

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Telecommunications and Information Administration (NTIA)**  
**Infrastructure Investment and Jobs Act –Application for Broadband Grant Programs**

**A. JUSTIFICATION**

**This is an emergency review request in order to assist NTIA in meeting the statutory deadlines Congress set for the Infrastructure Act Broadband Grant Programs, reducing overall application review burdens, and providing greater opportunities for meaningful participation to applicants from disadvantaged communities. NTIA requests that OMB conclude its review by May 10, 2022.**

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

The Consolidated Appropriations Act, 2021 (the CAA) directed NTIA to implement three new broadband connectivity grant programs, with a total funding of approximately \$1.5 billion. The goal of these CAA programs is to provide greater broadband access for Native tribal lands, minority communities, and areas lacking broadband service, especially in rural America.

The Infrastructure Investment and Jobs Act, 2021 (Infrastructure Act or Act), which was adopted on November 15, 2021 and is also known as the Bipartisan Infrastructure Law, subsequently provided \$65 billion of funding for programs to close the digital divide and ensure that all Americans have access to reliable, high speed, and affordable broadband service. NTIA administers six broadband connectivity grant programs funded by the Act.

It is estimated that more than 30 million Americans do not have access to broadband infrastructure that delivers minimally sufficient speeds to enable them to take advantage of the educational and economic opportunities provided by the Internet.<sup>1</sup> Many of these Americans live on Tribal lands or in other rural areas or underserved communities. The Biden-Harris Administration is committed to ensuring that high-speed Internet service is available for all Americans through the implementation of the broadband provisions of the Infrastructure Act.<sup>2</sup>

NTIA is now in the process of reviewing applications for the broadband connectivity grant programs enacted by the CAA. The grant application forms for these programs used relatively unstructured narratives to collect programmatic and project data from applicants. NTIA has found that some applicants did not provide the detailed information necessary for NTIA to fully review their applications and make award determinations. This has required NTIA to engage in significant further communications with these applicants in order to obtain vital information, thereby increasing burden costs for both applicants and reviewers. Many of these applicants are Tribal governments or other entities associated with disadvantaged communities. This is

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<sup>1</sup> See, e.g., Fact Sheet: Biden-Harris Administration Mobilizes Resources to Connect Tribal Nations to Reliable, High-Speed Internet, The White House, Briefing Room, Statements and Releases (Dec. 22, 2021).

<sup>2</sup> *Id.*

because disadvantaged communities often lack the financial and professional resources necessary for the preparation of the complex narrative submissions that successful participation in broadband grant programs can require. NTIA believes that these challenges experienced by applicants associated with disadvantaged communities could also limit the ability of such applicants to participate meaningfully in future broadband grant connectivity programs, such as the Middle Mile Program and the State Digital Equity Planning Program.

Given the challenges that the grant application process can pose for disadvantaged communities, NTIA seeks to make this process more equitable for all of its potential applicants of the broadband grant programs enacted by the Infrastructure Act, including those with limited resources and/or technical expertise. In order to do so, NTIA created new forms which will provide structured questions and guidance concerning the discrete and structured data required for successful applications. NTIA anticipates that approximately 650 applicants will seek funding for the Middle Mile program and 300 applicants will seek funding for the State Digital Equity Program (inclusive of 56 States and territories and 244 tribal governments.) NTIA believes that a significant number of these prospective applicants will be Tribal governments or other entities associated with disadvantaged communities. NTIA further believes that the above-discussed new forms would offer these applicants greater opportunities for meaningful participation in the Broadband programs than they would otherwise enjoy. These new forms would affect the grant application requirements contained in the upcoming Notices of Funding Opportunity (NOFOs) NTIA will publish.

Under the Infrastructure Act, NTIA is statutorily required to publish the NOFO for the Middle Mile Program no later than May 16, 2022. In order to meet this deadline, NTIA is requesting clearance of the application forms by May 10, 2022 in order to ensure that applicants have reasonable notice of the Middle Mile Program and State Digital Equity Program funding opportunities and that applicants will have sufficient time to prepare and submit their applications.

