

American Recovery & Reinvestment Program–Summary

July 2009

Five Overall Purposes:

1. Preserve and create jobs and promote economic recovery
2. Assist those most impacted by the recession
3. Provide investments needed to increase economic efficiency by spurring technological advances in science and health
4. Invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits
5. Stabilize state and local government budgets

FUNDING AMOUNTS

Signed into law by President Barack Obama on February 17, 2009. Of the \$787 billion plan, \$7.2 billion was appropriated to broadband supporting measures. Of this \$4.7 billion is administered through the NTIA Broadband Technology Opportunities Program and \$2.5 billion is administered through the USDA Rural Utilities Services Distance Learning, Telemedicine, and Broadband Grant Program. The amounts with specific regards to the various programs are as follows:

	This NOFA	Total Available
<i>Appendix A</i>		
State Broadband Data Program - NTIA	\$240 million	\$350 million
<i>Appendix B</i>		
Public Computing Center Capacity - NTIA	\$50 million	\$200 million
Creation of Sustainable Adoption - NTIA	\$150 million	\$250 million
<i>Appendix C</i>		
Infrastructure - NTIA	\$1.2 billion	\$3.9 billion
Last Mile Projects		
Middle Mile Projects		
Infrastructure – RUS /BIP	\$2.4 billion	\$2.5 billion
Last Mile Projects	\$1.2 billion	
Grants for Remote Area projects	\$400 million	
Grants for Non-Remote projects	\$800 million	
Middle Mile Projects	\$800 million	

PARAMETERS APPLICABLE TO BOTH RUS & NTIA FUNDS

Matching:	20% non-federal (cash or in-kind)
Eligible Costs:	Grant funds can be used only to pay eligible costs, which must be reasonable, allocable, and necessary to the project.
Eligible Entities:	State, local governments, or agencies or political subdivision, non-profits, for-profit companies
Application Deadline:	Accepted between July 14 – August 14, 2009 Submit application at www.broadbandusa.gov Online submission required if application request is over \$1 million
Announcement Date:	RUS & NTIA intend to announce the awards starting on or about November 7, 2009 . All awards must be made no later than September 30, 2010.

Appendix A. State Broadband Data Program

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

July 2009

- Funding Amount:** This NOFA \$240 million
- Matching:** 20% non-federal (cash or in-kind)
- Description:** Competitive, merit-based matching grant
- Purpose:** NTIA intends to fund high-quality projects designed to gather data at the address level on broadband availability, technology, speed, infrastructure, and average revenue per user (ARPU) across the project area. This data will be used to create a nationwide broadband availability map for public use not later than February 17, 2011.
- Requirements:** **Broadband Mapping** projects must propose:
- (a) Collection of comprehensive and verifiable broadband data meeting the Program standards¹ that will be accessible and clearly presented without compromising data/protection of confidential information;

Nondisclosure Agreement: May not restrict a grant recipient from providing all data collected to NTIA, nor restrict NTIA's use of such data as contemplated, including sharing such data with other federal agencies.

Confidential Information – Includes type and technical specification of infrastructure; average revenue per user (ARPU); explicitly identifies a broadband service provider in relation to its specific Service Area or at a specific Service Location.
 - (b) A workable and sustainable framework for repeated updating of data;
 - (c) A plan for collaboration with state-level agencies, local authorities, and other constituencies, as well as a proposal for planning projects designed to identify and address broadband challenges in the state;
 - (d) Feasible projects as demonstrated by a reasonable and cost-efficient budget, and a showing of applicant capacity, knowledge, and experience; and
 - (e) Timeline for expedient delivery of data with a preference for initial delivery by **November 1, 2009**.

¹ The State Broadband Data and Development Program NOFA includes a technical appendix which sets forth the type and format of broadband data that grant awardees must provide to NTIA.

Review:
1 - Initial Review

2 - Technical Review: Each eligible application will be reviewed by a panel of at least three peer/expert reviewers who have demonstrated expertise in both the programmatic and technological aspects of the Program.

3 - Programmatic Review: Reviewed for policy determinations and conformity with programmatic goals.

- Whether a proposed project meets the Program's funding constraints;
- Eligibility of costs and matching funds;
- Extent to which application complements or duplicates projects previously funded or under consideration by NTIA or other federal programs.

Evaluation Criteria	Data	30%
	Project Feasibility	30%
	Expedient Data Delivery	20%
	Process for Repeated Data Updating	10%
	Planning and Collaboration	10%

Timing	November 1, 2009	Provide a substantially complete set of availability data. Applicants that cannot provide a substantially complete set of by that time may propose to provide an alternative data set by that date. All data provided in the first collection should be accurate as of June 30, 2009.
	February 1, 2010	Complete project requirements
	March 1, 2010	Provide substantially complete set of all broadband mapping data
	June 30, 2009	Complete data collection.

