

Broadband Funding Opportunities

Technical Assistance Program
Office of Broadband Access and Expansion
Department of Information Technology
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1 Introduction

This guide offers an overview of federal funding options that could provide financial support to Tribal and local governments and utilities in New Mexico in their efforts to expand broadband infrastructure. Varying dramatically in size, these funding opportunities target a wide variety of goals and end users. The programs encompass infrastructure buildout, service subsidies, and technical planning assistance.

This guide provides information on a range of funding opportunities—many of which are currently open, but *some of which may have recently closed or are awaiting future funding*. We include the latter because application deadlines and funding allocations are a moving target for many programs, and we believe there is value in being aware of programs that might be available again in the future. All details are current as of the date of publication.

Rather than presenting the programs alphabetically, we have highlighted some of the most significant opportunities first. Additionally, we have included a summary in Appendix A of the status of the Federal Communications Commission’s (FCC) Rural Digital Opportunity Fund, because we believe its impacts require consideration as a local broadband grant strategy is developed.

Appendix B highlights programs that are designed for or might be of specific interest to Tribal applicants.

Lastly, a glossary of terms is included in Appendix C to help readers navigate both broadband solutions and funding opportunities.

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

The National Telecommunications and Information Administration (NTIA) released the notice of funding opportunity (NOFO) for the following three programs in May 2022. While states and equivalent bodies are the eligible entities for the Broadband Equity, Access, and Deployment (BEAD) and Digital Equity programs, NTIA's intention is to use these to fund state programs, such that the money will eventually be made available to other entities within states. States will choose how to allocate these funds: some may use them to bolster existing state programs, and some may create new state programs.

2.1 Broadband Equity, Access, and Deployment Program

The Broadband Equity, Access, and Deployment (BEAD) program is funded by the Infrastructure Investment and Jobs Act (IIJA). The NOFO was released in June 2022, alongside other NTIA programs funded by the same act. Funding through this program is distributed primarily based on the presence of "unserved" locations that lack access to reliable speeds of at least 25 Mbps downstream and 3 Mbps upstream (25/3 Mbps).

Nature of Award

Grant

Eligible Entities

This program will fund all 50 states, the District of Columbia, Puerto Rico, and territories including the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. Tribal entities are not eligible entities; however, Tribal entities can apply to be a subgrantee through the eligible entity's (the state's or territory's) Grants Office. Additionally, states are required to have formal consultations with Tribal entities as part of their BEAD planning.

Only one Letter of Intent (LOI) and Initial Planning Funds application will be accepted from each eligible entity.

Eligible entities (i.e., states and territories) will design grant programs to distribute BEAD funding to subgrantees to construct broadband infrastructure and, if funding allows, accomplish program objectives for broadband adoption. Each entity will outline the objectives and requirements for its BEAD program in a series of plans submitted to NTIA.¹

¹ See, <https://connect.nm.gov/bead-plan.html>.

Eligible Costs

Eligible costs include deployment, upgrading, installation, and expansion of broadband services, as well as training and workforce development. A full list of eligible uses of funds is included in the NOFO Sections IV.B.7.a(ii) and (iii).²

Funding Availability

Funding allocations were announced in June 2023.

As described in the NOFO, each state was eligible to receive a minimum allocation of \$100 million and could request up to \$5 million of this allocation in Initial Planning Funds by August 2022. Other territories were each eligible to receive a minimum allocation of \$25 million and could request up to \$1.25 million of this allocation in Initial Planning Funds.

No fewer than 20 percent of a state or territory's total allocation will be made available with the approval of the Initial Proposal. Remaining funds will be released upon approval of the state or territory's Final Proposal.

New Mexico tentatively proposes to release application materials for potential BEAD subgrantees within 30 days following approval by NTIA of the state's Initial Proposal Volume II,³ which was submitted in December 2023.

Cost-Sharing Requirement

Eligible entities and/or subgrantees must match at least 25 percent of project costs. Federal funds are generally unacceptable for cost sharing; however, NTIA has expressly allowed for matching funds to come from a federal regional commission or authority and from funds that were provided to an eligible entity or subgrantee under the Families First Coronavirus Response Act, the Coronavirus Aid, Relief, and Economic Security (CARES) Act, or the Consolidated Appropriations Act of 2021.

Funding Resources

The IJA allocated \$42.45 billion to this program to be used over five years.

Key Application Deadlines

- July 18, 2022: Letter of Intent due
- August 15, 2022: Request for Initial Planning Funds due
- Five-Year Action Plan due within 270 days of receipt of Initial Planning Funds

² <https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf>, page 36.

³ See New Mexico's Initial Proposal Volume II for a tentative timeline of the full grant process; https://connect.nm.gov/uploads/1/4/1/9/141989814/bead_nm_initial_proposal_v2_final_20231112_rev1.pdf, pages 33-34.

- Initial Proposals due 180 days after Eligible Entities received their formal notice of funding allocation on June 30, 2023, and will be approved on a rolling basis.

The State Challenge Process will begin after the submission of Initial Proposals and before allocating BEAD Program funds. Final Classifications will be complete after each challenge is resolved, at least 60 days before allocating funds for network deployment.

Final Proposals and Releases of Remaining Funds will occur no later than twelve months after the date upon which the Assistant Secretary approves the Eligible Entity's Initial Proposal and makes 20 percent of grant funds available.

Key Links

- Program website:
<https://broadbandusa.ntia.doc.gov/resources/grant-programs/broadband-equity-access-and-deployment-bead-program>
- NOFO:
<https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf>
- Program application guidance:
<https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20Planning%20Application%20Guidance.pdf>
- Frequently Asked Questions:
https://broadbandusa.ntia.doc.gov/sites/default/files/2023-11/Broadband_Equity_Access_Deployment_Program_Frequently_Asked_Questions_Version_5.0.pdf
- Announcement of funding allocations:
<https://broadbandusa.ntia.doc.gov/news/latest-news/biden-harris-administration-announces-state-allocations-4245-billion-high-speed>

2.2 Digital Equity Act Programs

This program comprises three grant opportunities: a State Digital Equity Planning Grant Program, a State Digital Equity Capacity Grant Program, and a Digital Equity Competitive Grant Program. Only the NOFO for the Planning Grant Program has been released, but all three programs will be crucial to state broadband funding opportunities and allocations.

2.2.1 State Digital Equity Planning Grant Program

States interested in participating in the State Digital Equity Capacity Grant Program must first complete State Digital Equity Plans, in accordance with Section 60304(c) of the Infrastructure Investment and Jobs Act, commonly known as the Bipartisan Infrastructure Law. Eligible participants that are also eligible under the Broadband Equity, Access, and Deployment Program should plan for these interrelated but separate programs holistically.

Through this program, the Assistant Secretary of Commerce for Communications and Information will award grants with the purpose of developing State Digital Equity Plans, which will identify barriers to digital equity and develop strategies to overcome these barriers in the state.

Nature of Award

Grant

Eligible Entities

This program may fund states (defined for this program as all 50 states, the District of Columbia, and Puerto Rico). The governor or an equivalent official of an applicant state must select an Administering Entity to both receive and administer awarded grant funding.

Non-state entities, including territories and Tribal organizations, are eligible to enter into grants, cooperative agreements, or contracts with NTIA.

Eligible Costs

- Developing a state or other eligible entity's Digital Equity Plan
- Making subgrants to other entities to assist in the development of the state or eligible entity's Digital Equity Plan

Funding Availability

NTIA has determined tentative award allocation amounts per state, on the condition that each state seeks and receives these Digital Equity Planning Grants Funds. These allocation amounts are published on page 11 of the program NOFO.

Awards are expected to be between \$50,000 and a maximum of \$150,000 for each Indian Tribe, Alaska Native entity, or Native Hawaiian organization that submits an approved Letter of Intent.