Therefore, due to the urgent nature of meeting the Act's statutory deadlines and establishing grant application requirements that will offer greater opportunities for meaningful participation in the application process to applicants from disadvantaged communities, NTIA is requesting emergency review of the new application forms intended for use in the Infrastructure Act Broadband Grant Programs.

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

As described above, NTIA intends to use the information collected (1) to evaluate whether an applicant is eligible for a grant; (2) to evaluate applications by peer/expert reviewers against objective criteria; and (3) to collect corroborative information, as applicable, from applicants deemed highly qualified.

NTIA also intends to use information collected from the application as baseline information after award of the grant to evaluate the grantee's progress toward completion of the objectives for which the grant was made.

This information collection is designed to obtain information that meets the Information Quality Guidelines for NTIA.<sup>3</sup> The guidelines establish standards for the utility, integrity, and objectivity of information disseminated by the agency.<sup>4</sup>

NTIA has contracted with the National Institute of Standards and Technology (NIST) to maintain the electronic data in the Grants Management Information System (GMIS). NTIA, through NIST, will maintain the integrity of the electronic data by safeguarding it consistent with acceptable standards of operation. NTIA will also retain a copy of the submitted application in its Salesforce application portal. NTIA will maintain control of paper applications to ensure their security. Applications for review will be retained according to NTIA's Records Schedule Guidelines, after which they will be destroyed.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.**

NTIA intends to receive electronic applications via a custom build Salesforce system for application intake that NTIA is building. It will be accessible at [grants.ntia.gov](https://grants.ntia.gov)

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Question 2.**

Applicants' proposals are unique to Infrastructure Act programs, and the information to be collected is not generally available from other sources.

Out of an abundance of concern for applicants, NTIA has designed the application process to allow applicants to provide only the information relevant to the purpose of the grant they apply for.

**5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize the burden.**

NTIA will provide significant pre-award technical assistance documentation to support applicants in the successful submission of applications. This guidance will support entities that have limited resources, including small businesses, to submit applications. Further, the structured forms that are the subject of this information collection request are intended to support small businesses and other entities by directing them to provide focused, structured data on broadband projects to support NTIA's understanding of their proposed project in the evaluation of their application. In prior and similar data collections/broadband infrastructure applications for grant funding, in which there was no structure or focused application or questions on proposed

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<sup>3</sup> See [Section 515 Standards: Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by the National Telecommunications and Information Administration](#) (Sept. 25, 2002), available at <https://www.ntia.gov/page/2011/information-quality-guidelines>.

<sup>4</sup> *Id.*

projects, many small or disadvantaged entities struggled with providing pertinent information on their proposed project for NTIA to evaluate the merits of their proposals.

**6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

Without the information requested, NTIA could not award grants consistent with the statutory mandates of the Infrastructure Act and the specific purposes listed therein for each relevant program.<sup>5</sup> NTIA also could not adequately determine whether applicants meet the funding requirements that the Act establishes.<sup>6</sup>

