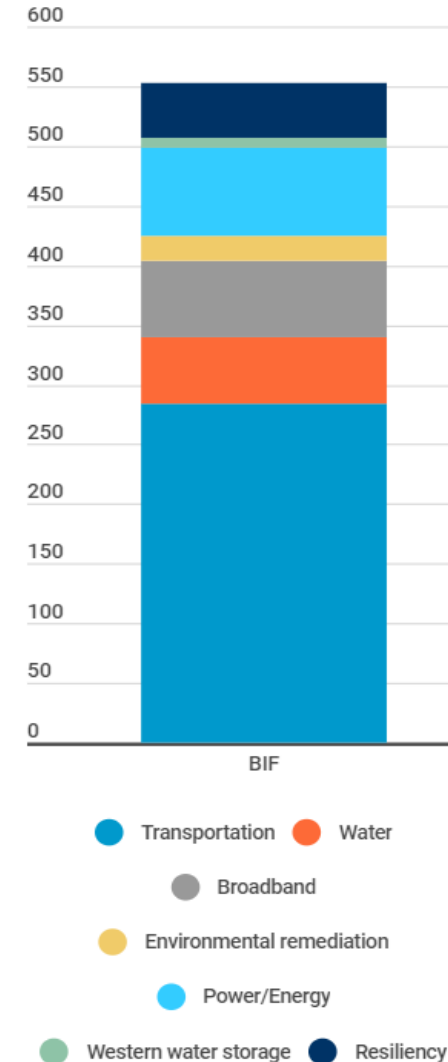# Overview of the Bipartisan Infrastructure Law's Broadband Programs

National Association of Counties | www.NACo.org | May 2022

$550 billion
in new investments
over five years
FY 2022 – FY 2026

Above baseline investments for sectors addressed in IIJA include:

- **Transportation**: $284 billion
- **Water**: $55 billion
- **Broadband**: $65 billion
- **Energy & Power**: $73 billion
- **Environmental remediation**: $21 billion
- **Western water infrastructure**: $8.3 billion
- **Resiliency**: $46 billion

Broadband Provisions in the BIL

- Passage of the Bipartisan Infrastructure Law (BIL)

    - Established three new broadband programs (BEAD, Middle Mile, and Digital Equity) and enhanced one existing program (Tribal Connectivity) under the NTIA

    - Created the Affordable Connectivity Program under the FCC, and the State and Local Cybersecurity Grant Program under CISA

- Updates to the American Rescue Plan's Fiscal Recovery Fund Program

    - Broadband infrastructure project funding from the Fiscal Recovery Fund program can be paired with BIL projects

Overview of BIL's Broadband Programs

National Association of Counties NACo

NTIA will administer ~$48B of funding from the Bipartisan Infrastructure Law

BEAD	DIGITAL EQUITY	TRIBAL	MIDDLE MILE
$42.45B	**$2.75B**	**$2.00B**	**$1.00B**
Broadband Equity, Access & Deployment Program	**Digital Equity Act**	**Tribal Connectivity Technical Amendments**	**Enabling Middle Mile Broadband Infrastructure**
A program to get all Americans online by funding partnerships between states or territories, communities, and stakeholders to build infrastructure where we need it to and increase adoption of high-speed Internet.	Three programs that provide funding to promote digital inclusion and advance equity for all. They aim to ensure that all communities can access and use affordable, reliable high-speed Internet to meet their needs and improve their lives.	A program to help tribal communities expand high-speed Internet access and adoption on tribal lands.	A program to expand middle mile infrastructure, to reduce the cost of connecting unserved and underserved areas.

Source: NTIA

Timeline of Events

- **November, 2021** – Congress passes the BIL, stipulates NTIA has 180 days to release NOFOs on broadband provisions

- **February 4th, 2022** – NACo submits comments advocating for local coordination and county involvement in BIL broadband programs

- **May 13th, 2022** – NTIA publishes their Notice of Funding Opportunities (NOFOs) for the BEAD Program, the State Planning Grant Digital Equity Program, and the Middle Mile Program

- **November, 2022*** - FCC will release their updated broadband maps, unlocking majority of NTIA funding for the BEAD program