“The Assistant Secretary tentatively allocates \$150,000 to each of: (a) the United States Virgin Islands, (b) Guam, (c) American Samoa, and (d) the Commonwealth of the Northern Mariana Islands for the purpose of creating territorial digital equity plans.”⁴

⁴ <https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/DE%20PLANNING%20GRANT%20NOFO.pdf>, page 14.

Cost-Sharing Requirement

None

Funding Resources

The total amount allocated for Planning Grants was \$60 million, including administrative costs.

Key Application Deadlines

- July 12, 2022: Complete applications due from states (including the District of Columbia and Puerto Rico)
- July 12, 2022: Letters of Intent due from U.S. territories, Indian Tribes, Alaska Native entities, and Native Hawaiian organizations
- September 15, 2022: Review, selection of successful applicants, and award processing complete
- September 29, 2022: Earliest start date for awards (issued on a rolling basis)

States must complete their Digital Equity Plan within one year of receiving Planning Grant funds but may request an extension of up to 180 days.

Key Links

- Program website:
<https://broadbandusa.ntia.doc.gov/funding-programs/digital-equity-act-programs>
- NOFO:
<https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/DE%20PLANNING%20GRANT%20NOFO.pdf>
- Program Application Guidance:
https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/Digital-Equity-Planning-Application-Guidance-FINAL_0.pdf
- Frequently Asked Questions:
<https://broadbandusa.ntia.doc.gov/sites/default/files/2022-06/DE-FAQs.pdf>

2.2.2 State Digital Equity Capacity Grant Program

The Digital Equity Capacity Grant Program is a \$1.44 billion formula-based grant program for states, territories, and Tribal governments. As of this writing, NTIA has not yet released a NOFO or tentative application timelines for this program.⁵

2.2.3 Digital Equity Competitive Grant Program

The Digital Equity Competitive grant program has \$1.25 billion in competitive funding to support five years of implementation of Digital Equity projects. As of this writing, NTIA has not yet released a NOFO or tentative application timelines for this program.

2.3 Tribal Broadband Connectivity Program

The Tribal Broadband Connectivity Program (TBCP), initially funded by the Consolidated Appropriations Act, 2021, tasked NTIA with awarding \$980 million in grants to Tribal governments to bring high-speed broadband to historically unserved and underserved Tribal communities. NTIA received more than 300 applications during the application window, which closed on September 1, 2021.

Given the overwhelming response to the first NOFO and the need to rapidly expand high-speed internet service on Tribal lands, NTIA allocated an additional \$2 billion to the program from the Infrastructure Investment and Jobs Act (IIJA), with approximately \$1 billion of that funding supplementing the Round 1 NOFO. Entities that applied under the first round and did not receive an award were reconsidered without having to reapply; NTIA continues to announce additional awards on a rolling basis. A second NOFO was released in the summer of 2023 to solicit applications for the remaining \$980 million in funds allocated by the IIJA, with applications for Round 2 of the program accepted through March 22, 2024.

Nature of Award

Grant

Eligible Entities

The following entities are eligible to receive TBCP grant funds: “(i) a Tribal Government; (ii) a Tribal College or University; (iii) the Department of Hawaiian Home Lands on behalf of the Native

⁵ The Digital Equity Act of 2021 authorized appropriations for State Capacity Grants of \$240 million for FY22 and \$300 million per fiscal year for FY23 through FY26, and “such sums as may be necessary to carry out this [program] for each fiscal year after the end of th[at] 5-fiscal year period;” <https://www.congress.gov/bill/117th-congress/house-bill/3684/text> at Section 60304(k).

Hawaiian Community, including Native Hawaiian Education Programs; (iv) a Tribal organization; or (v) an Alaska Native Corporation.”⁶

Each eligible entity must coordinate internally and submit only a single application. Eligible entities are “encouraged” to apply in a consortium, but an applicant may only apply as a single entity or a member of a consortium.⁷

Entities who received funding under Round 1 of the program may apply for additional funding in Round 2,⁸ however, NTIA will prioritize entities who were not awarded funding in the first round or received Equitable Distribution funding for planning projects.⁹

Eligible Costs

Eligible costs include “(A) broadband infrastructure deployment ...; (B) affordable broadband programs, including— (i) providing free or reduced-cost broadband service; and (ii) preventing disconnection of existing broadband service; (C) distance learning; (D) telehealth; (E) digital inclusion efforts (which may include digital equity planning and workforce development activities); and (F) broadband adoption activities.”¹⁰ A full list of eligible uses of funds is included in the NOFO Section D.7.

Funding Availability

In Round 2, NTIA “will allocate up to \$500,000 to each of the Federally Recognized Tribes delineated by the Department of the Interior’s Bureau of Indian Affairs”¹¹ and make available approximately \$72.7 million for the benefit of Native Hawaiians.

“NTIA expects to make awards under this program within the following funding ranges:

- Broadband Infrastructure Deployment Projects proposed by a single applicant: \$1 million to \$50 million

⁶ <https://www.ntia.gov/sites/default/files/publications/ntia-tribal-broadband-connectivity-program-round-2-nofo-amendment.pdf>, page 15.

⁷ <https://www.ntia.gov/sites/default/files/publications/ntia-tribal-broadband-connectivity-program-round-2-nofo-amendment.pdf>, pages 15-16; see also, page 14.

⁸ <https://www.ntia.gov/sites/default/files/publications/ntia-tribal-broadband-connectivity-program-round-2-nofo-amendment.pdf>, page 2.

⁹ <https://www.ntia.gov/other-publication/2023/fact-sheet-tribal-broadband-connectivity-program-second-notice-funding>.

¹⁰ <https://www.ntia.gov/sites/default/files/publications/ntia-tribal-broadband-connectivity-program-round-2-nofo-amendment.pdf>, page 38.

¹¹ <https://www.ntia.gov/sites/default/files/publications/ntia-tribal-broadband-connectivity-program-round-2-nofo-amendment.pdf>, page 3.

- Broadband Use and Adoption Projects (includes Digital Equity Planning): \$100,000 to \$2.5 million.”¹²

Eligible entities requesting funding outside of these ranges must provide a reasonable explanation. In Round 2, NTIA intends to prioritize support for broadband infrastructure deployment¹³ and “expects to allocate not more than \$100 million to standalone Broadband Use and Adoption projects.”¹⁴

Cost-Sharing Requirement

A non-federal match is not required.

Funding Resources

The Consolidated Appropriations Act of 2021 originally allocated \$980 million to this program. The IIJA then allocated an additional \$2 billion to the program. The award period is up to four years from receipt of the grant funds and all funds must be committed within 18 months of receiving the funds.¹⁵ Limited extensions are permissible for projects that meet specific criteria.

Key Application Deadlines

- September 1, 2021: Round 1 application deadline
- March 22, 2024: Applications for Round 2 due¹⁶
- July 5, 2024: Earliest expected start date for awards¹⁷

Key Links

- Program website:
<https://broadbandusa.ntia.doc.gov/funding-programs/tribal-broadband-connectivity>
- NOFO (Round 2, amended):

¹² <https://www.ntia.gov/sites/default/files/publications/ntia-tribal-broadband-connectivity-program-round-2-nofo-amendment.pdf>, pages 3-4.

¹³ <https://www.ntia.gov/other-publication/2023/fact-sheet-tribal-broadband-connectivity-program-second-notice-funding>.

¹⁴ <https://www.ntia.gov/sites/default/files/publications/ntia-tribal-broadband-connectivity-program-round-2-nofo-amendment.pdf>, page 3.