The standard common forms do not reflect the program or project specific elements or nature of NTIA's grant programs and related policy objectives, to fund projects to deploy broadband infrastructure in unserved and underserved communities. NTIA needs to collect, in a structured and focused manner, discrete broadband network deployment project information, including, but not limited to details on engineering and technical designs, proposed project implementation schedules, lists of entities that might be served by the deployed infrastructure, structured, detailed information of the proposed budgets, specific data points for the technical network deployment in order to develop geospatial depictions of the proposed network, sustainability analyses in the form of pro-forma analysis statements, etc. Each of these proposed forms, questions, and templates provide succinct and direct requests for information to NTIA, thus reducing the potential for a respondent to provide limited, insufficient, or unclear information and data for NTIA to use to assess and evaluate the merits of the respondents' proposed grants projects. NTIA has, in the past, required narratives from respondents to collect this type of information, which ultimately resulted in suboptimal respondent submissions, given the lack of clarity and discrete questions/data forms/templates in which to guide the respondent to provide the required information with a sufficient level of detail. A lack of structure and clarity is, in particular, detrimental and burdensome to applicants from disadvantaged communities that often have less resources or experience in applying for federal grant funding. The structure and clarity that the proposed information collection provides will aid applicants in better structuring their responses, thus ensuring that they are providing all information that is required in the grant application, and maintaining a level of detail that NTIA requires to properly evaluate the application. This will advance the Act's programmatic purpose to aid disadvantaged communities and also support NTIA's more efficient and streamlined review of applications, allowing the government to award funds to deserving projects, in a more expeditious manner.

By not requesting the information contained in these forms, NTIA would fail to meet the purpose of the Act, taxpayer money would be wasted, and relevant programs would not produce the benefits intended under the Act.

**7. Explain any special circumstances that require an information collection to be conducted in a manner:**

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<sup>5</sup> See Infrastructure Investment and Jobs Act, 2021, Division F, Title IV, Public Law 117-58, 135 Stat. 429 (Nov. 15, 2021).

<sup>6</sup> See *id.*

- **requiring respondents to report information to the agency more often than quarterly;**

No special circumstances require the collection of information to be conducted in a manner inconsistent with OMB guidelines.
- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**

No special circumstances require the collection of information to be conducted in a manner inconsistent with OMB guidelines.
- **requiring respondents to submit more than an original and two copies of any document;**

No special circumstances require the collection of information to be conducted in a manner inconsistent with OMB guidelines.
- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**

No special circumstances require the collection of information to be conducted in a manner inconsistent with OMB guidelines.
- **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**

No special circumstances require the collection of information to be conducted in a manner inconsistent with OMB guidelines.
- **requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**

No special circumstances require the collection of information to be conducted in a manner inconsistent with OMB guidelines.
- **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**

No special circumstances require the collection of information to be conducted in a manner inconsistent with OMB guidelines.
- **requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

No special circumstances require the collection of information to be conducted in a manner inconsistent with OMB guidelines.

- 8. If applicable, provide a copy and identify the date and page number of publications in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

NTIA intends to publish a Federal Register Notice to solicit public comment on the application process pursuant to the Paperwork Reduction Act Emergency clearance requirements.

- 9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

NTIA will not provide gifts or payments to respondents.

- 10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.**

NTIA will allow applicants to designate certain portions of their applications as confidential and will protect confidential and proprietary information from public disclosure to the fullest extent authorized by applicable law, including the Freedom of Information Act, as amended (5 U.S.C. 552 *et seq.*), the Trade Secrets Act, as amended (18 U.S.C. 1905 *et seq.*), and the Economic Espionage Act of 1996, as amended (18 U.S.C. 1831 *et seq.*).

- 11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

This collected information does not contain any questions of a sensitive nature.

- 12. Provide estimates of the hour burden of the collection of information.**

NTIA estimates that responses to the combined set of questions and forms included in the Middle Mile grant application would require an average of 12 hours to complete and the forms for the State Digital Equity Planning Program would take 4 hours. NTIA estimates the hourly burden for each component as follows: 2 hours to complete the Budget Narrative, 2 hours to complete the Detailed Budget Justification, 2 hours to complete the Pro Forma Financial Projection, 4 hours to complete the Middle Mile Project questions, 1 hour to complete community anchor institution list, and 1 hour to complete the Table of Funded Project Participants and Unfunded Collaborators, for a total of 12 hours for all forms and questions. Applicants for the State Digital Equity Planning Program will only be required to submit the Budget Narrative and Detailed Budget Justification forms. When estimating the number of anticipated applicants, the resulting estimated total burden is 7,800 hours for the Middle Mile

Program and 1,200 hours for the State Digital Equity Planning Program, for a total of 9,000 hours.