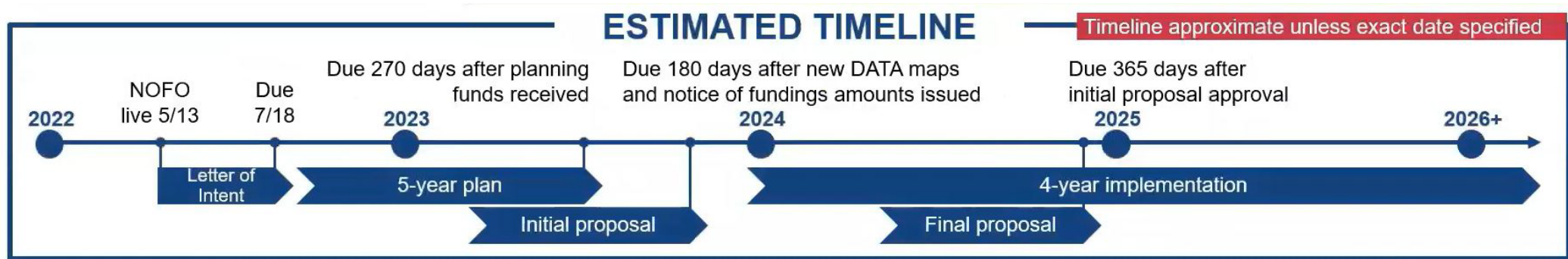*Latest projection per Congressional testimony. Subject to change

Key Definitions

- **Reliable Broadband Service –** broadband service that is accessible to a location via: (1) fiber-optic technology; (2) cable modem / hybrid fiber-coaxial technology; (3) digital subscriber line (DSL) technology; (4) terrestrial fixed wireless service

- **Unserved Location** – a broadband serviceable location that FCC maps show as having: (a) no access to broadband service; or (b) lacking access to Reliable Broadband Service offering 25 Mbps download, 3 Mbps upload, and latency less than or equal to 100 milliseconds

- **Underserved Location** – a broadband serviceable location that is: (a) not an unserved area; and (b) an area that FCC maps indicate lack access to a Reliable Broadband Service offering 100 Mbps download, 20 Mbps upload, and latency less than or equal to 100 milliseconds

- **Digital Equity** – the condition in which individuals and communities have the information technology capacity that is needed for full participation in the society and economy of the US

The BEAD Program: Overview

- The **Broadband Equity, Access and Deployment program** provides $42.45 billion to get all Americans online by funding partnerships between states or territories, communities, and stakeholders to build infrastructure where it is needed and increase adoption of high-speed Internet

- **Eligible entities**: States, D.C. and Puerto Rico, and U.S. territories

  - Counties can be eligible subgrantees; grantees required to engage in local coordination

- **Eligible use of funds**: (1) Planning for deployment of Internet; (2) Deploying or upgrading internet; (3) Installing internet in multi-tenant buildings; (4) Implementing adoption and digital equity programs; (5) Workforce and job training

BEAD Program: Timeline and Key Points

ESTIMATED TIMELINE — Timeline approximate unless exact date specified

			Due 270 days after planning funds received	Due 180 days after new DATA maps and notice of fundings amounts issued	Due 365 days after initial proposal approval	
2022	NOFO live 5/13	Due 7/18	2023	2024	2025	2026+

Letter of Intent

5-year plan

Initial proposal

Final proposal

4-year implementation

Source: NTIA

- Key points for counties

  - Local coordination is key – mandated in state development of five-year plan and onward throughout program sequencing

  - Engage with your state broadband office throughout all stages of BEAD

  - FCC maps will determine funding allocation and serviceable locations

BEAD Program: Local Coordination

- Required provisions for local coordination

  - Full geographic coverage by the eligible entity

  - Meaningful engagement and outreach

  - Utilization of multiple awareness and participation mechanisms

  - Transparency of processes

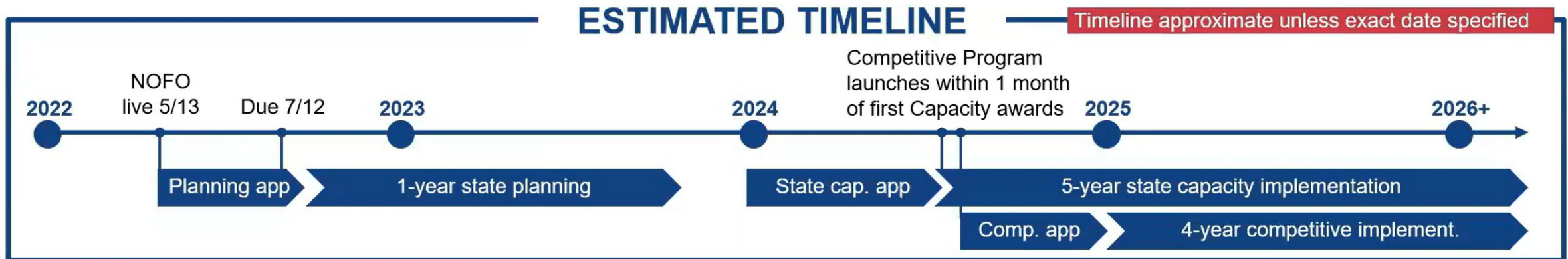 - Outreach and direct engagement of un/underserved communities