¹⁵ As established by Section 905(c)(4)(B) of the Consolidated Appropriations Act of 2021, as amended by the IIJA; see, Round 2 NOFO (amended) at page 13. Per the original NOFO for Round 1, the award period was one year from receipt of grant funds and all grant funds had to be committed within 180 days of receipt; https://broadbandusa.ntia.doc.gov/sites/default/files/2021-06/NTIA.Tribal%20Broadband%20Connectivity%20Program.Final_.OMB%20Cleared.pdf, page 10.

¹⁶ NTIA issued a Round 2 NOFO amendment on January 22, 2024, extending the original deadline of January 23, 2024; <https://www.ntia.gov/other-publication/2024/ntia-tbcp-round-2-nofo-amendment>.

¹⁷ <https://www.ntia.gov/sites/default/files/publications/ntia-tribal-broadband-connectivity-program-round-2-nofo-amendment.pdf>, page 56.

<https://www.ntia.gov/sites/default/files/publications/ntia-tribal-broadband-connectivity-program-round-2-nofo-amendment.pdf>

- NOFO (original grant opportunity):

https://broadbandusa.ntia.doc.gov/sites/default/files/2021-06/NTIA.Tribal%20Broadband%20Connectivity%20Program.Final_.OMB%20Cleared.pdf

- Frequently Asked Questions:

https://broadbandusa.ntia.doc.gov/sites/default/files/2023-10/TBCP2_FAQs_2023.09.27.pdf

- Key Differences in Second TBCP NOFO fact sheet:

https://broadbandusa.ntia.doc.gov/sites/default/files/2023-10/TBCP_Fact_Sheet_NOFO_Changes.2023.09.27.pdf

3 Federal Communications Commission

3.1 E-rate Program – Universal Service for Schools and Libraries

The E-rate program (more formally known as the Schools and Libraries Program) provides discounts to schools and libraries for telecommunications and internet access by partially funding the cost of services and equipment (and, in some cases, the cost of construction). The program is administered through the Universal Service Administrative Company (USAC) under the authority of the Federal Communications Commission (FCC).

Nature of Award

Subsidy

Eligible Entities

Funding is provided to eligible schools, school districts, and libraries (either individually or as part of a consortium). Funds are distributed to both public and private schools, as long as they provide primary or secondary education, operate as a nonprofit business, and do not have an endowment exceeding \$50 million. Eligible libraries must be eligible for assistance from a state library administrative agency under the 1996 Library Services and Technology Act. Generally, a library is eligible if its budget is separate from a school and it does not operate as a for-profit business.

Eligible Costs

USAC publishes an Eligible Services List (ESL) for each funding year¹⁸ detailing the eligibility of products and services under the program. Generally, there are two funding “Categories”:

- Category 1: Data Transmission Services and/or Internet Access
- Category 2: Internal Connections (IC), Managed Internal Broadband Services (MIBS), and Basic Maintenance of Internal Connections (BMIC)

The current funding year ESL can be found at <https://www.usac.org/e-rate/applicant-process/before-you-begin/eligible-services-list/>.

Funding Availability

E-rate provides a discount on eligible services, with the size of the discount (ranging from 20 to 90 percent) dependent on the level of poverty and the urban/rural status of the population served. The funding level can be determined from the matrix available on the E-rate website at http://www.usac.org/_res/documents/sl/pdf/samples/Discount-Matrix.pdf. The primary measure for determining schools and libraries support discounts is the percentage of students

¹⁸ A “funding year” refers to the period of July 1 through June 30.

eligible for free and reduced lunches under the National School Lunch Program (NSLP), calculated by individual school.

Funding Resources

Funding is stable as resources are not subject to appropriations. E-rate program funding is based on demand up to an annual cap of about \$4.56 billion (modified annually to account for inflation). In March 2023, the FCC announced a 7.0 percent inflation-adjusted increase in the annual E-rate funding cap to \$4.768 billion. Resources for any given school or library are determined based on levels of rurality and poverty in the relevant district.

Key Application Deadlines

The application process typically begins in July and continues throughout the year. The E-rate “funding year” is defined as July 1 through June 30.

Application Guidance

- The E-rate process includes four phases and begins with submitting FCC Form 470 (essentially a form version of a request for proposal [RFP] to accompany an actual RFP) to begin the bidding process for services. The entire process is described here:

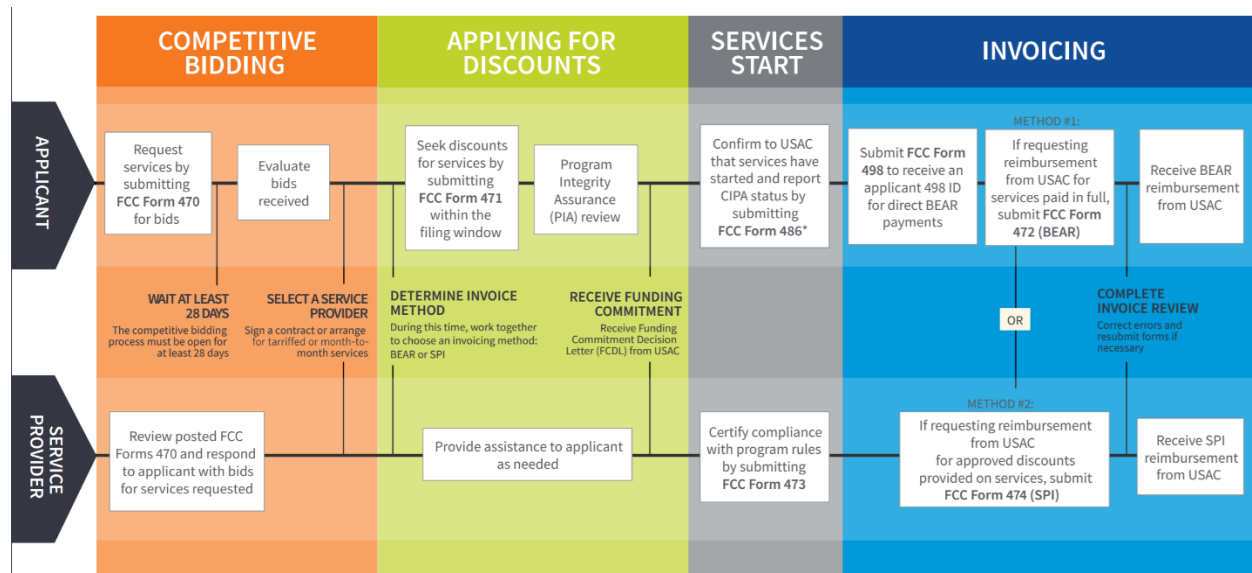
<https://www.usac.org/wp-content/uploads/e-rate/documents/Handouts/application-process-flow-chart.pdf>

- Applicants (schools and libraries) must register for a Billed Entity Identification Number (BEIN) and may be required to register for an FCC Registration Number (FRN) and a form 498 Filer ID (also known as a Service Provider Identification Number [SPIN]) if they would like to receive funds directly from USAC (this may matter depending on how the applicant determines it will receive the subsidy). Learn more here:

<https://apps.fcc.gov/coresWeb/publicHome.do>

- Providers seeking to participate/bid on RFPs/Forms 470 should register for an FCC Registration Number (FRN) and a Form 498 Filer ID (also known as a Service Provider Identification Number [SPIN]). Additionally, providers will be required to have an FCC Form 499 Filer ID (providers are required to report annually actual revenue billed during the previous year using Form 499).

