



MEMORANDUM FOR: Dominic Mancini
Deputy Director, Office of Information and Regulatory Affairs
Office of Management and Budget (OMB)

FROM: Alan Davidson *ABD*
Assistant Secretary of Commerce for Communications
and Information

SUBJECT: Request for OMB Emergency Review and Approval of New
Information Collection for Infrastructure Investment and Jobs Act
Broadband Grant Programs

DATE: April 20, 2022

On behalf of the Department of Commerce's National Telecommunications and Information Administration (NTIA), I am requesting emergency review and approval under the Paperwork Reduction Act (PRA) of a new information collection for the Infrastructure Investment and Jobs Act Broadband Grant Programs (Infrastructure Act or Act). NTIA requests this emergency review to ensure that NTIA can meet the statutory deadlines Congress set for the Infrastructure Act Broadband Grant Programs. The information collection will incorporate new forms into the grant application process which will provide structured guidance as to the types of information required for award determinations. The goal of this guidance is to offer greater opportunities for meaningful participation in the grant application process to applicants from disadvantaged communities and lessen overall application/review burdens.

BACKGROUND

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. 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.

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 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 could also limit the ability of such applicants to participate meaningfully in future broadband grant connectivity programs, such as the Middle Mile Program.

JUSTIFICATION

Emergency clearance of the new grant application forms is essential to the NTIA mission and Infrastructure Act mandate of closing the digital divide with efficiency and accuracy in order to meet the statutory deadlines in the Infrastructure Act. Given the challenges that the grant application process can pose for disadvantaged communities, NTIA seeks to make this process more equitable for all 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 for use in the application process which will provide structured questions and guidance concerning the kind of discrete and structured data required for successful applications. The new forms will create greater efficiencies in the NTIA grant program, which will likely result in enhanced timing and information accuracy beneficial to program applicants. NTIA believes that a significant number of 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 and State Digital Equity Planning Program no later than May 16, 2022. In order to meet this deadline, NTIA is requesting clearance for the new Middle Mile Program and State Digital Equity Planning Program application forms by May 10, 2022 to ensure that applicants have reasonable notice of the Middle Mile Program and State Digital Equity Planning Program funding opportunities and that applicants 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 Investment and Jobs Act Broadband Grant Programs.