Estimated Annualized Respondent Burden Hours for Middle Mile Program

Information Collection Instrument	Type of Respondent	Number of Respondents (a)	Annual Number of Responses/Respondent (b)	Total Number of Annual Responses (c) = (a) x (b)	Burden Hours/Response (d)	Total Annual Burden Hours (e) = (c) x (d)
Budget Narrative	Applicants	650	1	650	2	1300
Detailed Budget Justification	Applicants	650	1	650	2	1300
Pro Forma Financial Projection	Applicants	650	1	650	2	1300
Middle Mile Project Questions	Applicants	650	1	650	4	2600
Funded and Unfunded Collaborators	Applicants	650	1	650	1	650
Community Anchor Institution (CAI) List	Applicants	650	1	650	1	650
Totals		650	1	650	12	7800

Estimated Annualized Respondent Burden Hours for State Digital Equity Planning Program

Information Collection Instrument	Type of Respondent	Number of Respondents (a)	Annual Number of Responses/Respondent (b)	Total Number of Annual Responses (c) = (a) x (b)	Burden Hours/Response (d)	Total Annual Burden Hours (e) = (c) x (d)
Budget Narrative	Applicants	300	1	300	2	600
Detailed Budget Justification	Applicants	300	1	300	2	600
Totals		300	1	300	4	1200

Combined, the total estimated annualized respondent cost for the grant programs are \$452,139.

For the Middle Mile Program, NTIA estimates that respondent burden cost to be a combination of the hourly rate of Electrical and Electronics Engineers, with an average hourly rate of \$49.71<sup>7</sup>, representing 6 of the 12 hours estimated to complete the questions and forms, and a Budget Analyst, with the hourly rate of \$37.97<sup>8</sup>, representing 6 of the 12 hours estimated to complete the questions and forms. For the Middle Mile Program, the combined estimated total burden cost for 650 estimated respondents is \$406,575.

Estimated Annualized Respondent Costs for Middle Mile Program

Type of Respondent/Occupational Title	Number of Respondents	Number of Responses per Respondent	Annual Burden per Response (Hrs)	Hourly Wage Rate	Total Burden Costs
Electrical and Electronics Engineers	650	1	6	\$49.71	\$193,869
Budget Analysts	650	1	6	\$37.97	\$148,083
Total					\$341,952

For the State Digital Equity Planning Program, NTIA estimates that respondent burden cost to consist of 4 hours of a Budget Analyst, with the hourly rate of \$37.97<sup>9</sup> Detailed Budget Template and Budget Narrative forms. The combined estimated total burden cost for 300 estimated respondents is \$45,564.

Estimated Annualized Respondent Costs for State Digital Equity Planning Program

Type of Respondent/Occupational Title	Number of Respondents	Number of Responses per Respondent	Annual Burden per Response (Hrs)	Hourly Wage Rate	Total Burden Costs
Budget Analysts	300	1	4	\$37.97	\$45,564
Total					\$45,564

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in the burden worksheet).**

Not applicable. There are no capital, start-up, or annual operation and maintenance costs involved in the collection of information outside of the value of the burden hours in Question 12.

**14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff).**

<sup>7</sup> Rate based on U.S. Bureau of Labor Statistics 2020 reported hourly median rate for Electrical and Electronics Engineers: <https://www.bls.gov/ooh/architecture-and-engineering/electrical-and-electronics-engineers.htm>

<sup>8</sup> Rate based on U.S. Bureau of Labor Statistics 2020 reported hourly median rate for Budget Analysts: <https://www.bls.gov/ooh/business-and-financial/budget-analysts.htm>

<sup>9</sup> Rate based on U.S. Bureau of Labor Statistics 2020 reported hourly median rate for Budget Analysts: <https://www.bls.gov/ooh/business-and-financial/budget-analysts.htm>