Figure 1: Overview of E-rate application processes



Key Links

- A full description of the program can be found here:
<https://www.usac.org/wp-content/uploads/e-rate/documents/Handouts/E-rate-Overview.pdf>
- General background:
<http://www.usac.org/sl/>
- To submit questions about the program:
<https://www.usac.org/e-rate/contact-us/>
- Eligible Services List (a comprehensive document with descriptions of all qualifying services):
<https://www.usac.org/e-rate/applicant-process/before-you-begin/eligible-services-list/>
- Program training resources:
<https://www.usac.org/e-rate/learn/>

3.2 Rural Health Care Program

The Rural Health Care Program (RHC) at USAC provides funding to eligible health care providers (HCP) for telecommunications and broadband services necessary for the provision of health care. RHC is comprised of the Telecommunications Program, the Connected Care Pilot program,¹⁹ and the Healthcare Connect Fund.

“Health care provider” is defined by statute as hospitals, rural health clinics, local health departments, community health centers or health centers providing health care to migrant workers, and post-secondary educational institutions offering health care instruction, teaching hospitals, and medical schools. Individual providers can determine whether they are located in a rural area through a look-up tool on USAC’s website.²⁰ Note that non-rural HCPs may still apply for funding through the Healthcare Connect Fund if they are a member of a majority rural consortium.

While none of these programs support comprehensive broadband deployment, they may provide useful resources to support eligible health care providers.

Nature of Award

Subsidy

Funding Resources

Funding is through the Universal Service Fund (i.e., surcharges on telephone bills), rather than Congressional appropriations. In June of 2018, the FCC issued an order that increased the annual RHC Program funding cap to \$571 million, to annually adjust the cap for inflation, and to establish a process to carry-forward unused funds from past years for use in future years. The RHC program funding cap for FY23 was \$682,361,586. The internal cap for upfront payments and multi-year commitments under the Healthcare Connect Fund (HCF) Program was \$172,294,354. Beginning in FY23, the internal cap for upfront payments and multi-year commitments will apply only if RHC program demand exceeds available funding. These new caps represent a 7 percent inflation-adjusted increase to the \$637,721,108 RHC program funding cap and the \$161,022,731 internal cap on multi-year commitments and upfront payments from FY22. Conversations at the Commission about what specifically that contribution will include are ongoing.

Key Application Deadlines

The Rural Health Care Program funding year runs from July 1 through June 30 of the following year.

¹⁹ The last set of projects selected for the Connected Care Pilot program were announced in March 2022; <https://docs.fcc.gov/public/attachments/FCC-22-23A1.pdf>.

²⁰ <http://www.usac.org/rhc/telecommunications/tools/Rural/search/search.asp>.

The filing window for FY24 in which applicants must submit funding requests is from December 1, 2023, through April 1, 2024.

Key Links

- Program website:
<http://www.usac.org/rhc/>
- Funding year overview:
<https://www.usac.org/rural-health-care/additional-program-guidance/funding-year-overview/>
- Program education materials:
<https://www.usac.org/rural-health-care/learn/>
- USAC-required forms for participation:
<https://www.usac.org/wp-content/uploads/rural-health-care/documents/handouts/RHC-Program-Application-Process.pdf>
- Application process overview:
<https://www.usac.org/wp-content/uploads/rural-health-care/documents/handouts/RHC-Program-Application-Process.pdf>

3.2.1 Telecommunications Program

Eligible Entities

This program may fund rural, public, or not-for-profit health care providers (HCP). Consortia of HCPs with at least one eligible entity as a member can also apply. To determine if the HCP facility is located in a rural area, see the Eligible Rural Areas Search Tool on the Rural Health Care Program website.²¹

Eligible Costs

Eligible costs are telecommunications services.

Funding Availability

The subsidy amount is determined by the urban/rural differential of cost of service.

²¹ <http://www.usac.org/rhc/telecommunications/tools/Rural/search/search.asp>.

3.2.2 Healthcare Connect Fund

Eligible Entities

Rural, public, or not-for profit health care providers (HCP) and consortia of such are eligible. Non-rural HCPs are also eligible if they are a member of a consortium that is made up of majority rural HCPs. To determine if the HCP facility is located in a rural area, see the Eligible Rural Areas Search Tool on the Rural Health Care Program website:

<http://www.usac.org/rhc/telecommunications/tools/Rural/search/search.asp>.

Eligible Costs

Eligible costs include telecommunications and broadband services and network equipment. Consortium applicants can also apply for funding for constructed and owned network facilities, and for support for upfront charges associated with service provider deployment of new or upgraded facilities to provide requested services, dark or lit fiber leases or indefeasible rights of use (IRU), and self-construction, where demonstrated to be the most cost-effective option.

Funding Availability

The Healthcare Connect Fund offers a 65 percent flat-rate discount on eligible expenses.

3.3 2.5 GHz Rural Tribal Window

This program provided an opportunity for Tribes in rural areas to access unassigned 2.5 GHz band spectrum over their Tribal lands, in compliance with applicable buildout requirements. This spectrum, which has typically been leased by commercial providers and legacy educational users, can support both mobile coverage and fixed point-to-point applications. Depending on the applicant's needs, the spectrum could potentially support the deployment of broadband and other advanced communications services.

Nature of Award

Spectrum license

Eligible Entities

Eligible entities include any federally recognized Tribe or Alaska Native Village. "Consortia of federally recognized Tribes and/or Native Villages, or other entities controlled and majority owned by such Tribes or consortiums"²² may also apply for spectrum.

²² <https://www.fcc.gov/25-ghz-rural-tribal-window>.

License Availability

“The spectrum available in this window [was] a portion of the 2.5 GHz band, consisting of three different channels: one 49.5-megahertz channel, one 50.5-megahertz channel, and one 17.5-megahertz channel. Tribal applicants [could] apply for one, two, or all three of these channels, depending on availability.”²³ Applicants could apply for “any of the spectrum in these channels as long as it was not currently licensed to another entity and as long as the desired license area was rural Tribal land.”²⁴ As such, not all Tribes were eligible because licenses in their areas were held by educational institutions.

Key Application Deadlines

The application window opened February 3, 2020, and closed September 2, 2020. There have been no further updates on additional funding for this program.

Key Links

- Program website:
<https://www.fcc.gov/25-ghz-rural-tribal-window>
- Submitted applications:
<https://www.fcc.gov/25-ghz-rural-tribal-window-submitted-applications>
- Rural Tribal Window Updates:
<https://www.fcc.gov/rural-tribal-window-updates>

3.4 Affordable Connectivity Outreach Grant Program

*Note: As of the writing of this guidebook, funding for the ACP is projected to run out by April 2024 unless extended by Congress. The FCC stopped accepting new ACP enrollments on February 7, 2024.*²⁵

This is an opportunity for governmental and non-governmental partners to conduct a wide range of outreach activities to raise awareness of and increase enrollment in the Affordable Connectivity Program (ACP). The ACP has been the nation’s largest effort to increase the affordability of broadband by providing monthly discounts for broadband access and a one-time discount toward computer equipment for qualifying households. It has reached more than 23 million low-income households, but there are still many more who are eligible. Recognizing the

²³ <https://www.fcc.gov/25-ghz-rural-tribal-window>.

²⁴ <https://www.fcc.gov/25-ghz-rural-tribal-window>.

²⁵ See, “The FCC is Taking Steps to Wind Down the Affordable Connectivity Program,” FCC, <https://www.fcc.gov/fcc-taking-steps-wind-down-affordable-connectivity-program>.

need for more robust outreach to increase enrollment, this program would support a wide range of activities, particularly efforts designed to reach diverse communities, including persons with disabilities.

The Infrastructure Investment and Jobs Act of 2021 appropriated \$14.2 billion for the ACP and expressly authorizes the FCC to conduct outreach for the ACP, including providing grants to outreach partners. The ACP has played an integral role in helping to bridge the digital divide, which is an ongoing priority for Congress, the FCC, and across the federal government.

