are available at <https://broadbandusa.ntia.doc.gov>.

G. Application Submission Address

Complete application packages may be submitted through *one* of the following methods: (i) online submission through www.grants.gov; (ii) electronic mail to: TBCP3@ntia.gov; or (iii) postal mail or courier. NTIA strongly encourages applicants to submit applications through www.grants.gov. Partial or duplicate applications using multiple methods of transmission will not be accepted.

Complete digitally submitted applications from Eligible Entities must be received no later than 11:59 p.m. Eastern Time (ET) on November 17, 2026. Applications submitted by postal mail or courier service must be postmarked or show clear evidence of mailing by the same date and time and sent to the following address: National Telecommunications and Information Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Room 4878, Attn: Douglas Kinkoph, Associate Administrator, Washington, DC 20230.

See Section IV.A of this NOFO for detailed information concerning application submission requirements. Eligible Entities may only submit a single application for funding pursuant to this program.

The Eligible Entity's single application must include the total amount of funding being requested and must account for all projects that will utilize the requested funding. See Section III.A of this NOFO for additional information on the single application requirement.

H. Funding Opportunity Description

NTIA is soliciting applications for funds remaining under the Tribal Broadband Connectivity Program (TBCP), authorized by the Consolidated Appropriations Act, 2021, Division N, Title IX, Section 905(c), Public Law 116-260, 134 Stat. 1182 (Dec. 27, 2020) (Act), as amended by the Infrastructure Investment and Jobs Act, Division F, Title II, Section 60201, Public Law 117-58, 135 Stat. 429 (Nov. 15, 2021) (IIJA) (*codified at* 47 U.S.C. §1705). TBCP provides funding for grants to Eligible Entities to expand access to and adoption of: (i) broadband service on Tribal Land; or (ii) programs that promote remote learning, telework, or telehealth resources. See Section I.A of this NOFO for the full description of this program.

I. Funding Instrument

Grant.

J. Eligibility

The following entities are eligible to receive grants under the TBCP:

1. a Tribal Government;
2. a Tribal College or University;
3. the Department of Hawaiian Home Lands on behalf of the Native Hawaiian Community, including Native Hawaiian Education Programs;
4. a Tribal organization;
5. or an Alaska Native Corporation.

See Section III of this NOFO for additional information concerning the eligibility requirements for this program.

K. Anticipated Amounts

NTIA will make up to \$540,000,000 available in this NOFO for federal assistance under the TBCP.¹ Section 905(c)(3)(A) of the Act directs NTIA to make available not less than 3 percent of the amounts appropriated under subsection (b)(1) for the benefit of Native Hawaiians. NTIA allocated not less than \$30,000,000 to the Department of Hawaiian Home Lands (DHHL) on behalf of the Native Hawaiian community in the June 3, 2021, TBCP NOFO, and an additional \$60,000,000 to DHHL in the January 22, 2024, TBCP NOFO. NTIA has accounted for amounts awarded to DHHL during the first two TBCP NOFOs and subtracted those from the combined \$90,000,000 total. Accordingly, this third NOFO makes \$6,526.15 available to DHHL for eligible activities.

To ensure an equitable distribution of TBCP funds as required by 47 U.S.C. §1705(c)(3)(A), NTIA will allocate up to \$500,000 to each of the Federally Recognized Tribes delineated by the

¹ This figure reflects the amount remaining from the funding appropriated for the TBCP, including the additional funding appropriated through IIJA's Tribal Connectivity Technical Amendments, minus the two percent of that sum allocated for administrative purposes pursuant to section 905(c)(3)(B) of the Act.

Department of the Interior's Bureau of Indian Affairs in accordance with Section III.A of this NOFO.² The \$500,000 allocation is not a funding cap for Federally Recognized Tribes but rather is intended to ensure that program funding is equitably distributed by NTIA to all Eligible Entities, including Federally Recognized Tribes. Equitable distributions of up to \$500,000 will be awarded only to Tribal Governments that have not previously received a TBCP award (which includes equitable distribution awards) in the previous rounds of funding from TBCP. For Consortium or regional applications that include Tribal Governments, equitable distribution amounts of up to \$500,000 per participating Tribal Government (that has not previously received a TBCP award) within the Consortium would be awarded to the Consortium's lead applicant on behalf of the eligible participating Tribal Governments.

Grant awards will be made on a competitive basis under the criteria outlined in Section V of this NOFO and will depend upon the number of applicants and the size of the proposals submitted. Under the statutory structure of TBCP, Eligible Entities may seek grant funds for either *Broadband Infrastructure Deployment Projects*³ or *Broadband Use and Adoption Projects*.⁴ Under this NOFO, Eligible Entities may apply for either *Broadband Infrastructure Deployment Projects* or *Broadband Use and Adoption Projects*, but not both.

NTIA expects to make awards under this program within the following funding ranges:

- *Broadband Use and Adoption Projects* proposed by a single applicant:
 - \$500,000 to \$2,500,000.
- *Broadband Infrastructure Deployment Projects* proposed by a single applicant:
 - \$1,000,000 to \$25,000,000.

These funding ranges are not required minimums or maximums, but Eligible Entities requesting funding for projects outside of these ranges must provide a reasonable explanation for the variance in their project size. Additional funding level justification is not required for Consortium applications for Broadband Use and Adoption projects that do not exceed \$2,500,000 per Consortium member or for Consortium applications for Broadband Infrastructure Deployment projects that do not exceed \$25,000,000 per Consortium member.

L. Cost Sharing/Matching

The Act does not contain a cost sharing or matching funds requirement. The inclusion of matching funds as part of an application will not be considered during Merit Review but is a selection factor during the OICG Associate Administrator Review and the Assistant Secretary Final Selection. However, NTIA will not require an Eligible Entity applying for a grant under TBCP to provide a non-federal cost contribution. *See* Section III.B of this NOFO for more information pertaining to cost sharing for this program.

² *See* U.S. Department of the Interior, Bureau of Indian Affairs, *Indian Entities Recognized by and Eligible to Receive Services From the United States Bureau of Indian Affairs*, 88 Fed. Reg. 2112 (Jan. 12, 2023), available at: <https://www.govinfo.gov/content/pkg/FR-2023-01-12/pdf/2023-00504.pdf>

³ 47 U.S.C. §1705(c)(5)(A).

⁴ 47 U.S.C. §1705(c)(5)(B-F).

FULL ANNOUNCEMENT TEXT

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I. Funding Opportunity Description

NTIA issues this NOFO to describe the requirements under which it will award grants for the remaining funds under the TBCP, authorized by the Consolidated Appropriations Act, 2021, Division N, Title IX, Section 905(c), Public Law 116-260, 134 Stat. 1182 (Dec. 27, 2020) (Act), as amended by the Infrastructure Investment and Jobs Act, 2021, Division F, Title II, Section 60201, Public Law 117-58, 135 Stat. 429 (Nov. 15, 2021) (IIJA) (*codified at* 47 U.S.C. §1705).

A. Overview of the Tribal Broadband Connectivity Program

Consultation and coordination with Tribal Governments have continued to play a central role in the administration of the TBCP, reflecting the unique government-to-government relationship that exists between Federally Recognized Tribes and the United States. NTIA conducted Tribal consultations on January 13, 2026, and January 20, 2026, to solicit input from Tribal leaders on the administration of the TBCP. This NOFO reflects these consultations and outlines how NTIA will award the remaining TBCP funds.

The TBCP makes grants available to Eligible Entities, which include Tribal Governments, Tribal Colleges or Universities, the Department of Hawaiian Home Lands on behalf of the Native Hawaiian Community, including Native Hawaiian Education Programs, Tribal organizations and Alaskan Native Corporations. As outlined by statute, these grants may be used for the deployment and adoption of broadband service on Tribal Land and for programs that promote the use of broadband to access “remote learning, telework, or telehealth resources.”⁵

Congress has tasked NTIA with overseeing multiple large-scale broadband grant programs, including the \$42.5 billion Broadband Equity, Access, and Deployment program, with the goal of ensuring universal broadband availability. Just as NTIA reoriented the Broadband Equity, Access, and Deployment (BEAD) Program to deliver the Benefit of the Bargain, NTIA is focused on maximizing the impact of the remaining TBCP funding by streamlining program requirements, reducing unnecessary burdens, and ensuring the program works in concert with BEAD. As detailed in Section V, TBCP applicants that support BEAD deployments will be weighted more heavily than TBCP applicants that do not. NTIA is focused on a strong stewardship of taxpayer dollars—demanding efficiency, accountability, and measurable results. This approach will help ensure TBCP funding delivers sustainable connectivity for Tribal and Native communities.

Accordingly, NTIA encourages applicants to submit efficient, cost-effective proposals that advance statutory objectives, deliver measurable outcomes, and that address problems and challenges to broadband affordability and adoption in an evidence-based manner. NTIA seeks applications that complement, rather than duplicate, other federally funded broadband initiatives. To maximize the reach and effectiveness of federal dollars, NTIA will prioritize proposals that align with BEAD Program-funded infrastructure investments and advance the technologically neutral approach in line with the principles of the BEAD “Benefit of the Bargain” framework.⁶ Aligning TBCP activities with BEAD-supported deployment further promotes broadband availability and innovation, and ensures taxpayers receive the best value from their investments.

⁵ 47 U.S.C. §1705(c)(1)(B).

⁶ See Broadband Equity, Access, and Deployment (BEAD) Program: BEAD Restructuring Policy Notice available at <https://www.ntia.gov/sites/default/files/2025-06/bead-restructuring-policy-notice.pdf>

Pursuant to 47 USC 1705(c)(5), Grant funds available under this program may be used for the following purposes:

- a. Broadband infrastructure deployment projects, including support for the establishment of carrier-neutral submarine cable landing stations;
- b. Affordable broadband programs, including—
 - i. Providing free or reduced-cost broadband service;
 - ii. and preventing disconnection of existing broadband service;
- c. distance learning;
- d. telehealth;
- e. use and adoption efforts; and
- f. broadband adoption activities.

Applications will be evaluated based on statutory criteria, cost-effectiveness, measurable impact, geographic distribution, sustainability, and avoidance of duplication with other federal funding sources. Additionally, applications proposing broadband infrastructure deployment projects will be evaluated to determine whether the proposed costs are excessive using the cost per Broadband Serviceable Location in Appendix B as a benchmark.

The full details of the selection process are outlined in Section V of this NOFO.

B. Definitions

The following definitions, including certain definitions set forth in section 905(a) of the Act, are applicable to the TBCP:

1. Assistant Secretary— means the Assistant Secretary of Commerce for Communications and Information.
2. Broadband or Broadband Service—has the meaning given the term “broadband Internet access service” in 47 C.F.R. §8.1(b), or any successor regulation.
3. Commission—means the Federal Communications Commission.
4. Commitment of Funds—recipients have 18 months to commit the funds received through a TBCP award, which means they have set aside funds in anticipation of expending them on eligible project activities. Recipients may meet this requirement through proof of procurement or the approved project budget.
5. Community Anchor Institutions—means 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. NTIA will narrowly interpret the term “community support organization” consistent with BEAD.
6. Consortium—means a coalition of Eligible Entities, the participation of which is authorized by the governing body of each such Eligible Entity (the governing body of the Tribal Government if the entity is a subsidiary of a Tribe), as memorialized by a current resolution of consent or similar decree, authorizing the Consortium, on behalf of each Eligible Entity participant, to apply for and receive TBCP grant funding pursuant to this NOFO as a single entity (*i.e.*, the consortium) based upon a single application encompassing the shared project proposal.

7. Department—means the U.S. Department of Commerce.
8. Eligible Entity or Eligible Entities— means—
 - a Tribal Government;
 - a Tribal College or University;
 - the Department of Hawaiian Home Lands on behalf of the Native Hawaiian Community, including Native Hawaiian Education Programs;
 - a Tribal organization; or
 - a Native Corporation.
9. Enforceable Buildout Commitment—means, in the context of the definition of Unserved set forth in Section I.B.19 of this NOFO, a legally binding agreement in which the Tribe provides a limited waiver of sovereign immunity in a Tribal Government Resolution and in the contract vehicle, between the Tribal Government of the Tribal Lands in the proposed service area, or its authorized agent, and a service provider committing to deliver “Qualifying Broadband Service” to Unserved households on those Tribal Lands.
10. Native Corporation—has the meaning given the term in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).
11. Native Hawaiian—has the meaning given the term in section 801 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4221).
12. Qualifying Broadband Service—means broadband service with— (i) a download speed of not less than 25 megabits per second; (ii) an upload speed of not less than 3 megabits per second; and (iii) a latency sufficient to support real time, interactive applications. For purposes of this program, NTIA will interpret eligible service area for purposes of this program to mean the Eligible Entities’ proposed service area, consistent with the definition of Tribal Land in Section I.B.17. NTIA will interpret latency to mean 95 percent or more of all peak period measurements of network round trip latency (*i.e.*, the total round-trip latency between the customer premises and the closest designated Internet core peering interconnection point) are at or below 100 milliseconds.⁷
13. Rural Area—means any area other than a city, town, or incorporated area that has a population of greater than 20,000 inhabitants.
14. State—means any State of the United States, the District of Columbia, Puerto Rico, American Samoa, Guam, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

⁷ These standards are consistent with the manner in which other federal support programs apply these terms. *See* Rural Utilities Service, U.S. Department of Agriculture, *Funding Opportunity Announcement and Solicitation of Application for Second Round of the Reconnect Program*, 84 Fed. Reg. 67913, 67918 (Dec. 12, 2019); *In the Matter of Rural Digital Opportunity Fund, Connect America Fund*, 85 Fed. Reg. 13773, 13778 (Feb. 7, 2020). *See also*, *Connect America Fund*, Order, 34 FCC Rcd 6509, 6527-28 (July 6, 2018) (*Performance Measures Order*); *Connect America Fund*, Order on Reconsideration, 34 FCC Rcd 10109 (Oct. 31, 2019) (*Performance Measures Reconsideration Order*).

