



# State Broadband Data and Development Program

## Notice of Funds Availability—Fact Sheet

July 2009

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### Overview

NTIA issued a Notice of Funds Availability (NOFA) and solicitation of applications on July 1, 2009 announcing the availability of funds and providing guidelines for the State Broadband Data and Development Program pursuant to the American Recovery and Reinvestment Act of 2009 and the Broadband Data Improvement Act (BDIA).<sup>1</sup> The State Broadband Data and Development Program is a competitive, merit-based matching grant program to fund projects that collect comprehensive and accurate state-level broadband mapping data, develop state-level broadband maps, aid in the development and maintenance of a national broadband map, and fund statewide initiatives directed at broadband planning.

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### Funding Opportunity Description

With respect to this Program, NTIA's highest priority is the development and maintenance of a national broadband map. NTIA intends to fund high-quality projects that are designed to gather data at the address level on broadband availability, technology, speed, infrastructure, and average revenue per user (ARPU) across the project area.

**Broadband Mapping** projects must propose:

- The collection of comprehensive and verifiable broadband data meeting the Program standards<sup>2</sup> that will be accessible and clearly presented to NTIA, the public, and state and local governments without unduly compromising data or the protection of confidential information;
- A workable and sustainable framework for repeated updating of data;
- 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;
- Feasible projects as demonstrated by a reasonable and cost-efficient budget, and a showing of applicant capacity, knowledge, and experience; and
- A timeline for expedient delivery of data with a preference for initial delivery by November 1, 2009.

**Broadband Planning** projects<sup>3</sup>: Applicants may propose projects or award uses that relate to broadband planning activities, such as the identification of barriers to the adoption of broadband service and information technology services, the creation and facilitation of local technology planning teams, and the establishment of computer ownership and Internet access programs.

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### Review and Selection Process

**Eligibility:** Eligible recipients of State Broadband Data and Development Program grants are:

- Entities that are either: i) an agency or instrumentality of a state, municipality, or other subdivision of a state; ii) a nonprofit organization; iii) an independent agency or commission in which an officer of a State is a member on behalf of the State; and
- The single eligible entity in a State that has been designated by the State to receive a grant.

**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.

**Programmatic Review:** Following technical review, each eligible application will be reviewed by Program staff (with support from various subject matter experts) for policy determinations and conformity with programmatic

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<sup>1</sup> Pub. L. No. 111-5, 123 Stat. 115 (2009); Title I of Public L. No. 110-385, 122 Stat. 4096 (2008). See the NOFA on the State Broadband Data and Development Program for all application requirements.

<sup>2</sup> 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.

<sup>3</sup> Only applications that meet NTIA's broadband mapping purposes will be considered for planning funding. Mapping proposals do not need to include a planning component in order to be eligible for funding.

goals. This review will cover: whether a proposed project meets the Program's funding constraints; the eligibility of costs and matching funds included in the application's budget; and the extent to which an application complements or duplicates projects previously funded or under consideration by NTIA or other federal programs.

### Funding Availability

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The Recovery Act authorizes NTIA to expend up to \$350 million pursuant to BDIA and for the development and maintenance of a broadband inventory map. NTIA expects to make \$240 million in Recovery Act resources available through this NOFA for this activity. Up to \$500,000 may be awarded for the planning portion of each project. The amount of grant awards will depend on the specifics of each project and the quality of each project as determined in NTIA's review, as well as demographic and geographic features unique to each state.

### Matching and Cost Sharing Requirements

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Grant recipients will be required to provide and document at least 20 percent non-federal matching funds toward the total project cost and must document their capacity to provide matching funds toward the total project cost. Matching funds may be in the form of either cash or in-kind contributions.

### Confidentiality Requirements

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To be eligible to receive a grant under this Program, entities must agree to treat any matter that is a trade secret, commercial or financial information, or privileged or confidential, as a record not subject to public disclosure except as otherwise mutually agreed to by the broadband service provider and the entity.

**Nondisclosure Agreement:** Grant recipients may execute nondisclosure agreements consistent with the foregoing confidentiality requirements. Such agreements 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.

Awardees may not agree to a more restrictive definition of Confidential Information than the definition adopted by the Program.

- **Confidential Information** - Any information, including trade secrets, or commercial or financial information, submitted under the Program that:
  - a) identifies the type and technical specification of infrastructure owned, leased, or used by a specific broadband service provider;
  - b) identifies the average revenue per user (ARPU) for a specific broadband service provider; or
  - c) explicitly identifies a broadband service provider in relation to its specific Service Area or at a specific Service Location.
- **FOIA Exception** - Confidential Information will not be made publicly available, pursuant to the limitations set forth in the BDIA, except as required by applicable law or judicial or administrative action or proceeding, including the Freedom of Information Act requirements.

### Evaluation Criteria

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NTIA will evaluate applications for grants on the basis of the following criteria: Data (30 percent); Project Feasibility (30 percent); Expedient Data Delivery (20 percent); Process for Repeated Data Updating (10 percent); and Planning and Collaboration (10 percent).

### Timing of Data Delivery

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For the first data collection, applicants should provide a substantially complete set of availability data by November 1, 2009. Applicants that cannot provide a substantially complete set of by that time may propose to provide an alternative data set by that date. Applicants must demonstrate the ability to complete the project requirements within the proposed timeline, including providing a substantially complete set of all broadband mapping data on or before February 1, 2010 and to complete such data collection by March 1, 2010. All data provided in the first collection should be accurate as of June 30, 2009.

### Use of Collected Broadband Data

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**Use by Grant Recipient:** Grant recipients may use the collected broadband data for any lawful use consistent with the requirements of the Program. In addition to providing all collected data to NTIA, applicants are expected to use

the data to develop and maintain a statewide broadband map separate and distinct from the national broadband map.

**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) the 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 also 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.

#### Other Key Provisions

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- **Eligible Costs:** Grant funds can be used only to pay eligible costs, which must be reasonable, allocable, and necessary to the project.
- **Application Submission and Deadline:** Information about the State Broadband Data and Development Program is available at: <http://www.ntia.doc.gov/broadbandgrants>. Applications will be accepted between July 14 - August 14, 2009.