Nature of Award

Grants

Eligible Entities

Governmental and non-governmental entities, including, but not limited to: (i) Tribal governments and subdivisions, as well as Tribal organizations; (ii) State governments and subdivisions (including the District of Columbia and U.S. territories); (iii) local governments and subdivisions; (iv) public housing authorities; (v) social service providers; (vi) education organizations, such as schools and other institutions of higher education; (vii) workforce development training organizations; (viii) non-profit organizations; (ix) community-based organizations; (x) community anchor institutions; (xi) libraries and library consortia; (xii) public service organizations; and, (xiii) consortia of the entities listed above. See the FCC's Second Report and Order Section III. C. 2 for additional information on eligible entities: <https://www.fcc.gov/document/fcc-establishes-affordable-connectivity-outreach-grant-program-0>.

Funding Availability

The original NOFO for the program was released on November 10, 2022, with an application submission deadline of January 9, 2023.

On May 25, 2023, the FCC issued two NOFOs for up to \$10 million in total funding for a second round of the National Competitive Outreach Grant Program (NCOP) and the Tribal Competitive Outreach Grant Program (TCOP), which are components of the Affordable Connectivity Outreach Grant Program (Outreach Grant Program). \$5 million in funding was targeted for each program, with application deadlines in late June and July for NCOP and TCOP, respectively.

On August 17, 2023, the FCC announced final award allocations for NCOP Round 2 of over \$4.3 million²⁶—followed by the announcement of over \$1.2 million in awards through TCOP Round 2 on September 6, 2023.²⁷

Key Links

- NOFO (NCOP Round 2):
https://www.fcc.gov/sites/default/files/FY_2023_ACP_Outreach_Grant_Program_NCOP_NOFO_Round_2_vF.pdf
- NOFO (TCOP Round 2):
https://www.fcc.gov/sites/default/files/FY_2023_ACP_Outreach_Grant_Program_TCOP_NOFO_Round_2_vF.pdf
- Second Report and Order:
<https://docs.fcc.gov/public/attachments/FCC-22-64A1.pdf>
- Affordable Connectivity Outreach Grant Program website:
<https://www.fcc.gov/acp-grants>
- Affordable Connectivity Program website:
<https://www.fcc.gov/acp>
- “The FCC is Taking Steps to Wind Down the Affordable Connectivity Program” notice:
<https://www.fcc.gov/fcc-taking-steps-wind-down-affordable-connectivity-program>

Program Contact

Alejandro Roark, Bureau Chief, FCC Bureau of Consumer and Governmental Affairs

(alejandro.roark@fcc.gov or 202-418-1711)

45 L Street NE

Washington, DC 20554

²⁶ <https://docs.fcc.gov/public/attachments/DA-23-717A1.pdf>.

²⁷ <https://docs.fcc.gov/public/attachments/DA-23-815A1.pdf>.

4 U.S. Department of Agriculture

4.1 ReConnect Program

The ReConnect program offers financing to facilitate broadband deployment in rural areas of the country that lack access of at least 25/3 Mbps.

Nature of Award

There are four types of opportunities offered through this program:²⁸ 100 percent grant for Alaska Native corporations, Tribal governments, colonias, persistent poverty areas, and socially vulnerable communities; 100 percent grant; 50 percent grant/50 percent loan (amounts requested for loans and grants must always be equal); and 100 percent loan.

Eligible Entities

This program may fund both public and private entities (see 7 CFR 1740.9).²⁹ Eligible applicants for broadband grants include cooperatives; nonprofits; mutual associations; state and local governments and their subdivisions; a territory or possession of the United States; and federally recognized Tribes. There must be a single applicant. If two or more entities wish to partner on a project, one entity must take the lead.

Eligible Areas

Service areas must be rural, and under the most recent notice, at least 90 percent of households must lack access to fixed, terrestrial service of at least 25/3 Mbps. Applicants must use the FCC's Broadband Funding Map as part of the process of identifying existing providers and services offered.

The U.S. Department of Agriculture (USDA) will not fund a project proposing to serve an area where an entity has an Enforceable Commitment to receive financial assistance for broadband service from Rural Utilities Service (RUS) broadband loans, the Community Connect program, the Connect America Fund (CAF) Phase II Auction 903, state-funded areas, or previous rounds of ReConnect, or that has been awarded through the Rural Digital Opportunity Fund (RDOF). However, if an applicant submits evidence that the entity that received the Enforceable Commitment has not deployed broadband service as required by the awarding Agency's regulations or award documents, the Agency may consider such area eligible for funding after consultation with the awarding agency. Areas with current broadband service from only satellite

²⁸ See, <https://www.federalregister.gov/documents/2024/02/21/2024-03484/notice-of-funding-opportunity-for-the-rural-econnectivity-program-for-fiscal-year-2024>. The Rural eConnectivity Program is commonly known as ReConnect.

²⁹ <https://www.ecfr.gov/current/title-7/subtitle-B/chapter-XVII/part-1740/subpart-B/section-1740.9>.

or unlicensed wireless facilities, or which have an Enforceable Commitment associated with only satellite or unlicensed wireless facilities, are eligible for funding.

Eligible Costs

Eligible costs include the construction or improvement of broadband facilities, the acquisition of an existing system for the purpose of upgrading that system (up to 40 percent of the total requested award), and reasonable pre-application expenses (up to 5 percent of the total requested award).³⁰ Operating costs are not eligible costs.³¹ The NOFO for FY24 lists the following additional eligible costs:

- i. To fund up to 3 percent of the requested amount for post-award monitoring expenses that may be required to mitigate the environmental effects of the project, as long as such costs are capitalized as part of the project.
- ii. To fund pole attachment fees associated with the construction of the project throughout the five-year construction period. In addition, if the pole owner requires that a pole be replaced to support the broadband facilities, such costs shall be eligible.

Cost-Sharing Requirement

Applicants receiving a 100 percent grant must provide a match equal to 25 percent of the overall project cost. Those applying for 100 percent loans or 50 percent grant/50 percent loan combinations have no matching requirement. In addition, applicants for 100 percent grants for Alaskan Native corporations, Tribal governments, colonias, persistent poverty areas, and socially vulnerable communities have no match requirement if they meet one of the following criteria:

- i. Alaska Native Corporations may submit applications to provide service on land owned by the corporation.
- ii. Tribal Governments may submit applications to provide service on: Tribal Lands as defined in the notice; lands subject to restrictions on alienation imposed by the United States on Indian Lands; or land that they own, provide services to, or administer. Applicants must submit documentation supporting land ownership, services, or administration.

³⁰ The NOFO for FY24 specifies that the costs associated with satisfying environmental review requirements are eligible for reimbursement as pre-application expenses. Up to 3 percent of the requested award funds can be used for this purpose and will count as part of the overall 5 percent that is allowable for pre-application expenses.

³¹ Eligible cost requirements are outlined in 7 CFR 1740.12; <https://www.ecfr.gov/current/title-7/subtitle-B/chapter-XVII/part-1740/subpart-B/section-1740.12>.

- iii. Projects where 75 percent of the applicant's PFSA(s) are located in areas recognized as Colonia as of October 1, 1989. Colonias are identified using the GIS layer (Colonia Areas) in the RUS mapping tool located at: usda.gov/reconnect.
- iv. Projects where 75 percent of the applicant's PFSA(s) is located in persistent poverty counties.
- v. Projects where 75 percent of the area of an applicant's PFSA(s) consists of Socially Vulnerable Communities identified on the GIS layer (Socially Vulnerable Communities) included in the RUS mapping tool located at: usda.gov/reconnect.