15. Tribal Consortium—means a coalition of Eligible Entities, the participation of which is authorized by the governing body of each such Eligible Entity (the governing body of the Tribal Government if the entity is a subsidiary of a Tribe), as memorialized by a current resolution of consent or similar decree, authorizing the Tribal Consortium, on behalf of each Eligible Entity participant, to apply for and receive TBCP grant funding pursuant to this NOFO as a single entity (*i.e.*, the Consortium) based upon a single application encompassing the shared project proposal.
16. Tribal Government—means the governing body of any Indian or Alaska Native Tribe, band, nation, pueblo, village, community, component band, or component reservation, individually recognized (including parenthetically) in the list published most recently as of the date of enactment of this Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. §5131).⁸
17. Tribal Land—means— (A) any land located within the boundaries of— (i) an Indian reservation, pueblo, or rancheria; or (ii) a former reservation within Oklahoma; (B) any land not located within the boundaries of an Indian reservation, pueblo, or rancheria, the title to which is held— (i) in trust by the United States for the benefit of an Indian Tribe or an individual Indian; (ii) by an Indian Tribe or an individual Indian, subject to restriction against alienation under laws of the United States; or (iii) by a dependent Indian community; (C) any land located within a region established pursuant to section 7(a) of the Alaska Native Claims Settlement Act (43 U.S.C. §1606(a)); (D) Hawaiian Home Lands, as defined in section 801 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. §4221); or (E) those areas or communities designated by the Assistant Secretary of Indian Affairs of the Department of the Interior that are near, adjacent, or contiguous to reservations where financial assistance and social service programs are provided to Indians because of their status as Indians.
18. Tribal Organization—is defined in 25 U.S.C. §5304(l) and means 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.
19. Unserved—with respect to a household, means— (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

⁸ See U.S. Department of the Interior, Bureau of Indian Affairs, *Indian Entities Recognized by and Eligible to Receive Services From the United States Bureau of Indian Affairs*, 88 Fed. Reg. 2112 (Jan. 12, 2023), available at: <https://www.govinfo.gov/content/pkg/FR-2023-01-12/pdf/2023-00504.pdf>.

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.

II. Award Information

A. Funding Availability

NTIA will make up to \$540,000,000 available for federal assistance under this round of the TBCP, which will be allocated to Eligible Entities as described in Section I.B.8 of this NOFO.

B. Period of Performance

As established in section 905(c)(4)(B) of the Act, as amended, Eligible Entities that receive an award under this NOFO must expend those funds no later than four years from the receipt of those grant funds. Furthermore, Section 905(c)(4)(A)(i) of the Act, as amended by IIJA in section 60201(1)(B)(i)(I), requires a Commitment of Funds by an Eligible Entity, in accordance with its approved application, not later than 18 months after receiving an allocation of funds pursuant to a specific grant award. Any grant funds not committed by an Eligible Entity by this deadline will be made available to other Eligible Entities for the purposes provided in this subsection pursuant to section 905(c)(4)(A)(ii) of the Act, as amended in IIJA section 60201(1)(B)(i)(II).

- 1. Extensions for Broadband Use and Adoption Projects.** The Assistant Secretary may, for good cause, extend the award period for broadband use and adoption projects based on a detailed showing by the Eligible Entity of the need for an extension pursuant to section 905(c)(4)(B)(iii) of the Act, as amended by IIJA.
- 2. Extensions for Infrastructure Projects.** The Assistant Secretary may extend the period required for the expenditure of funds under the TBCP for an Eligible Entity that proposes to use the grant funds for construction of broadband infrastructure if the Eligible Entity certifies that:
 - a. the Eligible Entity has a plan for use of the grant funds;
 - b. the construction project is underway; or
 - c. extenuating circumstances require an extension of time to allow the project to be completed.
- 3. Petition for Extension.** An Eligible Entity may submit a request for an extension to the four-year award period with its application or not later than ninety (90) calendar days before the end of the award period.
- 4. Treatment of Unallocated Funds.** In accordance with section 905(e)(2)(F) of the Act, if an Eligible Entity does not submit an application by the deadline established under this NOFO, or the Assistant Secretary does not approve an application submitted by an Eligible Entity under this NOFO, the Assistant Secretary will make the amounts allocated for the Eligible Entity available to other Eligible Entities on an equitable basis through the publication of a subsequent notice.

C. Award Amount

In accordance with section 905(c)(3)(A) of the Act, NTIA will make the amounts appropriated under the TBCP available to Eligible Entities on an equitable basis. As such, NTIA will allocate

up to \$500,000 to each of the Federally Recognized Tribes delineated by the U.S. Department of the Interior's Bureau of Indian Affairs (including those listed parenthetically).⁹ The \$500,000 allocation is not a funding cap for Federally Recognized Tribes but rather is intended to ensure that program funding is equitably distributed by NTIA to all Eligible Entities. Equitable distributions of up to \$500,000 will be awarded only to Tribal Governments that have not previously received a TBCP award (which includes equitable distribution awards) in the first two rounds of TBCP funding. For Consortium or regional applications that include Tribal Governments, equitable distribution amounts of up to \$500,000 per participating Tribal Government (that have not previously received a TBCP award) within the Consortium would be awarded to the Consortium's lead applicant on behalf of the eligible participating Tribal Governments. Lead Consortium applicants that previously received TBCP funding may apply with a Consortium composed of new Tribes that did not receive funding in the first two rounds of TBCP awards.

NTIA allocated not less than \$30,000,000 to the Department of Hawaiian Home Lands (DHHL) on behalf of the Native Hawaiian community in the June 3, 2021, TBCP NOFO, and an additional \$60,000,000 to DHHL in the January 22, 2024, TBCP NOFO. NTIA has accounted for amounts awarded to DHHL during the first two TBCP NOFOs and subtracted those from the combined \$90,000,000 total. Accordingly, this third NOFO makes \$6,526.15 available to DHHL for eligible activities.

Eligible Entities, including but not limited to, DHHL and Federally Recognized Tribes, must submit a single application by the application deadline to be eligible for program funding. The TBCP is not a formula or block grant program and an application for funding must be submitted in a timely manner by an Eligible Entity to receive funding consideration from NTIA. *See* Section III.A of this NOFO for more information on the single application requirement.

NTIA expects to make awards under this program within the following funding ranges:

- *Broadband Use and Adoption Projects* proposed by a single applicant:
 - \$500,000 to \$2,500,000
- *Broadband Infrastructure Deployment Projects* proposed by a single applicant:
 - \$1,000,000 to \$25,000,000

These funding ranges are not required minimums and maximums, but eligible entities requesting funding for projects outside of these ranges must provide a reasonable explanation for the variance in their project size.

Consortium applications are also permitted. Additional funding level justification is not required for Consortium applications for Broadband Use and Adoption projects that do not exceed \$2,500,000 per Consortium member or for Consortium applications for Broadband Infrastructure Deployment projects that do not exceed \$25,000,000 per Consortium member.

In addition, pursuant to section 905(c)(4)(B)(iii) of the Act, NTIA retains discretion to make supplemental awards (*i.e.*, provide additional funding beyond the initial award) to an Eligible

⁹ See U.S. Department of the Interior, Bureau of Indian Affairs, *Indian Entities Recognized by and Eligible to Receive Services From the United States Bureau of Indian Affairs*, 88 Fed. Reg. 2112 (Jan. 12, 2023), available at: <https://www.govinfo.gov/content/pkg/FR-2023-01-12/pdf/2023-00504.pdf>.

Entity to the extent that another Eligible Entity does not expend some or all of its grant funds during the other Eligible Entity's period of performance.

D. Type of Funding Instrument

The funding instrument for awards made pursuant to the NOFO will be a grant.

III. Eligibility Information

A. Eligible Applicants

Section 905(a)(8) of the Act defines the entities eligible to apply for a TBCP grant. Specifically, Eligible Entities include: (i) a Tribal Government; (ii) a Tribal College or University; (iii) the Department of Hawaiian Home Lands on behalf of the Native Hawaiian Community, including Native Hawaiian Education Programs; (iv) a Tribal organization; or (v) an Alaska Native Corporation. Eligible Entities that previously received TBCP grant funding may apply for additional grant funding pursuant to this NOFO.

Consortium applications are also permitted. Note, the Eligible Entity should take care to ensure they are **either** applying as a single entity, or as part of a single Consortium application. Eligible Entities may only be part of one application regardless of type. This requirement is consistent with Section 905(e)(2)(C) of the Act that limits an Eligible Entity to one single application submission for TBCP funding. An Eligible Entity may apply for either a use and adoption project or an infrastructure deployment project, but not both. Therefore, a single application means either a use and adoption project proposal or a infrastructure project proposal.

Eligible Entities are strongly encouraged to coordinate with one another to prevent duplicative or overlapping applications. If there are duplicative or overlapping applications, each Eligible Entity may be given an opportunity to cure by working together to resolve any potential duplications or overlaps. Deference will be given towards Tribal Governments on their own Tribal Lands. In an instance where one Eligible Entity is a subsidiary of another (e.g., a Tribal Government and a subsidiary Tribal College or University), this shall not affect the subsidiary's eligibility to submit its own application, so long as it includes the requisite Tribal Government Resolution.

If NTIA determines that an Eligible Entity is participating in multiple applications, this may significantly delay NTIA's review of such applications and may result in NTIA removing that entity from consideration for funding for both their individual application and any Consortium applications to which they are a party.

B. Cost Sharing or Matching

The Act does not contain a cost sharing or matching funds requirement. The inclusion of matching funds as part of an application will not be considered during Merit Review but is a selection factor during the OICG Associate Administrator Review and the Assistant Secretary Final Selection. NTIA will not require an Eligible Entity applying for a grant under the TBCP to provide a non-federal cost contribution.

Matching funds may be in the form of either cash or in-kind contributions consistent with the requirements outlined in 2 C.F.R. 200.306. In-kind contributions, which include third-party in-kind contributions, are non-cash donations of property, goods, or services, which benefit a

federally assisted project, and which may count toward satisfying the non-federal matching requirement of a project's total budgeted costs when such contributions meet certain criteria.¹⁰ In-kind contributions must be allowable and allocable project expenses.

The rules governing allowable in-kind contributions encompass a wide range of properties and services. NTIA encourages applicants to thoroughly consider potential sources of in-kind contributions, which, depending on the particular property or service and the applicable federal cost principles, could include employee or volunteer services; equipment; supplies; indirect costs; computer hardware and software; and use of facilities. It is important to note that federal funds may not be used as non-federal match, except as expressly provided by federal statute.¹¹

C. Other

1. Tribal Consent and Authorization for all TBCP Applications

An Eligible Entity making an application for TBCP funds, whether on its own behalf, as an Authorized Representative of a Consortium, or as a participant of a Consortium, must submit a Tribal Government Resolution or equivalent formal authorization from the Eligible Entity providing express authority to apply for TBCP funds or to participate as a member in a Consortium that is submitting an application for grant funds.

2. Authorizing Documentation for Infrastructure Deployment Applications

Each Eligible Entity applying for Broadband Infrastructure Deployment Project funds is required to submit a Resolution of Consent from each Tribal Government and/or from the Tribal Council of the appropriate governing body upon whose Tribal Lands the broadband infrastructure will be deployed. Consortium applications submitted without resolutions from each Tribe named in the application will be considered incomplete.

- For Tribal Organizations and Tribal Colleges, even when the Tribal Government is a founding member, a Resolution of Consent from the Tribal Government must still be obtained.
- For Broadband Infrastructure Deployment Projects on Tribal Lands in Hawaii, consent must be obtained from the Department of Hawaiian Home Lands.
- For Broadband Infrastructure Deployment Projects on Tribal Lands in Alaska, the applicant must notify all Tribal Governments within their proposed service area. Any Tribal Government located in a proposed service area may choose to define the area for which it will require a Resolution of Consent. The area defined by the Tribal Government must include their local presence and Tribal Member Households and be submitted to NTIA. The Tribal Government may use information submitted in other proceedings, such as the FCC 2.5 GHz Tribal Priority Window. If there is overlap between more than one Tribal Governments' definition of their area, the overlapping Tribal Governments will be given an opportunity to cure by working together to resolve this overlap.

¹⁰ 2 C.F.R. §200.306.

¹¹ 2 C.F.R. §200.306(b)(5).

IV. Application and Submission Information

Application forms and instructions will be made available on the BroadbandUSA website: <https://broadbandusa.ntia.gov>. Applicants must follow the instructions set forth below and are encouraged to submit their applications early. NTIA recommends that applicants participate in application technical assistance webinars and review the program and application guidance that will be posted on NTIA's BroadbandUSA website.

NTIA strongly encourages applicants to submit applications through www.grants.gov. Applications submitted by email or paper are discouraged but will be accepted. Facsimile submissions will not be accepted. Applicants without Internet access may request a copy of the application materials by contacting the NTIA representative identified in Section VI. With respect to electronic methods for providing information about funding opportunities or accepting applicants' submissions of information, NTIA is responsible for compliance with Section 508 of the Rehabilitation Act of 1973, as amended by the Workforce Act of 1998.