**and any other expense that would not have been incurred without this collection of information.**

**Agencies may also aggregate cost estimates from Questions 12, 13, and 14 in a single table.**

The estimated annualized costs to the Federal government are based on the amount of time spent by program staff within NTIA reviewing the information collection forms. Estimates for the Standard Forms will be included in NTIA’s Request for Common Form to use the previously approved OMB information collection instruments. For both the Middle Mile Program and the Digital Equity Planning Program, the total estimated annualized cost to the Federal government will be \$766,488.

For the Middle Mile Program, NTIA estimates that at an average cost of \$70.32<sup>10</sup> per hour and an estimated level of 14 hours per respondent (3 hours review of the Budget Narrative, 3 hours review of the Detailed Budget Justification, 1.5 hours review of the Pro Forma Financial Projection, 5 hours review of Middle Mile Project questions, 0.5 hours review of community anchor institution list, and 1 hour review of the Table of Funded Project Participants and Unfunded Collaborators), the total annual cost would be \$639,912 (650 applications with estimate of \$984.48/application).

<b>Staff</b>	<b>Grade/Step</b>	<b>Salary</b>	<b>Form</b>	<b>Review Hours</b>	<b>Total Annualized Cost to Gov’t</b>
Program Staff	15/10	\$70.32 per hour	Budget Narrative	3	\$210.96
Program Staff	15/10	\$70.32 per hour	Detailed Budget Justification	3	\$210.96
Program Staff	15/10	\$70.32 per hour	Pro Forma Financial Projection	1.5	\$105.48
Program Staff	15/10	\$70.32 per hour	Middle Mile Project Questions	5	\$351.60
Program Staff	15/10	\$70.32 per hour	Funded and Unfunded Collaborators	1	\$70.32
Program Staff	15/10	\$70.32 per hour	Community Anchor Institution (CAI) List	.5	\$35.16

<sup>10</sup> Rate based on Office of Personnel Management rate for a GS 15-10 reported hourly rate for 2022: [https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2022/GS\\_h.pdf](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2022/GS_h.pdf)

Total Cost to Government				14 hrs	\$984.48 * 650 estimated responses = \$639,912
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For the State Digital Equity Planning Program, NTIA estimates that at an average cost of \$70.32<sup>11</sup> per hour and an estimated level of 6 hours per respondent (3 hours review of the Budget Narrative and 3 hours review of the Detailed Budget Justification), the total annual cost would be \$126,576 (300 applications with estimate of \$421.92/application).

Staff	Grade/Step	Salary	Form	Review Hours	Total Annualized Cost to Gov't
Program Staff	15/10	\$70.32 per hour	Budget Narrative	3	\$210.96
Program Staff	15/10	\$70.32 per hour	Detailed Budget Justification	3	\$210.96
Total Cost to Government				6 hrs	\$421.92 * 300 estimated responses = \$126,576

**15. Explain the reasons for any program changes or adjustments reported in ROCIS.**

This is a new collection, thus, there are no program changes or adjustments.

**16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

The information collected will not require complex analytical techniques. Some of the information from the applications may be disseminated in the form of a publicly searchable database in the near future. NTIA may also tabulate certain information (e.g., funds requested according to geography or type of applicant) and include it in summary form online or in reports to Congress.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

<sup>11</sup> Rate based on Office of Personnel Management rate for a GS 15-10 reported hourly rate for 2022: [https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2022/GS\\_h.pdf](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2022/GS_h.pdf)

The agency plans to display the expiration date for OMB approval of the information collection on all instruments.

**18. Explain each exception to the certification statement identified in “Certification for Paperwork Reduction Act Submissions.”**

This agency certifies compliance with 5 CFR 1320.9 and the related provisions of 5 CFR 1320.8(b)(3).

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

The collection of information will not employ statistical methods.