Funding Resources

Round one of the program awarded more than \$607 million. Round two awarded more than \$801 million. USDA made \$1.66 billion in awards for round three. Round four of funding opened on September 6, 2022, and closed approximately 60 days later on November 2, 2022, with approximately \$1.72 billion in awards announced as of February 2024.³²

Round five was announced on February 21, 2024, with the following funding amounts:

- i. Up to \$200 million for 100 percent loans
- ii. Up to \$100 million for loans and \$100 million for grants for 50 percent loan/50 percent grant combinations (loan and grant amounts will always be equal)
- iii. Up to \$150 million for 100 percent grants (these have a matching requirement)
- iv. Up to \$150 million for 100 Percent Grant for Alaska Native Corporations, Tribal Governments, Colonias, Persistent Poverty Areas and Socially Vulnerable Communities (these do not require a match)
- v. For a total of up to \$400 million in grants and \$300 million in loans

To ensure that rural households that need internet service can afford it, all awardees are required to apply to participate in the Affordable Connectivity Program (ACP) before award funds are disbursed if additional funding is appropriated by Congress to continue the program, or any successor program. This requirement will also apply to any successor program to the ACP.

Example Awardee

In 2023, the Peñasco Valley Telephone (PVT) Cooperative was awarded a \$13.9 million grant to deploy a fiber-to-the-premises network to provide high-speed internet access to 550 people, 48 farms, and 11 businesses in Chaves, Eddy, Otero, and Lincoln Counties. Two other New Mexico

³² <https://www.usda.gov/reconnect>, at Program Awardees (accessed February 14, 2024).

companies also received award announcements on the same day: the Western New Mexico Telephone Company and the E.N.M.R. Telephone Cooperative.³³

Key Application Deadlines

Beginning on March 22, 2024, applications can be submitted through the RUS online application portal at [usda.gov/reconnect](https://www.usda.gov/reconnect) until 11:59 a.m. Eastern on April 22, 2024. Late or incomplete applications will not be accepted.

Key Links

- Program overview:

<https://www.usda.gov/reconnect/program-overview>

- Application guide:

https://www.rd.usda.gov/files/ReConnect_Program_Application_Guide.pdf

Program Contact

For general inquiries regarding the ReConnect Program, contact Laurel Leverrier, Assistant Administrator, Telecommunications Program, Rural Utilities Service, USDA (laurel.leverrier@usda.gov or 202-720-9554).

4.2 Community Connect Program

The USDA gives priority for Community Connect grants to areas demonstrating “economic necessity.” The application process is rigorous and competitive (with awards given to only 10 percent of applicants) and once awarded, program requirements are demanding (e.g., requiring last-mile service for all households in the service area).

Nature of Award

Grant

Eligible Entities

Awards can be given to both public and private entities. Eligible applicants for broadband grants include incorporated organizations, federally recognized Tribes, state or local units of government, or cooperatives, private corporations, and limited liability companies organized on a for-profit or not-for-profit basis. Individuals or partnerships are not eligible.

³³ “Biden-Harris Administration Invests \$40 Million to Bring High-Speed Internet to People in Rural New Mexico,” USDA, April 3, 2023, <https://www.usda.gov/media/press-releases/2023/04/03/biden-harris-administration-invests-40-million-bring-high-speed>.

Eligible Areas

Funding is geographically limited to rural areas that lack any existing broadband speed of at least 10 Mbps downstream and 1 Mbps upstream. Areas within a Proposed Funded Service Area that have received federal funding to construct terrestrial broadband facilities that deliver speeds of at least 10/1 Mbps will be considered ineligible.

These requirements were established by a notice of correction published by the USDA Rural Utilities Service (RUS) in the Federal Register on December 19, 2023, which revised the program NOFO for FY23 issued on March 20, 2023, to ensure program administration is compliant with the Agriculture Improvement Act of 2018 (2018 Farm Bill).³⁴

Eligible Costs

Eligible projects must offer broadband transmission service providing speeds of 100/20 Mbps to both residential and business customers within the proposed service area. Eligible projects must also provide 100/20 Mbps service to each essential community facility (ECF)³⁵ in the proposed service area, free of charges, for two years from the time service becomes available to each ECF; and provide a community center in the proposed service area with at least two (but not more than 10) computer access points and 100/20 Mbps wireless access, free of charges, for two years.³⁶ Eligible projects may improve, expand, construct,³⁷ or acquire a community center but only 10 percent of the grant or \$150,000 can be used for this purpose (the cost of providing computer access points is not included in this limitation).

Funding Availability

Awards range considerably in size, from \$100,000 to \$3 million.

Cost-Sharing Requirement

Eligible entities must provide a matching contribution in cash representing 15 percent of the total project cost. This match cannot be made with federal funds.

Funding Resources

The USDA announced \$79 million in funds available for FY23. The application window initially opened in April 2023 with an application deadline of June 20, 2023. However, the correction notice issued by RUS on December 19, 2023—which requires entities who applied during the original window to resubmit their applications to remain in consideration for funding³⁸—

³⁴ <https://www.govinfo.gov/content/pkg/FR-2023-12-19/pdf/2023-27813.pdf>.

³⁵ As defined in 7 CFR 3570.53.

³⁶ Must be open and accessible to the public before, during, and after normal working hours and on Saturdays or Sundays.

³⁷ If constructed with grant funding, the community center must reside on property owned by the applicant.

³⁸ <https://www.rd.usda.gov/media/file/download/usda-rd-rd-rus-508-communityconnectcorrectionnoticeandfags-v2.pdf>.

extended the deadline, opening an application window on December 19, 2023, that closes on February 20, 2024.

Application Guidance

- Start early. The application requires significant effort. Many applicants start work a year prior to the application window opening.

Signing up for account access for USDA's application system requires a Level II eAuthorization, a process that can take up to a month.³⁹ It is important to begin the process to sign up for an account as soon as possible. By September 2024, however, USDA expects to transition all users to Login.gov.⁴⁰

- Community engagement is critical. Stakeholder involvement accounts for 40 percent of the scoring. Include a list of participating Essential Community Facilities.
- Maps may be drawn in the Community Connect portal or submitted as shape files.

Key Links

- Community Connect Program Correction Notice FAQs:
<https://www.rd.usda.gov/media/file/download/usda-rd-rd-rus-508-communityconnectcorrectionnoticeandfaqs-v2.pdf>
- Program website:
<https://www.rd.usda.gov/community-connect>
- Program application guide:
<https://www.rd.usda.gov/media/file/download/ccapplicationguidefy23.pdf>
- Basic background:
<https://www.rd.usda.gov/programs-services/telecommunications-programs/community-connect-grants>
- FY23 extended application window program presentation:
<https://www.rd.usda.gov/media/file/download/usda-rd-cc-presentation-2023-extended-window.pdf>

³⁹ Learn more here: <https://www.eauth.usda.gov/home/>.

⁴⁰ Learn more here: <https://www.eauth.usda.gov/eauth/b/usda/faq>.

Program Contact

Long Chen and Janet Malaki (community.connect@wdc.usda.gov or 202-690-4673)

Ken Kuchno (Kenneth.kuchno@wdc.usda.gov or 202-690-4673)

4.3 Distance Learning and Telemedicine

Grants for this program are given for equipment, rather than broadband service; however, this may provide a good way for a utility to leverage a new broadband network (e.g., by helping finance video conferencing systems and home medical units). As such, this could be a good supplement to other funding options. Applicants have a fairly high likelihood (70 percent) of receiving an award.

Grants are available for projects that “meet the educational and health care needs of rural America.”

Nature of Award

Grant

Eligible Entities

Funds can be awarded to both public and private entities (including corporations or partnerships, Tribes, state or local units of government, consortia, and private for-profit or not-for-profit corporations), assuming they provide the requisite services. Individuals are not eligible. Grantees must provide education and medical care via telecommunications. Eligible entities must either directly operate a rural community facility or deliver distance learning or telemedicine services to entities that operate a rural community facility or to residents of rural areas.