A. Content and Form of Applications

Applications for grants under this NOFO must be complete, must adhere to the instructions provided in this NOFO, and must be submitted in English in the format required. NTIA will not consider applications that fail to comply with these requirements or that are untimely submitted. Any Eligible Entity applying for a Grant must submit an application that includes the information listed below. All proposed projects submitted should be comprehensive and not reliant on future funding or a future adjacent project.

As noted above, Eligible Entities may either apply for *Use and Adoption* funding or for *Infrastructure Deployment* funding, but not both. Accordingly, the application requirements are divided into three sections. Section 1 sets out the information that must be submitted with all applications. Section 2 sets out the information to be provided for *Use and Adoption* projects, and Section 3 sets out the requirements for *Infrastructure Deployment* projects.

1. Forms and Documentation Required from ALL Applicants for a Tribal Broadband Connectivity Program Grant

a. The following standard federal financial assistance forms and documentation:

- **Standard Form 424: Application for Federal Assistance**
 - SF-424, Item 12, should list the Funding Opportunity number as "2026-NTIA-TBCP"
- **CD-511 Certification Regarding Lobbying**
 - Applicants should enter "2026-NTIA-TBCP" in the Award Number field.
- **Standard Form LLL, Disclosure of Lobbying Activities**
 - For applicants that do not have any lobbying activities to disclose, the form should be completed as "not applicable."

b. **Project Information Form.** Applicants must complete all applicable fields, identifying information relevant to the project, the service area, and the proposed beneficiaries.

- c. **Funded and Unfunded Entity Form.** Applicant(s) must complete all applicable fields, identifying all organizations involved in the activities proposed in the application, including any that would receive Federal funding if awarded.
- d. **A Tribal Government Resolution or equivalent formal authorization** from the governing body of the Eligible Entity (or all Eligible Entities, in the case of a consortium). The resolution should provide certification of express authority for an Eligible Entity (or lead applicant, in the case of a consortium) to file an application for TBCP funds on behalf of the Eligible Entity.
- e. **The BEAD Tribal Resolution**, approving deployment of BEAD services on the applicant's land consistent with the State Broadband Office's Final Proposal under the BEAD program (if the Eligible Entity provided consent to BEAD deployment).
- f. **Resumes of Key Personnel.** One-page resumes of no more than five key personnel from the applicant may be included. Any information beyond one page for each resume and any additional resumes submitted will not be considered.
- g. **Negotiated Indirect Cost Rate Agreement with a Cognizant Federal Agency.** If indirect costs are included in the proposed budget, the applicant must provide a copy of its Negotiated Indirect Cost Rate Agreement (NICRA) (or provisional rate). The NICRA must be used if an applicant receives more than \$35,000,000 in federal funding during its fiscal year or has an existing NICRA (per 2 CFR 200 Appendix VII). An applicant can charge the 15% *de minimis* rate, in accordance with 2 C.F.R. 200.414, if it does not have an existing NICRA. The administrative cap applies to administrative indirect costs charged to the award.
- h. **Certifications Regarding Debarment and Suspension** (applies to primary recipients and to subrecipients). By signing and submitting an application for funding pursuant to the TBCP, the applicant is making the certifications outlined in Appendix A to this NOFO (see Line 21 on the SF-424, Application for Federal Assistance).

2. Required Forms and Documentation Specific to Broadband Use and Adoption Applications

- a. **Standard Form 424-B. Assurances for Non-Construction Programs**
- b. **A Project Narrative.** The Project Narrative must provide a description of the overall goals of the grant proposal and the portfolio of activities the grant award would support (hereinafter in this Section 2, the "Project") and how the Project will promote the goals of this Program. The Project Narrative must include the following information:
 - i. **An Executive Summary (not to exceed 1,000 words).** The executive summary should include: (1) An overview of the goals of the Project; (2) A high-level description of major activities; (3) A description of the Project's objectives; (4) A description of the Project's locations (e.g. geographic scope and impacted areas) and intended beneficiaries; and (5) A description of the Project timeline on which funds will be expended.

Please note, NTIA may use all or a portion of the Executive Summary as part of a press release issued by NTIA, or for other public information and outreach purposes. Applicants are advised not to include business trade secrets or other confidential commercial or financial information as part of the Executive Summary. See 15 C.F.R. §4.9(b) concerning the designation of business information by the applicant.

- ii. **Status as an Eligible Entity (not to exceed 250 words).** A description demonstrating that applicant(s) are in the category of Eligible Entities, as defined in Section 905(a)(8) of the Act.
- iii. **Demonstrated Need (not to exceed 500 words).** A description of the specific problems the proposed Project will address, supported by evidence that demonstrates unmet demand or identifiable barriers to broadband use and adoption, beyond demographics alone. This includes:
 - Supporting data that demonstrates a need for these services (e.g., qualitative and quantitative evidence of barriers such as price, income, and adoption data, digital skills gaps, lack of device access, and remoteness and/or rurality of the community to be served by the Project). Potential data sources can include American Community Survey data, Tribal Surveys, market research, and/or other use and adoption data.
 - The total number of intended beneficiaries, including, as applicable, the number of individuals, the number of households, and other supporting demographic data.
 - The percentage of total households in the proposed Project service area at or below 150% of the poverty line (based on HHS Poverty Guidelines) and a description of how the total household percentage was calculated, including data source(s) and any other relevant factors. If the census tract-level poverty data does not accurately represent the poverty level of the specific geographic area or population being served, applicants should explain the discrepancy and provide supplemental data sources.
- iv. **Funded Activities (not to exceed 1,000 words).** A description of the specific Projects and activities to be funded by the grant and the proposed measurable objectives. This includes:
 - How the proposed Project will address barriers and cause measurable improvements to broadband use and adoption and the measurable objectives to be achieved.
 - How the proposed Project will address barriers and cause measurable improvements in one or more of the following areas and the measurable objectives to be achieved:
 - Economic and Workforce Development Goals, Plans, and Outcomes;
 - Educational Outcomes;
 - Health Outcomes;

- Social & Civic Engagement;
 - Delivery of Other Essential Services.¹²
 - How the applicant will collect data and information to track the program outcomes, including frequency and scope. Outcomes and performance measures can include metrics, data collection methods and analysis, and evaluation methods (e.g., case studies, focus groups, surveys.)
 - The extent to which and whether the proposed activities can create long-term benefits that persist beyond the Period of Performance, independently of this funding.
 - (If applicable) For Projects proposing to offer affordable broadband programs for Native communities, a clear price comparison of the proposed service solution to the price of comparable available service.
 - (If applicable) For Projects intended to facilitate workforce development, a description of how the Project will contribute to employment opportunities within the proposed service area. Plans should be tied to demonstrated employer and market demand and may include on-the-job training, industry-recognized credentials, apprenticeships, or other hands-on, technical skill-building approaches tied to measurable employment outcomes, using the Telecommunications Industry Registered Apprenticeship Program (TIRAP) as a model. Applicants should describe how hiring and workforce practices will be implemented consistent with applicable Tribal Employment Rights Office (TERO) ordinances or equivalent Tribal requirements, where applicable.
 - Federally Recognized Tribes that did not receive a TBCP award in the first or second round should include a description of the activities that they would perform if they were only to receive an equitable distribution allocation of up to \$500,000.
- v. Project Plan (not to exceed 5 pages).** Applicants must describe all major activities and timelines for implementation, including:
- Key Project milestones, including anticipated outputs of each activity or Project;
 - Start and end dates for each major Project activity;
 - A description of how the Project's progress will be tracked and how risks to the Project's implementation strategy and timeline will be mitigated.
- vi. Implementation Team (not to exceed 500 words).** Provide a description of the Eligible Entity applying for funds, and the qualifications and experience of key personnel responsible for implementing the proposed Project. Include a description of the implementation team and its experience with the

¹² See 47 U.S.C. § 1723(c)(1)(C)i-v

programmatic/technical aspects of project management, including past successes and a demonstrated ability to manage large federal grant awards effectively. As applicable, include Consortium members and their role in implementation.

- vii. Alignment with Existing Programs (not to exceed 500 words).** Describe coordination with State's Broadband Office, including alignment with the state's BEAD implementation plan and whether the applicant provided a Tribal Resolution permitting BEAD deployment on tribal land. Identify whether the Project will support BEAD-funded Broadband Serviceable Locations (BSLs).
- viii. Environmental and Historical Preservation (If Applicable).** For Projects including construction and/or ground disturbing activities, include site and aerial photographs (e.g., Google Maps images). Describe how the applicant intends to comply with the environmental and historic preservation and cultural requirements applicable to an award received under the TBCP (including, but not limited to, the National Environmental Policy Act and the National Historic Preservation Act) and, if applicable, a copy of any environmental and historic preservation review documentation that has been prepared in connection with obtaining permits or approvals from State, Tribal, local, or other federal entities.
- ix. Justification for Funding Variance (If Applicable, not to exceed 250 words).** If an Eligible Entity seeks funding outside of the \$500,000 to \$2,500,000 award range, the applicant must explain why their application falls below or above this range and must provide a compelling justification for deviating from this range.
- x. Other Funding Sources (not to exceed 500 words).** A detailed disclosure of the source and amount of other Federal, State, or outside funding sources the entity receives, or has applied for, that fund the activities or projects to which the application relates, including, but not limited to, any funding requests through the Broadband Equity, Access, and Deployment Program; the Capital Projects Fund, the Tribal Broadband Connectivity Program, or any other federal broadband grant program. Further, a certification that there will not be duplicative funding upon award of funds pursuant to this NOFO or any other pending grant application. Additionally, outline how the proposed Project will complement, leverage, or avoid duplication with other publicly funded efforts.
- c. A Consolidated Budget Form – Use and Adoption.** All budget information in the Consolidated Budget Form must support the dollar amounts identified in the Eligible Entity's SF-424, demonstrate that the project or activity meets the eligible use requirements in this NOFO, and reflect only allowable costs that are consistent with the Project(s)' scope. Allowable costs are determined in accordance with the cost principles identified in 2 C.F.R. Part 200, including Subpart E.

The budget must account for the recipient's administrative costs, capped by statute at 2% of the grant amount. For this purpose, the 2% limitation on administrative costs includes the combined total of direct administrative costs and indirect administrative costs charged to the award. If indirect costs are included in the proposed budget, the applicant must either provide a copy of their approved negotiated indirect cost rate agreement or include a statement that they are electing to charge the *de minimis* rate, in accordance with 2 C.F.R. 200.414.

The applicant must clearly describe in the budget narrative how it applied or calculated its administrative costs and demonstrate that its combined direct and indirect administrative costs are both at or under the 2% limit. The applicant's administrative costs must also be consistent with their Negotiated Indirect Cost Rate Agreement or the *de minimis* rate, as applicable.

3. Required Forms and Documentation for Broadband Infrastructure Deployment Projects

a. Standard Form 424-D. Assurances for Construction Programs.

b. A Project Narrative. The Project Narrative must provide a description of the overall goals of the grant proposal and the portfolio of activities the grant award would support (hereinafter in this Section 3, the "Project") and how the Project will promote the goals of this Program. The Project Narrative must include the following information, using the word count limits noted in the accompanying application materials:

i. An Executive Summary (not to exceed 1,000 words). The executive summary should include: (1) An overview of the goals of the Project; (2) A high-level description of major activities; (3) A description of the Project's objectives; (4) A description of the Project's locations (e.g. geographic scope and impacted areas); (5) A description of the Project timeline on which funds will be expended;

Please note, NTIA may use all or a portion of the Executive Summary as part of a press release issued by NTIA, or for other public information and outreach purposes. Applicants are advised not to include business trade secrets or other confidential commercial or financial information as part of the Executive Summary. See 15 C.F.R. §4.9(b) concerning the designation of business information by the applicant.

ii. Status of Eligible Entity (not to exceed 250 words). A description demonstrating that applicant(s) are in the category of Eligible Entities, as defined in section 905(a)(8) of the Act.

iii. Demonstrated Need (not to exceed 250 words). Provide a description of the community needs, problems, and challenges that the proposed Project will address. In accordance with Section 905(c)(8) of the Act, applicants proposing to use grant funds for the construction of new broadband infrastructure must prioritize Projects that deploy broadband infrastructure to unserved Native American/Alaska Native/Native Hawaiian households. The description should include:

- The total number of unserved Native American/Alaska Native/Native Hawaiian households, businesses, and community anchor institutions

in the proposed service area that are not subject to an enforceable buildout commitment. (*i.e.*, those not currently receiving Internet service with speeds of 25/3 Mbps or greater with latency considerations).

- The percentage of total households in the proposed Project service area at or below 150% of the poverty line (based on HHS Poverty Guidelines) and a description of how the total household percentage was calculated, including data source(s) and any other relevant factors. If the census tract-level poverty data does not accurately represent the poverty level of the specific geographic area or population being served, applicants should explain the discrepancy and provide supplemental data sources.
- Other supporting demographic data that demonstrates a need for services including, but not limited to, unemployment rates, education level, and other relevant data. Provide an explanation detailing how this data was calculated, and the data source(s) used.

iv. Funded Activities. A description of the specific projects and activities to be funded by the grant, eligible uses of funds and the proposed measurable objectives/outcomes. The description must:

- Identify the total number of Unserved Native American/Alaska Native/Native Hawaiian households, businesses and community anchor institutions to be served by completion of the proposed Project and have new access to qualifying broadband speeds (**not to exceed 250 words**).
- Describe plans to deploy Qualifying Broadband Service to Native American/Alaska Native/Native Hawaiian households, businesses, and community anchor institutions in the proposed Project area that meets quality of service performance measures such that network outages do not exceed, on average, 48 hours over any 365-day period (**not to exceed 500 words**).
- A description of the pricing for the broadband services that the applicant intends to offer compared to existing broadband services near the proposed service area along with a demonstration that the pricing is competitive and affordable in the target market (**not to exceed 500 words**).
- A description of how the proposed broadband solution can be scaled over time and meet the growing needs of the community and households within the service area (**not to exceed 500 words**).
- Describe a plan to ensure access to an adequate workforce for completing deployment, and whether workforce training and development is needed (**not to exceed 500 words**).
- Federally Recognized Tribes that did not receive a TBCP award in the first or second round should include a description of the activities that they would perform if they were only to receive the equitable distribution allocation of up to \$500,000 (**not to exceed 500 words**).