Use by the Government: The collected data will be used for public purposes and will also be utilized by government entities; in particular, it will inform NTIA's grant-making decisions under the Broadband Technology Opportunities Program (BTOP). The national broadband map that will be developed and maintained using these and other data will publicly display the following information about broadband service:

- (i) geographic areas in which broadband service is available;
- (ii) technologies used to provide broadband service;
- (iii) spectrum used for the provision of wireless broadband service in such areas;
- (iv) speeds at which broadband service is available; and
- (v) broadband service availability at public schools, libraries, hospitals, colleges and universities, and all public buildings.

The national map will be searchable by address and, to the greatest extent possible, at every address, provide the type and speed of broadband service that will be provided. For providers of wireless broadband service, the spectrum used for the provision of service will be provided. To the extent possible, the service areas of individual providers will be aggregated with other providers of the same technology type. Though collected under this program, data concerning ARPU and data regarding type, technical specification, or location of infrastructure owned, leased, or used by a provider will not be displayed on the national map.

Appendix B. Public Computing Center Capacity & Sustainable Broadband Adoption

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

July 2009

Funding Amount:	\$50 million (of \$200M) for Public Computer Centers \$150 million (of \$250M) for Sustainable Broadband Adoption
Description:	Competitive, merit-based matching grant
Requirements:	<p><u>Public Computer Center</u> category – projects that expand computer center capacity at entities that permit the public to use these computer centers, such as community colleges and public libraries.</p> <p><u>Sustainable Broadband Adoption</u> category – innovative projects that promote broadband demand, such as projects focused on broadband education, awareness, training, access, equipment or support, particularly among vulnerable populations.</p>
Matching:	20% toward total eligible project costs (unless a waiver petition is approved)
App Requirements:	Other eligibility factors require that all BTOP applicants: <ul style="list-style-type: none">• Submit a complete application and all supporting documents;• Demonstrate a project can be substantially completed within <u>two years</u> of the grant issuance date & fully completed within <u>three years</u> of the grant issuance date.• Advance one or more of BTOP's five statutory purposes;• Document that the project would not be implemented during the grant period but for a federal grant; and demonstrate that the budget is reasonable.
Review:	<p>1 - <i>Initial Review</i>. States participating in the related broadband mapping program will also have an opportunity to describe unserved and unserved areas of their states.</p> <p>2 - <i>Technical Review</i>: Each eligible application will be reviewed by a panel of at least three peer/expert reviewers who have demonstrated expertise in both the programmatic and technological aspects of the Program.</p> <p>3 - <i>Due Diligence</i>: Reviewed for policy determinations and conformity with programmatic goals.</p> <ul style="list-style-type: none">• Applicants must submit additional information as necessary to substantiate representations made in their application.• NTIA will review and analyze supplemental information and assign a rating, based on a five-point scale, reflecting the consistency of the application with supporting documents.• States will be provided an opportunity to make recommendations concerning the allocation of funds for

qualifying projects in or affecting the individual states during step two of the BTOP application process.

Evaluation Criteria	Project Purpose	30 Points
	<ul style="list-style-type: none"> Fit with Statutory Purposes Recovery Act and other Governmental Collaboration Enhanced Service for healthcare deliver, education, and children Socially and economically disadvantaged small businesses 	
	Project Benefits	25 Points
	<u>PUBLIC COMPUTER CENTERS</u> Availability to the public Training and educational programs offered Availability and qualifications of consulting and teaching staff <u>SUSTAINABLE BROADBAND ADOPTION</u> Number of new users Cost per new user Innovation	
	Project Viability	25 Points
	<ul style="list-style-type: none"> Technical Feasibility of the Project Applicant's organizational capability Level of Community Involvement in the Project Ability to promptly start project 	
	Project Budget and Sustainability	20 Points
	<ul style="list-style-type: none"> Reasonableness of the Budget Sustainability of the Project Leverage of outside resources 	

Appendix C. Infrastructure – NTIA & RUS/BIP

U.S. Department of Agriculture - Rural Utilities Services (RUS)

U.S. Department of Commerce - National Telecommunications & Information Administration (NTIA)

July 2009

1. NTIA BTOP Program

Requirements: Projects that deliver broadband service through Last Mile or Middle Mile facilities to unserved and underserved areas.²

App Requirements: Other eligibility factors require that all BTOP applicants:

- Submit a complete application and all supporting documents;
- Demonstrate a project can be substantially completed within two years of the grant issuance date & fully completed within three years of the grant issuance date.
- Advance one or more of BTOP’s five statutory purposes;
- Document that the project would not be implemented during the grant period but for a federal grant; and demonstrate that the budget is reasonable.