BEAD Program: Maps and Challenge Process

- FCC set to release new maps no earlier than November*

  - Transition to a serviceable location fabric under the new Broadband Data Collection process

- Following data release, verification and challenge processes occur

  - Verification/challenge process on FCC broadband data maps is managed by the FCC

  - Challenge processes for BEAD program initial plans are managed by each state; challenges can be initiated by a local government, non-profit, or ISP

The State and Competitive Digital Equity Programs

- The **Digital Equity Act** created three programs for digital equity (DE) funding to promote digital inclusion and advance equity for all. They aim to ensure that all communities can access and use affordable, reliable high-speed Internet to meet their needs and improve their lives.

  - The State DE Planning Grant Program ($60 million)

  - The State DE Capacity Program ($1.44 billion)

  - The DE Competitive Program ($1.25 billion) – county eligible

- **Eligible use of funds**: (1) Developing DE plans; (2) Making awards to other entities to help develop DE plans; (3) Improving accessibility and inclusivity of public resources; (4) Implementing DE plans and related activities; (5) Providing digital literacy and digital skills education; and (6) Facilitating the adoption of high-speed internet

The State and Competitive Digital Equity Programs

ESTIMATED TIMELINE

Timeline approximate unless exact date specified

Competitive Program launches within 1 month of first Capacity awards

2022 — NOFO live 5/13 — Due 7/12 — **2023** — **2024** — **2025** — **2026+**

Planning app > 1-year state planning

State cap. app > 5-year state capacity implementation

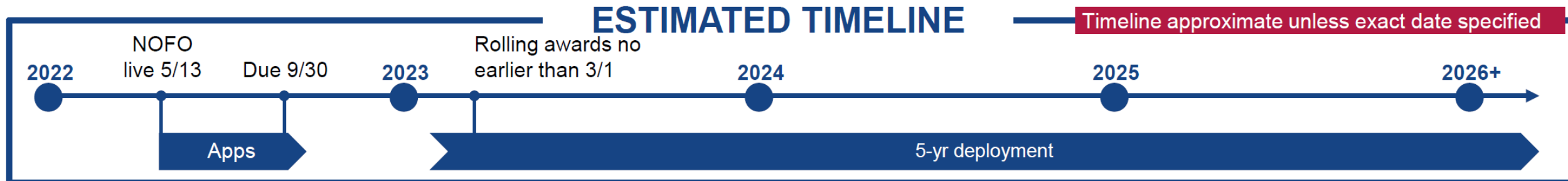Comp. app > 4-year competitive implement.

Source: NTIA

- Key points for counties
  - Competitive DE Program application period launches next year, additional NOFOs to follow
  - Local coordination can be applied for state digital equity plan, as state DE program and BEAD program must have significant overlap for DE

The Middle Mile Grant Programs

- The **Middle Mile Grant Program** provides $1 billion in competitive grant funding to expand middle mile infrastructure, to reduce the cost of connecting unserved and underserved areas.

- **Eligible entities**: States, political subdivisions (including counties), tribal governments, technology companies, electric utilities, utility cooperatives, public utility district, telecommunications company, telecommunications cooperatives, nonprofits, or any partnerships among 2 or more of the above.

- **Eligible use of funds**: (1) Construction, improvement or acquisition of facilities and equipment; (2) engineering design, permitting and work related to projects; (3) Personnel costs, including salaries and benefits; and (4) Other costs necessary to program's activities

The Middle Mile Grant Programs

ESTIMATED TIMELINE

Timeline approximate unless exact date specified

2022 — NOFO live 5/13 — Due 9/30 — 2023 — Rolling awards no earlier than 3/1 — 2024 — 2025 — 2026+

Apps

5-yr deployment

Source: NTIA

- Key points for counties

  - The application window for the Middle Mile Grant Program is now open, and applications will be accepted until September 30th, 2022.

  - The Middle Mile Grant Program is likely to be the most competitive

County "Call-To-Action" and Resources

- Local coordination is essential

    - Engage with state broadband offices

    - Review the FCC maps upon publication; challenge processes will be opportunity to ensure unserved /underserved communities are addressed

- Utilize NTIA and NACo resources to ensure county priorities are met in your community

    - [NTIA: InternetForAll.Gov](#)

    - [NTIA Local Government Resource Hub](#)

    - [NACo: Implementing Infrastructure Investments at the County Level](#)

QUESTIONS?

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