- v. **Project Plan.** Applicants must describe all major activities and timelines for implementation, including:
- Describe all major Project activities and timelines for implementation, including key milestones and when each major Project activity will start and end. Describe how progress will be tracked and how potential risks to the timeline will be mitigated **(not to exceed 500 words)**.
 - Describe the overall Project plan, including: steps taken to ensure cost effectiveness (e.g., technology mix and economies of scale for Consortia); service capacity; timeframes for construction; and scalability **(not to exceed 500 words)**.
 - Describe the proposed technologies in detail, including how the Project will leverage existing telecommunications infrastructure and assets. This should include, as applicable, the use of different technologies to ensure cost effectiveness, the use of existing rights-of-way (ROW), fiber networks, middle-mile and backhaul capacity, and any integration with current systems to enhance efficiency, reduce deployment timelines, and maximize overall network performance **(not to exceed 500 words)**.
- vi. **Implementation Team.** Provide a description of the Eligible Entity applying for funds, and the qualifications and experience of key personnel responsible for implementing the proposed Project, including the following:
- A description of the implementation team and its experience with the programmatic/technical aspects of project management, including past successes and a demonstrated ability to manage large federal grant awards effectively **(not to exceed 500 words)**.
 - A description of how the Eligible Entity will manage both funded and unfunded collaborators and any direct support and/or technical assistance implemented to do so. As applicable, include Consortium members and their role in implementation **(not to exceed 500 words)**.
- vii. **Alignment with Existing Programs (not to exceed 500 words).** Describe your coordination with your State's Broadband Office, including alignment with the state's Broadband Equity, Access, and Deployment (BEAD) implementation plan and whether the applicant provided a Tribal Resolution permitting BEAD deployment on tribal land. Additionally, describe your prior experience coordinating with state and federal broadband initiatives.
- viii. **Environmental and Historical Preservation (not to exceed 500 words).** Include a description of the physical project location(s) and surrounding areas, total extent and method of ground disturbance (if applicable), ground-level and aerial photos of the proposed sites, and ages of any buildings which would be impacted. For buildings that are over 50 years old, provide photos of installation sites, as well as exterior and interior photos of the building.
- ix. **Justification for Funding Variance (if applicable, not to exceed 250 words).** If an Eligible Entity seeks funding outside of the \$1,000,000 to 25,000,000 award range, the applicant must explain why their application falls below or above this range and must provide a compelling justification for deviating from this range.

- x. **Other Funding Sources (not to exceed 500 words).** A detailed disclosure of the source and amount of other Federal, State, or outside funding sources the entity receives, or has applied for, that fund the activities or projects to which the application relates, including, but not limited to, any funding requests through the Broadband Equity, Access, and Deployment Program; the Capital Projects Fund, the Tribal Broadband Connectivity Program, or any other federal broadband grant program. Further, a certification that there will not be duplicative funding upon award of funds pursuant to this NOFO or any other pending grant application. Additionally, outline how the proposed Project will complement, leverage, or avoid duplication with other publicly funded efforts.
- c. **A Consolidated Budget Form – Infrastructure Deployment.** All budget information in the Consolidated Budget Form must support the dollar amounts identified in the Eligible Entity’s SF-424, demonstrate that the project or activity meets the eligible use requirements in this NOFO, and reflect only allowable costs that are consistent with the Project(s)’ scope. Allowable costs are determined in accordance with the cost principles identified in 2 C.F.R. Part 200, including Subpart E.
- The budget must account for the recipient’s administrative costs, capped at 2% of the grant amount. For this purpose, the 2% limitation on administrative costs includes the combined total of direct administrative costs and indirect administrative costs charged to the award. If indirect costs are included in the proposed budget, the applicant must either provide a copy of their approved negotiated indirect cost rate agreement or include a statement that they are electing to charge the *de minimis* rate, in accordance with 2 C.F.R. 200.414.
- The applicant must clearly describe in the budget narrative how it applied or calculated its administrative costs and demonstrate that its combined direct and indirect administrative costs are both at or under the 2% limit. The applicant’s administrative costs must also be consistent with their Negotiated Indirect Cost Rate Agreement or the *de minimis* rate, as applicable.**
- d. **Tribal Resolution of Consent.** Each Eligible Entity applying for Broadband Infrastructure Deployment funds is required to submit a Tribal Resolution of Consent from each Tribal Government and/or from the Tribal Council of the appropriate governing body upon whose Tribal Lands the broadband infrastructure will be deployed.
- e. **Network Sustainability Plan.** Provide a comprehensive and defined plan for long-term network sustainability that includes projected revenue, operating expenses, working capital, and equipment replacement funding, as well as workforce development and capacity building. The Pro Forma Financial Projection Template can be used as a guide to provide pro forma financial information and analyses for the proposed Project(s), such as balance sheets, income statements, and statement of cash flows.

- f. Maps of Proposed Service Areas.** To ensure conformity with NTIA's NTIA Broadband Analytics and Monitoring (NBAM) applicants must submit GIS shapefiles consistent with the project narrative, where applicable. This format will allow application reviewers to efficiently identify critical components of the proposed service area, proposed network, and households, businesses, and community anchor institutions to be served. This format will also facilitate the de-duplication analysis described in Section V.D of this NOFO. The GIS shapefile should include the following data elements as applicable:
- Proposed and existing infrastructure (e.g., fiber, wireless towers, power poles, buildings, or structures)
 - Distance/location of overhead construction
 - Distance/location of underground construction
 - Drop points (identify if overhead or underground)
 - Fiber counts
 - Innerduct size and count
 - Handholes and testing stations
 - Power supply and backup power
 - Backhaul connection
 - Tribal boundary
 - Tribal home locations (proposed connections by technology type)
 - Tribal business locations (proposed connections by technology type)
 - Community Anchor Institution locations (proposed connections by technology type)
 - Proposed service area
 - Last mile connections (proposed and existing)
 - Points of Presence
 - Proposed and/or existing network shelter
 - Census blocks
 - Network propagation maps
- g. Physical network diagrams** and system designs for broadband deployment and construction projects in a PDF format.

B. Funding Restrictions

1. Allowable Uses of Tribal Broadband Connectivity Program Funds

Grant recipients may only use federal award funds to pay for allowable costs under the TBCP. Allowable costs are determined in accordance with the cost principles identified in 2 C.F.R. Part 200, including Subpart E of such regulations and in the grant program's authorizing legislation. In addition, costs must be reasonable, necessary, allocable, and allowable for the proposed project, and conform to generally accepted accounting principles. Grant funds may be used to cover only eligible costs incurred by the recipient during the period of performance.

Section 905(c)(5) of the Act states that an Eligible Entity may use grant funds made available under TBCP for:

- a. broadband infrastructure deployment, including support for the establishment of carrier-neutral submarine cable landing stations;

- b. affordable broadband programs, including: (i) providing free or reduced-cost broadband service; and (ii) preventing disconnection of existing broadband service;
- c. distance learning;
- d. telehealth;
- e. digital inclusion efforts (which may include workforce development activities); and
- f. broadband adoption activities.

Based on the broad parameters of eligible uses of TBCP, eligible costs will generally include the following categories of expenses:

- Personnel costs, including salaries and fringe benefits for staff and consultants providing services directly connected to the implementation of the TBCP grants (such as project managers, program directors, engineers, and subject matter experts).
- Subawards and contractual costs associated with carrying out programmatic activities of the TBCP, including for program implementation and consulting services. Recipients are responsible for monitoring the activities and expenditures of subrecipients (sometimes referred to as “subawards” or as “subgrants”) and vendors and are responsible for ensuring that all solicitation documents reflect activities within the scope of the TBCP.
- Administrative costs, including indirect administrative costs that are limited to no more than two percent of the grant funds received by an Eligible Entity pursuant to section 905(c)(6)(A) of the Act, as amended.
- An Eligible Entity that proposes to use grant funds for the construction of broadband infrastructure may use an amount of the grant funds equal to not more than 2.5 percent of the total project cost for planning, feasibility, and sustainability studies related to the project.
- Fund other allowable costs necessary to carry out programmatic activities of an award, not to include ineligible costs described in Section IV.B.4 below.

Pre-Award Costs. Reasonable pre-award expenses in an amount not to exceed 5% of award costs, up to a maximum of \$50,000 may be recoverable under 2 C.F.R. §200.458. Pre-application expenses, which include expenses related to preparing an application, may be reimbursed if they are incurred after the publication date of this NOFO and prior to the date of issuance of the grant award from NTIA. These costs should be clearly identified in the proposed project budget and must be approved by NTIA and the Grants Officer in writing to be considered allowable. Pre-award costs are incurred at the sole risk of the applicant and will not be reimbursed by NTIA if the proposed project does not receive an award pursuant to this Program.

2. Eligible Costs Specific to Broadband Infrastructure Deployment Activities

Section 905(c)(8) of the Act requires that, in using grant funds received under the TBCP for new construction of broadband infrastructure, an Eligible Entity must prioritize projects that deploy broadband infrastructure to Unserved households. Recipients may generally use grant funds to:

- fund the costs of construction, improvement, replacement, extension or acquisition of facilities and telecommunications equipment required to provide

- Qualifying Broadband Service, including infrastructure for backhaul, middle, and last mile networks, as well as for submarine cable landing stations;
- fund the cost of long-term leases (for terms greater than one year) of facilities required to provide Qualifying Broadband Service, including indefeasible right-of-use (IRU) agreements. Please note that IRUs over 20 years are discouraged;
- fund the costs of planning, feasibility, and sustainability studies not to exceed 2.5 percent of the total project cost;
- fund the costs of engineering and network design, including route mapping for broadband infrastructure, permitting, and work related to environmental, historical and cultural reviews;
- fund the costs of performance bonds or irrevocable Letters of Credit or other surety;
- fund other allowable costs necessary to carrying out programmatic activities of an award, not to include ineligible costs described below.

3. Subrecipient

Section 905(c)(7) of the Act provides that an Eligible Entity may enter a contract with a subrecipient, including a non-Tribal entity, as part of its use of grant funds under this program. An Eligible Entity that enters a contract (or subaward) with a subrecipient for use of grant funds received under this program shall:

- a. before entering into the contract, after a reasonable investigation, make a determination that the subrecipient:
 - i. is capable of carrying out the project for which grant funds will be provided in a competent manner in compliance with all applicable laws;
 - ii. has the financial capacity to meet the obligations of the project and the requirements of Section 905(c) of the Act; and
 - iii. has the technical and operational capability to carry out the project; and
- b. stipulate in the contract reasonable provisions for recovery of funds for nonperformance.

Additionally, Eligible Entities should ensure that they check the exclusion list available in SAM at <https://www.sam.gov> prior to awarding any TBCP funds to a subgrantee. Applicants are reminded that, pursuant to 2 C.F.R. § 200.331, a federal award recipient must make case-by-case determinations whether each agreement it enters into for the disbursement of federal program funds casts the party receiving the funds in the role of a subrecipient or a contractor. The above due diligence requirements apply both to contracts and subawards issued by a recipient or by a subrecipient of federal award funds received pursuant to the TBCP. Pass-through entities are additionally reminded of the requirements for pass-through entities in 2 C.F.R. §200.332.

4. Limitations on Uses of Tribal Broadband Connectivity Funds

Ineligible costs include those costs that are unallowable pursuant to 2 C.F.R. Part 200, including under Subpart E. Ineligible costs specific to funds awarded under the TBCP also include:

a. 2 Percent Cap on Administrative Costs

Section 905(c)(6)(A) of the Act, as amended, prohibits an Eligible Entity from using more than 2 percent of grant funds received under the TBCP for administrative purposes. The 2 percent

limitation on administrative expenses includes the combined total of indirect administrative costs and direct administrative costs charged to an award. Examples of administrative expenses 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.

An Eligible Entity that proposes to use grant funds for the construction of broadband infrastructure may use an amount of the grant funds equal to not more than 2.5 percent of the total project cost for planning, feasibility, and sustainability studies related to the project.

b. Additional funding restrictions on specific activities

In order to ensure effective use of funds, the following funding restrictions apply to specific types of programs/activities (Note, all recipients will additionally be subject to the Transparency, Accountability, and Oversight requirements described in Section VIII.F to, among other things, minimize the opportunity for waste, fraud, and abuse):

i. Device Distribution Programs:

- Consistent with the prohibition on profit and fees in Section IV.B.4.c, a financial markup on devices is prohibited.
- Beneficiaries may not receive a device unless they complete a training program (*i.e.*, live sessions, self-paced modules, or hybrid approaches) resulting in a certificate (*i.e.*, Learn to Earn program).
- Beneficiaries may not receive a device through a device distribution program unless they are U.S. citizens aged 18 or older.
- Eligible Entities must not distribute smartphones (*i.e.*, mobile phones).
- Eligible Entities must have systems and procedures in place for inventory security, distribution, tracking (periodic verification of possession), and data protection.
- Eligibility for devices must be based on sufficiently demonstrated need.
- Eligible Entities may not distribute more than one device per household unless there is demonstrated additional need.
- Eligible Entities must maintain records on any device distribution program demonstrating that all grant program requirements governing distribution are met.

ii. Remote Learning Programs:

- NTIA discourages applications for remote learning programs targeted toward individuals under the age of 18. Applications proposing remote learning programs for individuals under the age of 18 will be subject to additional scrutiny and must contain safeguards to address the pedagogical and developmental impacts of remote or screen-based instruction on children.

iii. Broadband Subsidy Programs:

- Eligible Entities may not pre-pay for services that extend beyond the Period of Performance end date.