Review:

1 - Initial Review. States participating in the related broadband mapping program will also have an opportunity to describe unserved and unserved areas of their states.

2 - Technical Review: Each eligible application will be reviewed by a panel of at least three peer/expert reviewers who have demonstrated expertise in both the programmatic and technological aspects of the Program.

3 - Due Diligence: Reviewed for policy determinations and conformity with programmatic goals.

- Applicants must submit additional information as necessary to substantiate representations made in their application.
- NTIA will review and analyze supplemental information and assign a rating, based on a five-point scale, reflecting the consistency of the application with supporting documents.
- **States** will be provided an opportunity to make recommendations concerning the allocation of funds for qualifying projects in or affecting the individual states during step two of the BTOP application process.

Evaluation Criteria	Project Purpose	30 Points
	Fit with Statutory Purposes	
	Recovery Act and other Governmental Collaboration	
	Enhanced Service for healthcare deliver, education, and children	
	Socially and economically disadvantaged small businesses	

² For projects that are at least 75 percent rural (as defined in the NOFA) applications must be submitted to RUS for consideration under BIP. Such applications can also be submitted to NTIA for a BTOP grant, if applicants complete the additional elements required under BTOP. If an application reviewed by RUS is not funded, NTIA may still determine it to be meritorious and make a grant award. For proposed service areas that are less than 75 percent rural, applications must be submitted only to NTIA for consideration under BTOP.

Project Benefits

25 Points

BTOP LAST MILE PROJECTS

Cost-effectiveness
 Performance of the service offered
 Affordability of Services Offered
 Nondiscrimination, interconnection, and choice of provider

BTOP MIDDLE MILE PROJECTS

Impact on the area
 Level of need in the area
 Network capacity
 Affordability of service offered
 Nondiscrimination, interconnection, and choice of provider

Project Viability

25 Points

Technical Feasibility of the Project
 Applicant's organizational capability
 Level of Community Involvement in the Project
 Ability to promptly start project

Project Budget and Sustainability

20 Points

Reasonableness of the Budget
 Sustainability of the Project
 Leverage of outside resources

2. USDA RUS/BIP Program

Requirements: Projects that deliver broadband service through Last Mile or Middle Mile facilities to unserved and underserved areas.³

Priorities: Priority will be given to projects that:

- (a) Give end users a choice of providers
- (b) Service the highest proportion of rural residents lacking access
- (c) Are projects of current or former RUS borrowers
- (d) Are fully funded and ready to start once Recovery Act funding is received
- (e) Coordination with other federal, state, and local programs including Recovery Act Programs.

Evaluation Criteria

Project Purpose (25 Points)

Proportion of Rural Residents Served in Unserved Areas	5 Points
Rural Area Targeting	5 Points
Remote Area Targeting	5 Points
Title II Borrowers	5 Points
Recovery Act and other Governmental Collaboration	5 Points

³ For projects that are at least 75 percent rural (as defined in the NOFA) applications must be submitted to RUS for consideration under BIP. Such applications can also be submitted to NTIA for a BTOP grant, if applicants complete the additional elements required under BTOP. If an application reviewed by RUS is not funded, NTIA may still determine it to be meritorious and make a grant award. For proposed service areas that are less than 75 percent rural, applications must be submitted only to NTIA for consideration under BTOP.

Project Benefits (25 Points)

Performance of Service Offered		10 Points
<i>Last Mile</i>		
Wireline Projects	20 Mbps = 10 Points	
Wireless Projects	2 Mbps = 10 Points	
<i>Middle Mile</i>		
Unspecified Technology	100Mbps=10 Points	
Affordability of Services Offered		5 Points
Choice of Provider		5 Points
Critical Community Facilities		5 Points

Project Viability (25 Points)

Applicant's organizational capability		12 Points
Community Support		2 Points
Ability to Promptly Start Project		10 Points
Disadvantaged Small Businesses		1 Point

Project Budget and Sustainability (25 Points)

Reasonableness of the budget		5 Points
Leverage of Outside Resources		10 Points
Extent of Grant Funding		10 Points

Other Notables:

Participation in the State Broadband Data Program. All Broadband Infrastructure grant recipients that offer Internet access services for a fee must agree to participate in the State Broadband Data and Development Program.

Overlapping Service Areas. RUS will not fund more than one project to serve any given geographic area. If more than one application would serve any overlapping geographic area, the application with the highest score will be funded. Other applications for the same area will be rejected in their entirety unless RUS, in its discretion, determines that the extent of the overlap is *de minimis*.