The scoring criteria for FY24 award special consideration points to projects that are proposed by Tribal entities or enable and improve distance learning and telemedicine services on Tribal lands.⁴¹

Eligible Areas

Rural areas with populations of fewer than 20,000 residents.

Eligible Costs

Eligible costs include equipment, but not broadband service. Eligible projects vary and can include capital assets (e.g., interactive video equipment, data terminal equipment, inside wiring, etc.), instructional programming that is a capital asset, and technical assistance and instruction. Grants

⁴¹ See, <https://www.rd.usda.gov/media/file/download/usda-rd-dlt-app-guide-fy2024-02292024.pdf>, pages 21-22.

are awarded for projects where the benefit is primarily delivered to end users that are not at the same location as the source of the education or health care service.

Funding Availability

Grant awards range from \$50,000 (minimum) to \$1 million (maximum). Roughly 70 percent of applicants are awarded grants.

Cost-Sharing Requirement

The grant program requires a 15 percent match that cannot be made with federal funds. Eligible entities may match funding through “in kind” contributions of eligible new or non-depreciated assets that are integral to the proposed project.

Funding Resources

The USDA estimates that there will be approximately \$60 million available in FY24.

Key Application Deadlines

Applications for FY24 are due no later than April 29, 2024, and must be submitted electronically via [grants.gov](https://www.usda.gov/grants). Notice of solicitation of applications was posted on February 29, 2024.

Key Links

- Program website:
<https://www.rd.usda.gov/programs-services/distance-learning-telemedicine-grants>
- FY24 application guide:
<https://www.rd.usda.gov/media/file/download/usda-rd-dlt-app-guide-fy2024-02292024.pdf>
- Funding opportunity announcement:
<https://www.rd.usda.gov/sites/default/files/usda-rd-dlt-nosa-fr-02292024.pdf>
- Map of recently funded areas:
<https://ruraldevelopment.maps.arcgis.com/apps/webappviewer/index.html?id=15a73830555645ae93d2fa773ed8e971>

4.4 Telecommunications Infrastructure Loans

USDA provides loans to support broadband in rural communities. Loans are limited to telephone companies serving rural areas and towns of 5,000 or fewer inhabitants.

The Telecommunications Infrastructure program “provides financing for the construction, maintenance, improvement and expansion of telephone service and broadband in rural areas.”⁴² The loans are intended to provide advanced telecommunications networks for rural areas, especially broadband networks designed to accommodate distance learning, telework and telemedicine.

Nature of Award

Low-interest loans

Awards include cost-of-money loans (fixed rate at current U.S. Treasury rate), guaranteed loans (interest rates are Treasury rate plus 1/8 percent; historically between 0.15 and 4.2 percent), and hardship loans (5 percent interest).

Eligible Entities

Eligible entities are entities providing telephone service in rural areas; public bodies providing telephone service in rural areas as of 1949; and cooperative, nonprofit, limited dividend, or mutual associations. All borrowers must be an incorporated or a limited liability company.

Eligible Areas

Eligible areas are rural areas, defined for this program as an area not included within the boundaries of any city, village, or borough (incorporated or unincorporated) with a population greater than 5,000. Areas without telecommunications facilities or areas where the applicant is the recognized telecommunications provider are eligible.

Eligible Costs

Loans can be used to finance telecommunications in rural areas for improvements, expansions, construction, acquisitions, and refinancing.

Funding Availability

\$50,000 is the minimum loan award. The maximum is unclear, though as of June 2011, Triangle Telecom had received \$136 million over the course of a decade.

Funding Resources

The budget for this program has not yet been published for this fiscal year. For historical context, in FY21, the program budget was \$690 million.

Key Application Deadlines

Eligible entities can submit applications year-round.

⁴² <https://www.rd.usda.gov/programs-services/telecommunications-programs/telecommunications-infrastructure-loans-loan-guarantees>.

Application Guidance

- USDA accepts applications through its online system at:⁴³
<https://reconnect-apply.rd.usda.gov/>.
- Signing up for account access for USDA's application system requires a Level II eAuthorization, a process that can take up to a month.⁴⁴ It is important to begin the process to sign up for an account as soon as possible. By September 2024, however, USDA expects to transition all users to Login.gov.⁴⁵
- Contact your local General Field Representative (GFR) to confirm that you have the most current information and to ensure a complete and eligible application prior to submission. GFRs are listed here: <https://www.rd.usda.gov/contact-us/telecom-gfr>.

Key Links

- Program website:
<https://www.rd.usda.gov/programs-services/telecommunications-infrastructure-loans-loan-guarantees>
- Program fact sheet:
rd.usda.gov/sites/default/files/fact-sheet/508_RD_FS_RUS_TelecommunicationsLoan.pdf

4.5 Rural Business Development Grants Program

The USDA Rural Business Development Grants Program provides technical assistance and training for small businesses (businesses with fewer than 50 workers and under \$1 million in gross revenue) in rural areas.

Nature of Award

Grant

Eligible Entities

This program may fund rural, public entities. Eligible applicants for this program include towns, state agencies, authorities, nonprofit corporations, institutions of higher education, federally

⁴³ USDA began migrating this program's online application system in November 2023 from RD Apply to the application intake (Intake) system used by ReConnect applicants. USDA encourages entities applying after calendar year 2023 to use the Intake system linked above.

⁴⁴ Learn more here: <https://www.eauth.usda.gov/home/>.

⁴⁵ Learn more here: <https://www.eauth.usda.gov/eauth/b/usda/faq>.

recognized Tribes, and rural cooperatives (only if organized as a private, nonprofit corporation). Individuals or partnerships are not eligible.

Eligible Areas

To be eligible for the USDA Rural Business Development Grants Program, service areas must be “rural areas or towns outside the urbanized periphery of any city with a population of 50,000 or more.”⁴⁶ However, applicants for Opportunity Grants (which focus on the economic development of rural communities as a whole) do not need to be located in such areas themselves.

Eligible Costs

Award funds must be used to benefit small and emerging rural businesses. For Enterprise Grants (which directly benefit small and emerging businesses in rural areas), specific uses include training and technical assistance, acquisition or development of land, job training and advancement, and community economic development. A full list of eligible costs is available on the program website: <https://www.rd.usda.gov/programs-services/business-programs/rural-business-development-grants>.

Funding Availability

Awards range considerably in size and are generally between \$10,000 and \$500,000. There is no maximum grant amount, though smaller requests receive higher priority. Opportunity Grant funding cannot be greater than 10 percent of the annual USDA Rural Broadband Development Program funding.

Cost-Sharing Requirement

None

Funding Resources

USDA expects approximately \$37 million in funding will be available for FY24, based on the funding appropriated for FY23.⁴⁷ For background purposes, in 2018, \$34 million of funding was available for the USDA Rural Business Development Program. This number increased to \$35 million in 2019 and further increased to \$37 million in 2020.

Key Application Deadlines

USDA state offices manage this program, and each sets its own deadlines for the program. Applications for FY24 must be received by February 28, 2024, and submitted to the office in the

⁴⁶ <https://www.rd.usda.gov/programs-services/business-programs/rural-business-development-grants>.

⁴⁷ <https://www.govinfo.gov/content/pkg/FR-2023-12-04/pdf/2023-26562.pdf>.

state in which the project is located. Updates on application deadlines are available through <https://www.rd.usda.gov/programs-services/rural-business-development-grants>.

Find information on the New Mexico state office at <https://www.rd.usda.gov/nm>.