- Subsidies may not be paid to the beneficiary and must be paid directly to the service provider.
- The subsidized service must meet or exceed minimum speeds of 100 Mbps download and 20 Mbps upload.
- Eligible Entities may not exceed one subscription per household unless there is sufficiently demonstrated additional need.
- Service subsidies may not be duplicative of FCC Lifeline services.
- Subsidy programs shall not take place unless they are paired with digital skills training programs and/or a cost contribution is made by the beneficiaries themselves.
- Eligible Entities must establish mechanisms to periodically verify usage with participating providers.
- Subsidy eligibility is limited to income-qualified households verified through federal means-tested programs or other approved income verification methods. Subsidies are reimbursed annually upon documentation confirming compliance with program requirements, including qualifying service speeds.
- Eligible Entities shall maintain records on any broadband subsidy program demonstrating that all grant program requirements governing subsidies are met.

c. Prohibition on Profit or Fees

A profit, fee, or other incremental charge above actual cost is not an allowable cost under this program.

d. Prohibition on Use for Covered Communications Equipment or Services

Pursuant to Section 905(e)(4) of the Act, an Eligible Entity 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)). *See* 2 C.F.R. 200.316, Prohibition on certain telecommunications and video surveillance services or equipment.

e. Other Ineligible Costs

- Funding for infrastructure that was completed prior to the grant award period.
- Costs attributable to any other activities not authorized by the eligible use categories specified in 47 USC 1705(c)(5).
- Projects proposing to conduct planning activities or prepare feasibility or sustainability studies that are not part of a project proposal to deploy broadband infrastructure or construct broadband networks.
- Project costs that are duplicative of or otherwise covered by other federal or state funding. This includes, but is not limited to, deploying broadband infrastructure to locations that are already subject to an Enforceable Buildout Commitment to deploy Qualifying Broadband Service through funding from federal or state programs or which undermine the financial viability of deployments made through other federal or state programs.
- Contingency costs in excess of 15 percent of the total equipment and construction costs.

5. Impact on Other Federal Broadband Programs

The use of grant funds received under the TBCP by an Eligible Entity or subgrantee shall not impact the eligibility of, or otherwise disadvantage, the Eligible Entity or subgrantee with respect to participation in any other Federal broadband program.

C. Certifications Regarding Debarment and Suspension

By signing and submitting an application for funding pursuant to the TBCP, the applicant is making the certifications outlined in Appendix A to this NOFO (see Line 21 on the SF-424, Application for Federal Assistance).

D. System for Award (SAM) Management

Pursuant to 2 C.F.R. Part 25, an applicant or recipient (as the case may be) is required to: (i) provide a valid unique entity identifier in its application; (ii) be registered in SAM before submitting its complete application packet ; and (iii) continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a federal awarding agency, unless otherwise excepted from these requirements pursuant to 2 C.F.R. 25.110. NTIA will not make a federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time that NTIA is ready to make a federal award pursuant to this NOFO, NTIA may determine that the applicant is not qualified to receive a federal award.

1. SAM Unique Entity Identifier Number

All applicants must supply a SAM Unique Entity Identifier (UEI) number. On April 4, 2022, the federal government stopped using the DUNS Number to uniquely identify entities. Now, entities doing business with the federal government must use the Unique Entity ID created in [SAM.gov](https://sam.gov). Applicants who are new to [SAM.gov](https://sam.gov) may register their entity or receive a UEI by signing in to SAM.gov and selecting “Get Started,” then “Register Entity.” If you are a sub-awardee who just needs a UEI for subaward reporting, choose “Get Unique Entity ID.”

2. SAM Management Registration

All applicants must register with SAM before submitting an application pursuant to this program. Additionally, the applicant must maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a federal awarding agency. Applicants can register for the SAM at <https://www.sam.gov/>. Entities without an active [SAM.gov](https://www.sam.gov/) registration and/or UEI at the time of application submission and award may be deemed ineligible for a grant award.

E. Electronic Research Administration (eRA) Commons Registration

Applicants must be registered in eRA Commons prior to submitting an application. While applications are submitted through Grants.gov, eRA Commons registration is required to facilitate the processing of awards and post-award administration. Applicants are strongly encouraged to begin the registration process early, as it may take several days to complete. Additional information and registration guidance are available at <https://www.era.nih.gov/register-accounts/register-in-era-commons.htm>.

F. Grants.gov Registration

Applicants submitting electronically through Grants.gov must be registered at <https://www.grants.gov/register>.

G. Submission Dates and Times

Applications for the Program must be complete and must adhere to the instructions provided in this NOFO and be submitted in one of the formats required. Complete applications from Eligible Entities must be received no later than 11:59 p.m. Eastern Time (ET) on November 17, 2026. Applications submitted by postal mail or courier service must be postmarked or show clear evidence of mailing by the same date and time and sent to the following address: National Telecommunications and Information Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Room 4878, Attn: Douglas Kinkoph, Associate Administrator, Washington, DC 20230.

Eligible Entities that previously submitted applications may submit revised applications (entire application must be resubmitted) on or before the submission deadline. Eligible Entities must submit a single application by the application deadline to be eligible for program funding. The TBCP is not a formula or block grant program and a single application for funding must be timely submitted by an Eligible Entity to receive funding consideration from NTIA.

NTIA expects to complete its review, select successful applicants, and begin award processing by Spring 2027. NTIA will, subject to NIST Financial Assistance Agreements Management Office (FAAMO) Approval, announce awards made under the Program on a rolling basis.

H. Material Representations and Public Disclosure of Applications

All forms and supporting documents submitted as part of the complete application packet will be treated as a material representation of fact upon which NTIA will rely in awarding grants.

Applicants acknowledge and understand that any false, fictitious, or fraudulent statements (or concealment or omission of a material fact) in the forms and supporting documents, including any required certifications or disclosures, submitted as part of the complete application packet may subject applicants to criminal prosecution (including under 18 U.S.C. §1001 and/or 1621), and may subject applicants to civil and administrative penalties and other remedies. Applicants should be aware that NTIA may make all or portions of their applications for grants under the TBCP publicly available as required under applicable federal laws. *See* Section VIII.A of this NOFO for additional information concerning the confidentiality of information contained in an application.

I. Amendments

Any amendments to this NOFO or additional program guidance will be announced on [NTIA.gov](https://www.ntia.gov), and [BroadbandUSA.NTIA.gov](https://www.broadbandusa.ntia.gov).

V. Application Review Information

A. Overview

The application review process will be conducted in three stages: (1) Initial Eligibility and Administrative Review; (2) Merit Review; and (3) Programmatic Review. The Initial Eligibility

and Administrative Review serves as the initial screening of all applications to determine if the applicant is eligible, the application materials are complete, and the applications were submitted timely. Applications which pass this Initial Eligibility and Administrative Review will proceed to Merit Review in accordance with the prioritization criteria described in Section V.C.1.

During Merit Review, applications will be assigned a numerical score based upon the evaluation factors described in the Merit Review section. Applications which receive a Merit Review score of 65 to 100 points will be deemed “Qualified for Funding.” Applications with a Merit Review score of less than 65 are “Unqualified for Funding” and will be removed from further consideration.

Applications which are Qualified for Funding will proceed to Programmatic Review on a rolling basis. NTIA Program Staff will review applications determined to be qualified for funding to validate the applications are in conformity with programmatic objectives, requirements, and priorities. Program staff will evaluate budgets, conduct de-duplication, and conduct any necessary curing.

Upon completion of Programmatic Review, applications will proceed to Award selection, wherein on a rolling basis the OICG Associate Administrator will review a ranked list of applications and will recommend a list of applications to the Assistant Secretary, who will act as the selecting official. The Assistant Secretary will review the recommended list of applications and on a rolling basis submit award slates, along with the basis for the selection decisions, to the National Institute of Standards and Technology (NIST) Grants Officer, who serves as the Grants Officer for the Program. The final approval of selected applications and the issuance of awards will be made by the NIST Grants Officer.

B. Initial Eligibility and Administrative Review

During the Initial Eligibility and Administrative Review stage, NTIA will conduct an initial review of all submitted applications to ensure they contain the information and documentation required under Section IV.A of this NOFO (“Content and Form of Applications”) and that this information was submitted in a timely manner.

The following applicants will be eliminated from review:

- An applicant that does not meet the definition of an Eligible Entity;
- An applicant that does not submit the required Tribal Government Resolution or equivalent formal authorization to file an application; or
- A Consortium that fails to submit the required Tribal Government Resolution or equivalent formal authorization from each member of the Consortium as described in Section IV.A.1.d of this NOFO.

In addition, NTIA will remove applications from consideration if submitted materials are incomplete or untimely.

At its discretion, NTIA may provide an applicant with an incomplete application one (1) opportunity to cure its application, in which case NTIA will provide the applicant up to seven (7) calendar days to submit information responsive to the feedback provided by NTIA, unless this time period is extended by NTIA.

C. Merit Review

NTIA's goal is to fund projects that can deliver broadband access, use, and adoption to the greatest number of Tribal households in a way that is cost effective and outcome oriented. The most effective way to do so is by prioritizing applications that align with other federal broadband infrastructure deployments, including the \$42.5 billion BEAD Program. Those projects will reach more homes at lower cost and provide more reliable, scalable, and affordable service. Prioritizing these applications ensures the coordination of federal funding strengthens long-term use and adoption and maximizes the number of households served on Tribal Lands.

1. Prioritization

Prior to entering Merit Review, NTIA will place all applications satisfying the Initial Eligibility and Administrative Review into one of three prioritization tranches based on the Priority Criteria below. NTIA will move applications from Priority Criterion 1 through the Merit Review process. If funds remain, NTIA will move applications from Priority Criterion 2 through the Merit Review process. If funds remain after Merit Review of applications from Priority Criteria 1 and 2, NTIA will move applications from Priority Criterion 3 through the Merit Review process.

1. Applications proposing standalone Broadband Use and Adoption projects from a Tribal Government or its designee that has issued a Tribal Resolution approving deployment of BEAD services on its lands, including Consortium applications.
2. Applications proposing standalone Broadband Infrastructure Deployment projects to Unserved Households, including Consortium applications.
3. All other projects, aside from Equitable Distribution awards, including connections to Community Anchor Institutions.

Additionally, NTIA will complete Merit Review for all applications from Federally Recognized Tribes that are eligible to receive the equitable allocation of up to \$500,000 if NTIA determines it is unable to fully fund the applicant's original request due to the availability of TBCP funding. Equitable distributions of up to \$500,000 will be awarded only to Tribal Governments that have not previously received a TBCP award (which includes equitable distribution awards) in the two rounds of funding from the TBCP.

2. Merit Review Process

Applications that reach Merit Review will be reviewed by at least two (2) merit reviewers, which may be Federal personnel or non-Federal personnel, who have demonstrated expertise in the programmatic aspects of broadband projects and federal grants. As applicable, merit reviewers will be required to sign and submit a nondisclosure and confidentiality form pertaining to the dissemination of confidential information and to potential financial and other conflicts of interest.

Reviewers will evaluate applications for Broadband Use and Adoption projects and Broadband Infrastructure Deployment projects using the criteria applicable to each type of project and independently score each application based on a scale of 0-100 points.