The following additional factors are required of applicants for Broadband Infrastructure grants:

- NTIA must be able to determine that the proposed project is technically feasible, including submitting a system design and project timeline certified by a professional engineer for projects requesting funds over \$1 million.
- Applicant must demonstrate sustainability beyond the funding period.
- Applicants for Last Mile infrastructure projects must provide service to the entire territory of each census block included in the funded service area unless the applicant can provide a reasoned explanation as to why providing coverage for an entire census block is infeasible.
- Applicant must commit to the program's **Nondiscrimination and Interconnection Obligations**—
 - 1) Adherence to the FCC's Internet Policy Statement;
 - 2) Not favor some lawful applications and content over others;
 - 3) Describe and display any network management policies;
 - 4) Connect to the public Internet and not be an entirely private closed network; and



5) Offer interconnection, including the ability to connect to the public Internet and physical interconnection for the exchange of traffic.⁴

Definitions of Interest

- **Broadband:** two-way data transmission with advertised speeds of at least 768 kbps downstream and at least 200 kbps upstream to end users; or sufficient capacity in a middle-mile project to support “broadband” service to end users.
- **Broadband Service Availability:** broadband service is available at an address if the provider does, or could, within a typical service interval (7-10 business days) without an extraordinary commitment of resource, provision two-way data transmission to and from the Internet with advertised Broadband speed to end users at that address.
- **Confidential Information:** Any information, including trade secrets, or commercial or financial information, submitted that:
 - Identifies the type and technical specification of infrastructure owned, leased, or used by a specific broadband service provider;
 - Identifies the average revenue per user (ARPU) for a specific broadband service provider; or
 - Explicitly identifies a broadband service provider in relation to its specific Service Area or at a specific Service Location

For example, a broadband service provider’s specific service “footprint”, as identified with such provider, will be considered Confidential Information for the purpose of the Program and will either

1. Be aggregated with other available providers of the same technology type before being published in the national broadband map, with which
- **Last Mile Non-Remote project:** any broadband infrastructure project (or group of projects) that is not exclusively a last mile remote area project, and that provides broadband service to the end user or end-user devices in a service area eligible for BIP funding.
 - **Last Mile Remote Area project:** any broadband infrastructure project that provides broadband service to the end user or to end-user devices only in a remote area(s) eligible for BIP funding.
 - **Public Computer Center:** a place, including but not limited to community colleges, libraries, schools, youth centers, employment service centers, Native American chapter houses, community centers, senior centers, assistive technology centers for people with disabilities, community health centers, and Neighborhood Network Centers in public housing developments, that provide broadband access to the general public or a specific vulnerable population, such as low-income, unemployed, aged, children, minorities and people with disabilities.
 - **Remote Area:** an unserved, rural area 50 miles from the limits of a non-rural area.
 - **Rural Area:** any area, as confirmed by the latest decennial census of the Bureau of the Census, not located within: 1. a city, town, or incorporated area with a population of greater than 20,000 inhabitants; or 2. an urbanized area contiguous and adjacent to a city or town with population of greater than 50,000 inhabitants. For purposes of the definition of rural area, an urbanized area means a densely populated territory as defined in the latest decennial census of the U.S. Census Bureau.
 - **Service Area:** entire area within which a service provider either offers or intends to offer broadband service and may include the proposed funded service area.
 - **Substantially Complete Data Set:** A data set is substantially complete when it contains data on broadband services provided by:

⁴ Applicants must disclose proposed interconnection, nondiscrimination, and network management practices in the application. These requirements are subject to the needs of law enforcement and reasonable network management. See the NTIA/RUS NOFA for details.

- 70% of broadband service providers in a state
- 80% of households in a state
- 90% of households in rural areas of the state
- 95% of public Community Anchor Institutions
- **Underserved Area:** a proposed funded service area composed of one or more contiguous census blocks meeting certain criteria that measure the availability of broadband service and the level of advertised broadband speeds. These criteria conform to the two distinct components of the Broadband Infrastructure category of eligible projects—Last Mile and Middle Mile.
 - a) **Last Mile Projects**—an area composed of one or more contiguous census blocks where at least one of the following is met:
 - 1) no more than 50 percent of households in the proposed funded service area have access to facilities-based, terrestrial broadband service at greater than the minimum broadband speed;
 - 2) no fixed or mobile broadband service provider advertises broadband speeds of at least 3 Mbps downstream in the proposed funded service area; or
 - 3) the rate of broadband subscribership for the proposed service area is 40 percent of households or less.
 - b) **Middle Mile Projects**—a broadband infrastructure project that does not predominantly provide broadband service to end users or to end-user devices, and may include interoffice transport, backhaul, Internet connectivity, or special access. The proposed project area is composed of one or more contiguous census blocks where one interconnection point terminates in a census block area(s) that qualifies as unserved or underserved for Last Mile projects.
- **Unserved Area:** a proposed funded service area, composed of one or more contiguous census blocks, where at least 90 percent of households in the proposed funded service area lack access to facilities-based, terrestrial broadband service, either fixed or mobile, at the minimum broadband transmission speed.