Based on an average of the reviewers' scores, applications will be assigned a rating of qualified for funding or unqualified for funding for each priority grouping, in accordance with the following scale:

- Qualified for Funding – (65-100 points)
- Unqualified for Funding – (under 65 points)

NTIA will not round up merit reviewer score averages when determining whether an application is qualified for funding.

a. Evaluation Criteria for Broadband Use and Adoption Projects

The evaluation criteria that will be used by the merit reviewers to review and analyze applications for Broadband Use and Adoption Projects are grouped into four categories: (i) Project Purpose and Need; (ii) Performance Measures and Sustainability; (iii) Strength of Project Implementation Plan and Budget; and (iv) Strength of Applicant's Organizational Capability. Each application will be evaluated against the following objective criteria.

i. Project Purpose and Need (35 points)

- Project Need (20 points)
 - Reviewers will assess whether there is baseline data demonstrating unmet demand or identifiable barriers to broadband use and adoption, including but not limited to:
 - The percentage of individuals in need of services within the proposed service area.
 - The number of households in need of broadband service subsidies for both first time connections and ongoing service.
 - A description of the geographic scope and impacted areas.
 - Other data demonstrating the level of need of the individuals to be served (*i.e.*, poverty rates, unemployment rates, etc.).
- Project Purpose (15 points)
 - Reviewers will assess whether the proposed activities address the unmet demand or identifiable barriers to broadband use and adoption.
 - Reviewers will assess the extent to which the project improves the access to, and use of, broadband services to promote one or more of the following:
 - Economic and Workforce Development Goals, Plans, and Outcomes;
 - Educational Outcomes;
 - Health Outcomes;
 - Social & Civic Engagement;
 - Delivery of Other Essential Services.¹³

ii. Performance Measures and Sustainability (15 points)

- Reviewers will assess the effectiveness of the applicant's performance metrics for measuring success of the project against proposed objectives and consider how the applicant will collect data and information to track the identified program outcomes, including frequency and scope.
- Reviewers will consider if the applicant has a plan for sustaining the benefits of the program.

iii. Strength of Project Implementation Plan and Budget (25 points)

¹³ See 47 U.S.C. § 1723(c)(1)(C)i-v

- Reviewers will assess the overall soundness of the proposed project plan and milestones and whether the proposed activities and timelines can be conducted within the period of performance.
- Reviewers will assess if the proposed Project, including specific activities to be conducted, is achievable and consistent with the allowable programmatic activities.
- Reviewers will assess the extent to which the applicant has established clear measurable objectives that are achievable within the Period of Performance.
- Reviewers will assess if the proposed Project budget can achieve Project goals within the Period of Performance, and that costs are reasonable, allocable, and allowable.
- Reviewers will assess the extent to which the applicant has included measures to track progress and mitigate risks to the project's implementation strategy and timeline.

iv. Strength of Applicant's Organizational Capability (25 points)

- Reviewers will assess the strength of the applicant's organizational capability to implement the proposed project including the programmatic and technical experience of the implementation team.
- Reviewers will assess whether the applicant has the breadth and depth of experience, as an organization or through partnerships, that demonstrates the experience necessary to effectively complete the proposed projects.
- Reviewers will assess the applicant's ability to manage large federal grant awards effectively, either based on demonstrated management of past projects, or based on an explanation and description in the applicant's application materials indicating their capacity to do so.
- Reviewers will assess the applicant's ability to manage large programmatic initiatives, either based on the applicant's past success and relevant experience, or based on an explanation in the applicant's materials indicating their capacity to do so.

b. Evaluation Criteria for Broadband Infrastructure Deployment Projects

The evaluation criteria that will be used by the merit reviewers to review and analyze applications for Infrastructure Deployment Projects are grouped into four categories: (i) Project Purpose and Need; (ii) Project Cost-Efficiency and Design; (iii) Strength of Project Implementation Plan and Budget; and (iv) Strength of Applicant's Organizational Capability. Each application will be evaluated against the following objective criteria.

i. Project Purpose and Need (20 points)

- Project Need (10 points)

- Applications that propose to connect 100% of unserved locations in the proposed service area will receive 10 points. Those that propose to connect between 75% and 100% of unserved locations in the service area will receive up to 7 points. Those that propose to connect between 50% and 75% of unserved locations in the service area will receive up to 5 points. Those that propose to connect less than 50% of unserved locations will receive 0 points.
- Project Purpose (10 points)
 - Reviewers may award up to 10 points in evaluating whether the infrastructure investment is necessary to provide Qualifying Broadband Service in the proposed service area and is unlikely to be made using private sources of funds. The likelihood of private investment may be demonstrated by factors such as:
 - The level of poverty within the proposed service area
 - The estimated number of locations to be served in Rural Areas
 - Evidence that the cost of deploying service would otherwise be prohibitive (e.g. terrain, tree cover, etc.)
- ii. Project Cost-Efficiency and Design (30 points)**
 - Cost-Efficiency (15 points)
 - Reviewers will assess how the applicant will use existing infrastructure and/or leverage different broadband technologies to create cost-effective solutions.
 - Reviewers will assess the cost per Broadband Serviceable Location, and whether the project would impose excessive costs on the program, using Appendix B as a benchmark.
 - Reviewers will assess how the applicant's solution can be scaled over time to meet the growing needs of the community and households within the service area.
 - Speed of Broadband Service (5 points)
 - Reviewers will assess the speed of broadband service that the project proposes to provide. Applications proposing to provide speeds above 25/3mbps will score higher, with applicants proposing 100/20mbps or greater will receive full points.
 - Financial Sustainability (5 points)
 - Reviewers will assess the financial sustainability of a network to support long-term operational expenses, including affordable rates for end-users.
 - Speed of Deployment (5 points)
 - Reviewers will assess the estimated speed of deployment. Full points will be awarded to applicants demonstrating a plan for streamlined deployment and provision of service.
- iii. Strength of Project Implementation Plan and Budget (25 points)**
 - Implementation Plan (15 points)

- Reviewers will assess the overall soundness of the proposed project plan and milestones and whether the proposed activities, timelines, and measurable objectives can be conducted within the Period of Performance.
- Reviewers will assess if the proposed Project, including specific activities to be conducted, is achievable and consistent with allowable programmatic activities.
- Reviewers will assess the extent to which the applicant has included measures to track progress and mitigate risks to the Project's implementation strategy and timeline.
- Budget (10 points)
 - Reviewers will assess the feasibility and appropriateness of the proposed project budget, including an assessment of whether the amounts budgeted can realistically achieve project goals, and that costs are reasonable, allocable, and allowable.

iv. Strength of the Applicant's Organizational Capability (25 points)

- Reviewers will assess the strength of the applicant's organizational capability to implement the proposed project including the programmatic and technical experience of the implementation team.
- Reviewers will assess whether the applicant has the breadth and depth of experience, as an organization or through partnerships, that demonstrates the experience necessary to effectively complete the proposed projects.
- Reviewers will assess the applicant's ability to manage large federal grant awards effectively, either based on demonstrated management of past projects, or based on an explanation and description in the applicant's application materials indicating their capacity to do so.

D. Programmatic Review

Upon completion of the Merit Review, NTIA Program Staff will review applications determined to be qualified for funding for conformity with programmatic objectives, requirements, and priorities.

To accelerate award issuance, NTIA Program Staff will group applications within each Prioritization Group based on similar final Merit Review scores (generally within the 5-point range). Applications will be advanced to Programmatic Review and considered for award in these score-based groupings, beginning with the highest-scoring group and proceeding sequentially. Applications recommended for funding will be forwarded to the Associate Administration and Selecting Official for final award decisions.

During Programmatic Review, NTIA Program Staff will evaluate the applicant's budget documents to determine conformity with the eligible uses of funds for the TBCP. The budget review will also determine if the costs presented are reasonable, necessary, allowable, and allocable to the proposed project. Additionally, NTIA Program Staff will determine whether the applicant worked collaboratively with State Broadband Offices to optimize state and federal funding through other broadband infrastructure programs and whether proposed use and

adoption activities will benefit households and individuals that received internet access through other federally funded initiatives (e.g., BEAD).

During Programmatic Review, NTIA may ask applicants to submit additional information, as appropriate, to clarify or to further substantiate the representations made in their applications. Applicants will have ten (10) calendar days to submit information responsive to the feedback provided by NTIA, unless this time period is extended by NTIA. NTIA Program Staff will review the supplemental information, along with all information submitted with the application, to confirm eligibility and evaluate the applications with respect to the requirements and priorities of TBCP described within this NOFO. Additionally, Program Staff will assess the cost per connection associated with proposed Infrastructure Deployment applications, using Appendix B as a benchmark. Applicants whose supporting documents are not complete, accurate, and timely submitted or who do not adequately substantiate the representations in their applications, may be denied.

As part of the Programmatic Review process, NTIA will conduct an analysis to determine if an application is duplicative of an existing project, including if an application is duplicative of an application submitted for funding under the Digital Equity Act Native Entities Grant Program. If NTIA determines that duplication exists, NTIA will work to resolve it. If an application that is determined to be qualified for funding under this NOFO is duplicative with an application qualified for funding under the Native Entities Grant Program NOFO, NTIA will determine which application to award, and which application to reject, based on the availability of funding. NTIA may also negotiate with an applicant to de-scope the application to avoid duplicative funding prior to selecting an application for award.

NTIA will conduct an analysis to validate certifications that an area is unserved as well as disclosures of the presence of facilities capable of delivering Qualifying Broadband Service. This analysis will include, but not be limited to, a review of the National Broadband Map, a review of broadband funding data available to NTIA from federal and state agencies and through the FCC's Broadband Funding Map, and direct coordination with relevant federal and state agencies to identify and resolve potentially duplicative funding. If NTIA determines that duplication exists, NTIA will work to resolve it. NTIA may, at its option, negotiate with an applicant to descope the application to avoid duplicative funding prior to selecting an application for award. NTIA will conduct a final de-duplication review of the potential grantees' proposed project service areas prior to award to account for any lag time between the initial review for duplication and the date the award is issued.

If needed, NTIA will impose a specific award condition to allow for a descope of the project, which may include a reduction in TBCP grant funding.

NTIA reserves the right at any time during the Programmatic and Award Selection Review processes to negotiate with the applicant relative to specific modifications to the application, including, but not limited to, the resolution of any differences that may exist between the applicant's original request and NTIA's determination of programmatic priorities, the eligibility of the applicant's proposed service areas, and proposed costs. Further, to the extent that NTIA is unable to award the full funding request (e.g. due to the limited availability of TBCP funding), NTIA may, at its own initiative, negotiate with applicants representing Federally Recognized Tribes to identify eligible activities and modify the scope of the project to fund an amount up to the Equitable Distribution allocation or available funding, as applicable. Upon completion of the review, NTIA Program Staff will summarize their analysis for each application reviewed.

Upon completion of Programmatic Review, NTIA Program Staff will provide a list of proposed Projects (*i.e.*, the proposed award slate), to the Associate Administrator for the Office of Internet Connectivity and Growth (OICG Associate Administrator).

E. OICG Associate Administrator Review

Following the conclusion of the Programmatic Review, the OICG Associate Administrator will review the list of applications and recommend a list of awards to the NTIA Assistant Secretary, who is the Selecting Official for this program. The OICG Associate Administrator's recommendations to the Selecting Official may differ from the proposed award slate developed during Programmatic Review based on consideration of the following selection factors:

1. The extent to which the proposed project maximizes other federal broadband infrastructure investments;
2. The scores of the objective expert reviewers during Merit Review;
3. The geographic distribution of the proposed awards;
4. The analysis of NTIA Program Staff during Programmatic Review, including the cost per connection of an Infrastructure Deployment project;
5. Whether the applicant has previously received TBCP funding;
6. Whether the application contains matching funds;
7. Whether the applicant has received or is set to receive an award under the Native Entities Grant Program.

Based on these selection factors, the OICG Associate Administrator may recommend lower ranked applications to the Selecting Official, as warranted, and will appropriately document the basis of this recommendation.

F. Assistant Secretary Final Selection

After conducting the review described above, the OICG Associate Administrator shall provide a proposed award slate to the NTIA Assistant Secretary for final review. As the Selecting Official, the NTIA Assistant Secretary will select and recommend applications for funding based on the following selection factors:

1. Satisfaction of the statutory purposes and the overall goals and objectives of the TBCP NOFO;
2. The extent to which a proposed Use and Adoption project maximizes other federal broadband infrastructure investments;
3. The analysis of NTIA Program Staff during Programmatic Review, including the cost per connection of an Infrastructure Deployment project;
4. The extent to which the application increases internet access and adoption of broadband;
5. The extent to which the infrastructure investment is necessary to provide Qualifying Broadband Service in the proposed service area and is unlikely to be made using private sources of funds;
6. Whether an applicant has previously received TBCP funding;
7. Whether the application contains matching funds;
8. Avoidance of duplication with the initiatives of other federal agencies, including, but not limited to, U.S. Department of Agriculture (USDA) loan and grant programs for

- broadband services and applicable universal service programs authorized by the Commission;
9. The geographic distribution of the proposed awards, including whether the Project is in a Rural Area; and
 10. The availability of funds and the equitable distribution of funds as required by section 905(c)(3)(A) of the Act.

The NTIA Assistant Secretary also retains discretion to not recommend an application for funding that was recommended by the OICG Associate Administrator if the Assistant Secretary disagrees with the OICG's use of the selection factors listed above and will appropriately document the basis of this decision.

The Assistant Secretary will submit the applications recommended for funding, along with the bases for the selection decisions, to the National Institute for Standards and Technology (NIST) Grants Officer, who serves as the Grants Officer for the TBCP. The final approval of selected applications and the issuance of awards will be made by the NIST Grants Officer. The award decisions of the NIST Grants Officer are final.

NTIA expects to begin issuing awards to applicants pursuant to this Notice of Funding Opportunity in Spring of 2027. NTIA expects to make additional awards on a rolling basis. NTIA reserves the right to modify or rescind funding, including in the post-award period, if it determines there is a duplication of funding between proposed projects. If duplicative projects are identified, NTIA will work with the grantee(s) to identify a path forward to maximize the use of funds. Unsuccessful applicants will be notified in writing by email.

G. Federal Awarding Agency Review of Risk Posed by Applicants

After applications are proposed for funding by the Selecting Official, the NIST Financial Assistance Agreements Management Office (FAAMO) will perform pre-award risk assessments in accordance with 2 C.F.R. §200.206, which may include a review of the financial stability of an applicant, the quality of the applicant's management systems, the history of performance, reports, and findings from audits, and/or the applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-federal entities. In addition, prior to making an award where the total federal share is expected to exceed the simplified acquisition threshold (currently \$250,000), the NIST FAAMO will review and consider the non-publicly available information about that applicant in the Federal Awardee Performance and Integrity Information System (FAPIS). Upon completion of the pre-award risk assessment, the NIST FAAMO will determine whether the applicant is qualified to receive the award and, if so, whether appropriate specific award conditions that correspond to the degree of risk posed by the applicant should be applied to the award.

H. Anticipated Announcement and Award Dates

NTIA expects to begin issuing awards to applicants pursuant to this Notice of Funding Opportunity in Spring of 2027. NTIA expects to make additional awards on a rolling basis.

NTIA reserves the right to modify or rescind funding, including in the post-award period, if it determines there is a duplication of funding between proposed Projects. If duplicative Projects are identified, NTIA will work with the grantee(s) to identify a path forward to maximize the use of funds. Unsuccessful applicants will be notified in writing by email.

VI. Federal Award Administration Information

A. Federal Award Notices

A grants officer from the NIST Financial Assistance Agreements Management Office (FAAMO) will serve as the Grants Officer for awards issued pursuant to this NOFO. Applicants will be notified in writing by the NIST Grants Officer if their application is selected for an award. If the application is selected for funding, the NIST Grants Officer will issue the Notice of Award, which is the authorizing financial assistance award document. By accepting the award in the electronic Research Administration (eRA) Commons system, the recipient agrees to comply with all award provisions, terms, and conditions.

If an applicant is awarded funding, neither NTIA nor NIST is under any obligation to provide any additional future funding in connection with that award or to make any future award(s).

Amendment of an award to extend the period of performance is at the discretion of NTIA and the NIST Grants Officer, in accordance with the requirements and limitations contained in the Act.

B. Notification to Unsuccessful Applicants

Unsuccessful applicants will be notified by e-mail and will have the opportunity to receive a debriefing after the opportunity is officially closed. Applicants must submit a written request within 10 business days of the email notification to receive a debriefing from NTIA. NTIA will then work with the unsuccessful applicant to arrange a date and time for the debriefing.

C. Retention of Unsuccessful Applications

Unsuccessful applications will be retained in accordance with NTIA record-keeping requirements.

D. De-obligation or Termination of Grant

The Assistant Secretary may de-obligate or terminate a grant awarded to a recipient under the Program if the grant funds no longer effectuate program goals or agency priorities, are not being used in a manner that is consistent with the application submitted by the recipient, the recipient is not upholding the assurances made pursuant to Appendix A of this NOFO, or the Assistant Secretary determines that the grant is no longer necessary to achieve the original purpose for which the Assistant Secretary awarded the grant. Prior to de-obligation or termination of a grant for these reasons, the Assistant Secretary will provide notice to the recipient, including a rationale and supporting information demonstrating the basis of the Assistant Secretary's decision.

E. Administrative and National Policy Requirements

Recipients of funding pursuant to this program must comply with applicable statutes, regulations, executive orders and policies including but not limited to:

1. Uniform Administrative Requirements, Cost Principles, and Audit Requirements.

Through 2 C.F.R. §1327.101, the Department of Commerce adopted the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200, which apply to awards in the TBCP.

2. Department of Commerce Financial Assistance General Terms and Conditions.

The Department of Commerce will apply to each award in the TBCP the Financial Assistance Standard Terms and Conditions in effect on the date of award. The current version, dated September 22, 2025, is accessible at [Department of Commerce Financial Assistance General Terms and Conditions](#). Refer to Section VII of this NOFO, Federal Awarding Agency Contacts, Grant Rules and Regulations, for more information.

3. Pre-Award Notification Requirements.

The Department of Commerce will apply the Pre-Award Notification Requirements for Grants and Cooperative Agreements dated December 30, 2014 (79 FR 78390). Refer to Section G. of this NOFO, Federal Awarding Agency Contacts, Grant Rules and Regulations, for more information.

4. Environmental and National Historical Preservation Requirements.

Awarding agencies are required to analyze the potential environmental impacts, as required by 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.*), for applicant proposals and awardee projects seeking funding under the TBCP. Additionally, in accordance with Section 2(a)(1) of Executive Order 11988, as amended by Executive Order 13690, before taking an action, the applicant, in coordination with NTIA, must determine whether a proposed action will occur in a floodplain. Applicants with projects containing construction and/or ground disturbing activities are required to submit all required environmental documentation with their application package or describe in their project narrative the physical project location and include photographs, as described above, and how they will comply with applicable environmental and national historical preservation requirements. It is the applicant's responsibility to obtain all necessary federal, state, and local governmental permits and approvals necessary for the proposed work to be conducted. Applicants are expected to design their projects so that they minimize the potential for adverse impacts on the environment. Applicants also will be required to cooperate with NTIA in identifying feasible measures to reduce or avoid any identified adverse environmental impacts of their proposed projects. The failure to do so may be grounds for not making an award. Applications will be reviewed to ensure that they contain sufficient information to allow agency staff to conduct a NEPA analysis so that appropriate NEPA documentation can be submitted to NTIA, along with the recommendation for funding of the selected applications. If additional information is required after an application is accepted for funding, funds can be withheld by NTIA under a special award condition requiring the awardee to submit additional environmental compliance information sufficient for the agency to make an assessment of any impacts that a project may have on the environment.

5. Property Trust Relationship and Public Notice Filings for Grant-Acquired Property.

In accordance with 2 C.F.R. 200.316, real property, equipment, and intangible property that are acquired or improved with a federal award must be held in trust by the recipient or subrecipient as trustee for the beneficiaries of the project or program under which the property was acquired or improved. In this connection, NTIA may require the non-federal entity to record liens or other appropriate notices of record to indicate that personal or real property has been acquired or improved with a federal award and that use and disposition conditions apply to the property. Awards issued pursuant to this NOFO may contain specific award conditions pertaining to the

use and disposition of grant-acquired property and to a requirement that the recipient or subrecipient file certain public notices (e.g., UCC-1, Covenant of Purpose, Use and Ownership, etc.) with respect to grant-acquired property.

- Tribal Laws including TERO, Environmental Protections Ordinances, and other applicable Tribal laws enacted by the Tribal Government.
- The Davis Bacon Act, Public Law 71-798, 46 Stat. 1494 (Mar. 3, 1931) (Davis Bacon Act) is not applicable to the TBCP; thus, Tribes may use their Tribal Force Account Wage Rates in lieu of Davis Bacon Act Wage Rates.

6. Build America, Buy America Domestic Content Procurement Preference Requirements.

TBCP Broadband Infrastructure Deployment projects present an important opportunity to ensure that American taxpayer dollars are spent procuring needed products and supplies from American workers and businesses, strengthening and growing U.S. domestic manufacturing capacity. Accordingly, all funds made available through TBCP for Broadband Infrastructure Deployment projects must comply with the following requirements:

Pursuant to IIJA, Pub. L. No. 117-58, which includes the BABA, Pub. L. No. 117-58, §§70901-52, and Office of Management and Budget Memorandum M-22-11, recipients of an award of federal financial assistance from the Department of Commerce are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

1. all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
2. all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
3. all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project.

Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

To help federal agencies and recipients meet BABA requirements, the Hollings Manufacturing Extension Partnership (MEP) National Network™ of the National Institute for Standards and Technology (NIST) provides a service to connect stakeholders, including recipients, to U.S. manufacturers that have relevant production capabilities and capacities to help fulfill current market and supply chain needs.

Recipients considering requesting a BABA nonavailability waiver are strongly encouraged to contact the NIST/MEP for assistance with supplier scouting services prior to seeking a BABA nonavailability waiver. Further information on the NIST/MEP supplier scouting services is available at: <https://www.nist.gov/mep/supply-chain/supplier-scouting>.

Waivers

When necessary, recipients may apply for, and the Department may grant, a waiver from these requirements. The Department will provide the recipient with information on the process for requesting a waiver from these requirements.

- a. When the Department has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the Department determines that:
 - i. applying the domestic content procurement preference would be inconsistent with the public interest;
 - ii. the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
 - iii. the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

A request to waive the application of the domestic content procurement preference must be in writing. NTIA will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office of the Office of Management and Budget (OMB).

There may be instances where an award qualifies, in whole or in part, for an existing waiver described at <https://www.commerce.gov/oam/build-america-buy-america>.

Definitions

“Construction materials” includes an article, material, or supply—other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives²⁶—that is or consists primarily of:

- non-ferrous metals;
- plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
- glass (including optic glass);
- lumber; or
- drywall.

In the case of construction materials, all manufacturing processes for the construction material must have occurred in the United States.

“Domestic content procurement preference” means all iron and steel used in the project are produced in the United States; the manufactured products used in the project are produced in the United States; or the construction materials used in the project are produced in the United States.

“Infrastructure” includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy.

“Project” means the construction, alteration, maintenance, or repair of infrastructure in the United States.

7. Cybersecurity and Supply Chain Risk Management.

Recipients and subrecipients must ensure that the planning, design, and project oversight phases of the programs and activities funded through the TBCP are consistent with current industry best practices for cybersecurity, such as the NIST Cybersecurity Framework and Cybersecurity and Infrastructure Security Agency (CISA) Cybersecurity Performance Goals (CPGs). These performance goals provide a baseline set of cybersecurity practices that are broadly applicable, with known risk-reduction value. NTIA reserves the right to review a recipient’s cybersecurity framework and recipients must review the cybersecurity framework of its subrecipients.

8. Executive Order 14173: Ending Illegal Discrimination and Restoring Merit Based Opportunity.

Pursuant to Executive Order 14173, 90 FR 8633 (Jan. 21, 2025), Ending Illegal Discrimination and Restoring Merit-Based Opportunity, each recipient that accepts a U.S. Department of Commerce financial assistance award: (1) agrees that compliance in all respects with all applicable Federal anti-discrimination laws is material to the government’s payment decisions for purposes of section 3729(b)(4) of Title 31 United States Code; and (2) certifies to the Department that it does not operate any programs promoting diversity, equity, and inclusion that violate any applicable Federal anti-discrimination laws.

F. Reporting

Recipients are required to assess program impact and collect and report data using standard measures. This may include data from Census sources, participant surveys, and program records. Recipients must use standardized methods, maintain supporting documentation, and collect data in a way that allows NTIA to validate reported results.

1. Annual Reporting Requirements.

The following reporting requirements described in Sections A.01, Reporting Requirements, of the [Department of Commerce Financial Assistance General Terms and Conditions](#) (dated September 22, 2025), apply to awards in this program:

- a. Financial Reports.** Each award recipient will be required to submit an SF-425, Federal Financial Report, on a semi-annual basis for the periods ending March 31 and September 30 of each year. Reports will be due within 30 days after the end of the reporting period. A final financial report is due within 120 days after the end of the project period.

- b. Performance (Technical) Reports.** Each award recipient will be required to submit a technical progress report on a semi-annual basis for the periods ending March 31 and September 30 of each year. Reports will be due within 30 days after the end of the reporting period. Technical progress reports shall contain information as prescribed in 2 C.F.R. 200.329 and [Department of Commerce Financial Assistance General Terms and Conditions](#) (dated September 22, 2025).

2. Annual Report.

Recipients shall be required to publicly report, for each year during the period of performance of a program grant, in a format to be specified by the Assistant Secretary, which:

- a. describes how the Eligible Entity expended the funds;
- b. certifies that the Eligible Entity complied with the requirements of the Act and the TBCP, including:
 - i. a description of each service provided with the grant funds; and
 - ii. the number of locations or geographic areas at which broadband service was provided using the grant funds; and
- c. identifies each subgrantee that received a subgrant from the Eligible Entity and a description of the specific project for which grant funds were provided.

For all TBCP awards, annual reports must be submitted by April 30th every year of the period of performance. This report should reflect the previous 12-month period from April 1 to March 31. The first annual report must cover any period of the grant period of performance prior to March 31st, which may be fewer than 12 months.

3. Provision of Information to FCC and USDA.

The Assistant Secretary will provide the information collected under Section VI.F of this NOFO to the Commission and to the Department of Agriculture to be used when determining whether to award funds for the deployment of broadband under any program administered by those agencies. *See* section 905(f)(1)(B) of the Act.

4. Transmission of Reports to Congress.

Pursuant to the statute, the Assistant Secretary will transmit the report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

G. Recipient Integrity and Performance Matters

In accordance with section 872 of Public Law 110-417 (as amended; *see* 41 U.S.C. §2313), if the total value of a recipient's currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of an award made under this NOFO, then the recipient shall be subject to the requirements specified in Appendix XII to 2 C.F.R. Part 200,¹⁴ for maintaining the currency of information reported to SAM that is made available in FAPIIS about certain civil, criminal, or administrative proceedings involving the recipient.

¹⁴ *See* 2 C.F.R. Part 200, Appendix XII

H. Audit Requirements

The federal financial assistance regulations in 2 C.F.R. Part 200, Subpart F require any non-federal entity that expends federal awards of \$1,000,000 or more in the recipient's fiscal year to conduct a single or program-specific audit in accordance with the requirements set out in the Subpart. Additionally, unless otherwise specified in the terms and conditions of the award, entities that are not subject to Subpart F of 2 C.F.R. Part 200 (e.g., for-profit subrecipients) that expend \$1,000,000 or more in grant funds during their fiscal year 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; or (ii) a project specific audit for each award or subaward in accordance with the requirements contained in 2 C.F.R. §200.507. *See* Section D.01.c. of the [Department of Commerce Financial Assistance General Terms and Conditions](#). Applicants are reminded that NTIA, the NIST FAAMO, the Department of Commerce Office of Inspector General, or another authorized federal agency may conduct an audit of an award at any time.

I. Federal Funding Accountability and Transparency Act of 2006

In accordance with 2 C.F.R. Part 170, all recipients of a federal award made on or after October 1, 2010, are required to comply with reporting requirements under the Federal Funding Accountability and Transparency Act of 2006, Public Law No. 109-282, 120 Stat. 1186 (Sep. 26, 2006). In general, all recipients are responsible for reporting sub-awards of \$30,000 or more. In addition, recipients that meet certain criteria are responsible for reporting executive compensation. Applicants must ensure they have the necessary processes and systems in place to comply with the reporting requirements should they receive funding.

VII. Federal Awarding Agency Contact(s)

A. Please direct programmatic inquiries to:

Tribal Connectivity and Nation to Nation Coordination
Office of Internet Connectivity and Growth
National Telecommunications and Information Administration
U.S. Department of Commerce
1401 Constitution Avenue, NW, Room 4878
Washington, DC 20230
Phone: (202) 482-2048
Email: TBCP3@ntia.gov

B. Please direct grant management inquiries to:

Darren Olson
NIST Grants Officer
Financial Assistance Agreements Management Office (FAAMO)
National Institute of Standards and Technology
325 Broadway, Bldg 111, Room 120
Boulder, CO 80305
Phone: (303) 497-5417
Email: darren.olson@nist.gov

C. Please direct media inquiries to:

Office of Public Affairs
National Telecommunications and Information Administration
U.S. Department of Commerce
1401 Constitution Avenue NW, Room 4897
Washington, DC 20230
Phone: (202) 482-7002
Email: press@ntia.gov

VIII. Other Information

A. Protected and Proprietary Information.

The applicant acknowledges and understands that information and data contained in applications for financial assistance, as well as information and data contained in financial, performance, and other reports submitted by applicants, may be used by NTIA in conducting reviews and evaluations of its financial assistance programs. For this purpose, applicant information and data may be accessed, reviewed, and evaluated by NTIA employees, other federal employees, federal agents and contractors, and/or by non-federal personnel, all of whom enter into appropriate confidentiality and nondisclosure agreements covering the use of such information. As may be provided in the terms and conditions of a specific financial assistance award, applicants are expected to support program reviews and evaluations by submitting required financial and performance information and data in an accurate and timely manner, and by cooperation with NTIA and external program evaluators. In accordance with 2 C.F.R. 200.303(e), applicants are reminded that they must take reasonable measures to safeguard protected personally identifiable information and other confidential, cultural, or sensitive personal or business information created or obtained in connection with a Department financial assistance award.

NTIA will protect confidential and proprietary information from public disclosure to the extent authorized by applicable law, including the Freedom of Information Act (FOIA), as amended (5 U.S.C. 552), the Trade Secrets Act, as amended (18 U.S.C. 1905), and the Economic Espionage Act of 1996 (18 U.S.C. 1831 *et seq.*). Applications submitted in response to this NOFO may be subject to requests for release under the FOIA. In the event that an application contains information or data that the applicant deems to be confidential cultural or commercial information that is exempt from disclosure under FOIA, that information should be identified, bracketed, and marked as Privileged, Confidential, Cultural, Commercial, or Financial Information. Based on these markings, the confidentiality of the contents of those pages will be protected to the extent permitted by law.

Additionally, some of the information submitted in the course of applying for funding under this program, or provided in the course of its grant management activities, may be considered law enforcement sensitive or otherwise important to national security interests. This may include threat, risk, and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures. While this information under federal control is subject to requests made pursuant to the FOIA, 5 U.S.C. 552, all determinations concerning the release of information of this nature are made on a case-by-case basis and may fall within one or more of the available exemptions under the FOIA. The applicant is encouraged to consult its own state and local laws and regulations regarding the release of information,

which should be considered when reporting sensitive matters in the grant application. The applicant may consult with NTIA regarding concerns or questions about the release of information under state and local laws. The applicant should be familiar with the regulations governing Protected Critical Infrastructure Information (6 C.F.R. Part 29) and Sensitive Security Information (49 C.F.R. Part 1520), as these designations may provide additional protection to certain classes of homeland security information.

B. Funding Availability and Limitation of Liability

Funding for the program listed in this NOFO is contingent upon the availability of appropriations. In no event will NTIA, NIST, or the Department be responsible for application preparation costs, including, but not limited to, if the program fails to receive funding or is cancelled because of agency priorities. Publication of this NOFO does not oblige NTIA, NIST, or the Department to award any specific project or to obligate any available funds. NTIA will fund only projects that are deemed likely to achieve the TBCP's goals and for which funds are available.

C. Third Party Beneficiaries

The TBCP is a discretionary grant program that is not intended to and does not create any rights enforceable by third party beneficiaries.

D. Waiver Authority

It is the general intent of NTIA not to waive any of the provisions set forth in this NOFO. However, under extraordinary circumstances and when it is in the best interest of the federal government, NTIA, upon its own initiative or when requested, may waive the provisions in this NOFO. Waivers may only be granted for requirements that are discretionary and not mandated by statute or other applicable law. Any request for a waiver must set forth the extraordinary circumstances for the request.

E. Paperwork Reduction Act

This NOFO contains an information collection requirement subject to the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*). The PRA requires each federal agency to seek and obtain OMB approval before collecting information from the public. Federal agencies may not collect information unless an information collection form displays a currently valid OMB control number. NTIA will use Standard Forms 424 (Application for Federal Assistance), Consolidated Budget Form (CBF), 424B (Assurances for Non-Construction Programs), 424C (Budget Information for Construction Programs), 424D (Assurances for Construction Programs), 425 (Federal Financial Report), and SF-LLL (Disclosure for Lobbying Activities), under the respective control numbers 4040-0004, 4040-0006, 4040-0007, 4040-0008, 4040-0009, 4040-0014, and 4040-0013.

Additionally, NTIA will use the TBCP 3 Project Information Form approved in the Application for Broadband Grant Programs information collection (0660-0046) and the Baseline Report, Performance (Technical) Report, and the Annual Report forms approved in the TBCP Reporting Requirements information collection (0660-0047).

F. Transparency, Accountability, And Oversight Required

1. Generally

- a. NTIA and all Program recipients have a critical role to play in ensuring that the Program is implemented in a manner that ensures transparency, accountability, and oversight sufficient to, among other things:
 - i. Minimize the opportunity for waste, fraud, and abuse and coordinate with the Department of Commerce Office of Inspector General on any related concerns;
 - ii. Ensure that recipients of grants under the Program use grant funds to further the overall purpose of the Program in compliance with the requirements of the Act, this NOFO, 2 C.F.R. Part 200, the terms and conditions of an award, and other applicable law; and
 - iii. Allow the public to understand and monitor grants awarded under the program.
- b. To that end, NTIA shall, as appropriate:
 - i. Conduct such audits of award recipients as are necessary and appropriate;
 - ii. Develop monitoring plans, subject to the approval of the Assistant Secretary, which may include site visits or desk reviews, technical assistance, and random sampling of compliance requirements; and
 - iii. Impose special conditions on grant awards designed to mitigate the risk of nonperformance where appropriate.
- c. Each Eligible Entity receiving an award shall, as appropriate:
 - i. Comply with the reporting requirements set forth in Section VI.F of this NOFO;
 - ii. Conduct audits of sub-recipients and award management as necessary and appropriate. Eligible Entities shall report the full results of any audits they conduct to the appropriate Federal Program Officer and NIST Grants Officer;
 - iii. Comply with the obligations set forth in the Act, this NOFO, 2 C.F.R. Part 200, the terms and conditions of an award, and other applicable laws; and
 - iv. Establish and widely publicize telephone numbers and email addresses for the Eligible Entity's Office of Inspector General (or comparable entity) for the purpose of reporting waste, fraud or abuse, in the Program. Eligible Entities shall produce copies of materials used for such purpose upon request of the Federal Program Officer or the Grants Officer.

2. Access to Records

Pursuant to 2 C.F.R. 200.337, NTIA, OIG, or any of their authorized representatives, must have the right of access to any documents, papers, or other records of the non-Federal entity which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. These rights also include timely and reasonable access to the non-Federal entity's personnel for the purpose of interviews and discussions related to such documents. The rights of access in this section are not limited to the required retention period, but last as long as the records are retained.

3. U.S. Department of Commerce Office of Inspector General

The OIG seeks to improve the efficiency and effectiveness of the Department's programs, including through deterring and detecting fraud, waste, abuse, and mismanagement. The OIG accomplishes this mission primarily through investigations, audits, and inspections of Department activities, including grants, cooperative agreements, loans, and contracts.

a. Disclosures

Recipients of financial assistance originating from the U.S. Department of Commerce, including NTIA, as well as applicants applying to this funding opportunity, shall timely disclose, in writing, to the OIG and awarding agency, whenever, in connection with the award, performance, or closeout of this grant or subaward thereunder, the recipient has credible evidence that a principal, employee, agent, or subrecipient has committed:

- i. A violation of federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of the United States Code; or
- ii. A violation of the civil False Claims Act (31 U.S.C. §§3729-3733)
- iii. A violation of the Federal Antitrust Laws found in Title 15 of the United States Code.

b. Reporting

The OIG maintains a hotline to receive allegations of fraud, waste, or abuse. To report such allegations, please visit <https://www.oig.doc.gov/Pages/Hotline.aspx> to submit a complaint, or call toll-free at 800-424-5197. The OIG will accept complaints via U.S. mail at the following address:

U.S. Department of Commerce
Office of Inspector General
1401 Constitution Avenue
Washington, D.C. 20230s

Upon request, the OIG will take appropriate measures to protect the identity of any individual who reports misconduct, as authorized by the Inspector General Act of 1978, as amended. Reports to the OIG may also be made anonymously.

c. Whistleblower Protection

Recipients, sub-recipients, and employees working on this grant award will be subject to the whistleblower rights and remedies established under 41 U.S.C. 4712.

An employee of a recipient or sub-recipient may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing information that the employee reasonably believes is evidence of: gross mismanagement of a federal contract or award; a gross waste of federal funds; an abuse of authority (*i.e.*, an arbitrary and capricious exercise of authority that is inconsistent with the mission of NTIA or the Department or the successful performance of a contract or grant awarded by NTIA or the Department) relating to a federal contract or award; a substantial and specific danger to public health or safety; or a violation of a law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.

The recipient or sub-recipient shall inform its employees and contractors, in writing, in the predominant language of the workforce or organization, of employee whistleblower rights and protections under 41 U.S.C. 4712, as described above and at <https://www.oig.doc.gov/whistleblower/protection-program/>.

G. Enforcement

NTIA shall take appropriate enforcement action against recipients of TBCP grant awards and recipients shall take appropriate enforcement action against subgrantees in accordance with 2 C.F.R. 200.339, Remedies for non-compliance.

H. Unauthorized Use of Funds

To the extent that the Assistant Secretary or the OIG determines that an Eligible Entity has expended grant funds received under the TBCP in violation of Section 905 of the Act, the Assistant Secretary will recover the amount of funds that were so expended. *See* Section 905(e)(5) of the Act. Additionally, if the OIG determines funds are used for unauthorized purposes, not only will those funds be recovered, but the Eligible Entity may also be subject to criminal prosecution, civil and administrative penalties, and other remedies.

Appendix A: Certifications Regarding Debarment and Suspension

By signing and submitting an application for funding pursuant to the Tribal Broadband Connectivity Program, the applicant is making the certifications set forth below (see Line 21 on the SF-424, Application for Federal Assistance).

Instructions for Primary Tier Participant Certification

- i. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 C.F.R. Parts 180, 1200, and 1326.
- ii. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
- iii. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
- iv. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- v. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 C.F.R. Parts 180, 1200, and 1326. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- vi. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
- vii. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 C.F.R. Parts 180, 1200, and 1326.

- viii. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management (SAM) Exclusions website (<https://www.sam.gov/>).
- ix. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- x. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the federal government, the department or agency may terminate the transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Tier Covered Transactions

The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals or associated entities:

- i. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any federal department or agency;
 - a. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - b. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph i(2) of this certification; and
 - c. Have not within a three-year period preceding this application/proposal had one or more public transactions (federal, state, or local) terminated for cause or default.
- ii. Where the prospective primary tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Participant Certification (applies to subrecipients)

- i. By submitting this proposal and accepting federal funding, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 C.F.R. Parts 180, 1200, and 1326.
- ii. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
- iii. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- iv. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 C.F.R. Parts 180, 1200, and 1326. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
- v. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
- vi. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification," including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 C.F.R. Parts 180 and 1200.
- vii. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).
- viii. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- ix. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a

person who is proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions

- i. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals or associated entities is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any federal department or agency.
- ii. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Appendix B: Excessive Cost Thresholds

Excessive cost thresholds are determined on a State-by-State basis. The proposed cost per Broadband Serviceable Location (BSL) will be considered excessive if the amount/BSL is greater than the amount in the table below.

State	Amount/BSL	State	Amount/BSL
Alabama	\$10,000	Mississippi	\$10,500
Alaska	\$58,500	Mariana Islands	\$11,500
American Samoa	\$5,500	North Carolina	\$7,000
Arizona	\$9,000	North Dakota	\$46,500
Arkansas	\$11,500	Montana	\$29,000
California	\$20,500	Nebraska	\$30,000
Colorado	\$19,000	New Hampshire	\$12,500
Connecticut	\$11,000	New Jersey	\$11,500
Delaware	\$8,000	Nevada	\$22,000
District of Columbia	\$8,000	New Mexico	\$25,000
Florida	\$7,500	New York	\$14,500
Georgia	\$8,000	Ohio	\$9,000
Guam	\$3,500	Oklahoma	\$20,500
Hawaii	\$19,000	Oregon	\$18,500
Idaho	\$19,500	Rhode Island	\$4,500
Illinois	\$16,000	South Carolina	\$9,000
Indiana	\$9,500	South Dakota	\$21,000
Iowa	\$18,000	Pennsylvania	\$12,500
Kansas	\$34,500	Tennessee	\$8,500
Kentucky	\$11,000	Texas	\$14,000
Louisiana	\$8,500	Utah	\$22,000
Maine	\$19,000	Washington	\$12,500
Maryland	\$12,000	Vermont	\$11,500
Massachusetts	\$11,500	Virginia	\$10,500
Michigan	\$8,500	Wisconsin	\$12,500
Minnesota	\$20,000	West Virginia	\$12,500
Missouri	\$15,500	Wyoming	\$55,500