Key Links

- Notice of Solicitation of Applications for FY24:
<https://www.govinfo.gov/content/pkg/FR-2023-12-04/pdf/2023-26562.pdf>
- Program website:
<https://www.rd.usda.gov/programs-services/rural-business-development-grants>
- Program eligibility:
<https://eligibility.sc.egov.usda.gov/eligibility/welcomeAction.do>

Program Contact

Kathy Barrett, RBDG Coordinator and Loan Specialist (kathy.a.barrett@usda.gov or 575-208-3324)

Additional contacts are listed on the program website: <https://www.rd.usda.gov/programs-services/business-programs/rural-business-development-grants/nm#contact>.

4.6 Rural Economic Development Loan and Grant Programs

The Rural Economic Development Loan and Grant programs provide funding for rural projects through local utility organizations. USDA provides zero-interest loans to local utilities to use as a revolving loan fund, which they pass through to local businesses for projects that will create and retain employment in rural areas.

Nature of Award

USDA provides grants to organizations, which use the funding to establish Revolving Loan Funds (RLF). Loans are made from these revolving loan funds to projects that will create or retain rural jobs. When the revolving loan fund is terminated, the grant is repaid to USDA by the organization that was primarily awarded funds.

Eligible Entities

A former Rural Utilities Service borrower who borrowed, repaid, or pre-paid an insured, direct, or guaranteed loan under the Rural Electrification Act; nonprofit utilities that are eligible to

receive assistance from the Rural Development Electric or Telecommunications Programs; and current Rural Development Electric or Telecommunications Programs borrowers.

Eligible Areas

Loan funds must be used for projects in rural areas or towns with a population of fewer than 50,000 residents.

Eligible Costs

Eligible projects include business incubators, community development assistance to nonprofits and public bodies for job creation and enhancement, facilities and equipment to train rural residents to facilitate economic development, facilities and equipment for medical care for rural residents, startup venture costs including equipment, business expansion, and technical assistance. Up to 10 percent of grant funds may be applied toward operating expenses of the Revolving Loan Fund.

Cost Sharing Requirement

Local subawardees must provide 20 percent matching funds to receive a loan from the program awardee. Initial loans are at zero percent interest and repayment may be deferred for up to two years.

Funding Resources

USDA has estimated that there will be approximately \$90 million in available funding for FY2024.

Up to \$300,000 in grants can be requested to establish a revolving loan fund and 10 percent of the grant funds can be used for operating costs during the life of the funds. Applicants may request up to \$2 million in loans to use as a pool of funds to lend out to local applicants.

Key Links

Program overview:

- <https://www.rd.usda.gov/programs-services/business-programs/rural-economic-development-loan-grant-program>

Program Contact

New Mexico State Office, USDA Rural Development: <https://www.rd.usda.gov/nm>

505-761-4950

100 Sun Avenue NE, Suite 130

Albuquerque, NM 87109

Patricia Dominguez, State Director, USDA Rural Development (patricia.dominguez@usda.gov or 505-761-4950)

4.7 Community Facilities Direct Loan and Grant Program

The Community Facilities Direct Loan and Grant program provides funding loans and grants for the construction and improvement of connectivity to essential community facilities located in rural areas.

Nature of Award

USDA provides grants and loans to purchase, construct, and/or connect essential community facilities, purchase equipment, and pay for project expenses. Essential facilities may include, for example, community anchor institutions, health care facilities, educational providers, childcare centers, public facilities, utility services such as equipment for distance learning, community support centers, and local food systems such as food banks and community gardens.⁴⁸

Eligible Entities

Public bodies, community-based nonprofit corporations, and federally recognized Tribes.

Eligible Areas

Rural areas including cities, villages, townships, and towns including federally recognized Tribal Lands with no more than 20,000 residents according to the latest U.S. Census Data.

Eligible Costs

The purchase, construction, and improvement of essential community facilities, the purchase of equipment, and related project expenses. Utility services such as telemedicine or distance learning equipment are considered eligible for essential community facilities.

Cost Sharing Requirement

None.

Funding Resources

Grants, low interest loans, and combinations of the two are available.

Funding Priorities

Priority in the rating system is given to predominately low-income communities, and rural communities with populations of less than 5,500 people.

Key Links

Program overview:

⁴⁸ The complete list of facilities eligible for loans is presented in Code of Federal Regulations 7 CFR, Part 1942.17(d), <https://www.ecfr.gov/current/title-7/subtitle-B/chapter-XVIII/subchapter-H/part-1942>; and the list of facilities eligible for grants is presented in 7 CFR, Part 3570.62, <https://www.ecfr.gov/current/title-7/subtitle-B/chapter-XXXV/part-3570>.

- <https://www.rd.usda.gov/programs-services/community-facilities/community-facilities-direct-loan-grant-program>

Application guide:

- https://www.rd.usda.gov/files/508_RD_RHS_CF_DirectLoanGuidanceBook_090919.pdf

Program Contact

New Mexico State Office, USDA Rural Development: <https://www.rd.usda.gov/nm>

505-761-4950

100 Sun Avenue NE, Suite 130

Albuquerque, NM 87109

Patricia Dominguez, State Director, USDA Rural Development (patricia.dominguez@usda.gov or 505-761-4950)

5 U.S. Department of the Interior, Bureau of Indian Affairs

5.1 National Tribal Broadband Grant

This program provides grant funding to hire consultants to perform feasibility studies for broadband deployment, with the goal of supporting informed decisions about broadband planning and ultimately improving quality of life by encouraging the availability of broadband services.

Nature of Award

Grant

Eligible Entities

This program may fund federally recognized Tribes.

Eligible Projects

Awards can be used to conduct a broadband feasibility study for any federally recognized Tribe. Applications are evaluated based on four criteria:

1. Community impact potential: How broadband will improve the community's quality of life
2. Need: The applicant's lack of ability to conduct the work without a grant
3. Project location in an Opportunity Zone
4. Authenticity: Applications should demonstrate a partnership between the applicant and the entity that will conduct the work.

Eligible Costs

Feasibility studies funded by this program can include the following elements:

- Assessment of current broadband services
- Engineering assessment of new broadband services
- Cost estimate for building new or expanding existing services
- Identification of potential funding or financing for a network
- Risk assessment
- Determination of transmission mediums to be deployed

Eligible feasibility studies are conducted by a third-party entity. Applicants may work with a variety of entities, including but not limited to universities and colleges, private consulting firms, and nonprofits, to perform eligible services.

Awards may not be used for indirect or administrative costs, creation of new jobs, equipment, training, legal fees, or any other activities not authorized by the grant award letter.

Funding Availability

Awards range from \$100,000 to \$175,000. The Office of Indian Economic Development awarded 31 grants in that range for FY20.

Cost-Sharing Requirement

None

Funding Resources

The Office of Indian Economic Development awarded \$2,700,000 in grants to 18 Tribes and Tribal organizations in 2023.⁴⁹

Key Links

- Program website:

<https://www.bia.gov/service/grants/ntbg>

- Previously funded projects:

<https://www.bia.gov/service/grants/ntbg/past-funded-ntbg-grant-projects>

Program Contact

Dennis Wilson, Division of Economic Development Grants Manager, Office of Indian Economic Development (dennis.wilson@bia.gov or 505-917-3235)

⁴⁹ <https://www.bia.gov/news/indian-affairs-awarding-27-million-tribal-broadband-grants>.

6 U.S. Department of the Treasury

6.1 New Markets Tax Credit

The New Markets Tax Credit (NMTC) may provide a source of revenue for broadband investments; however, to qualify, the applicant must identify a Community Development Entity (CDE) that has an available NMTC allocation and is willing to invest in the project. Moreover, projects must be located in low-income communities (defined below). Even if the applicant can identify a qualifying CDE and a low-income community, the credits are very competitive. Recipients of NMTC financing typically receive favorable terms and conditions on a loan from a CDE (e.g., allowing them to offset up to 39 percent of the cost of the project investment over seven years). Notably, while broadband is consistent with the program mission, only one broadband project appears to have received NMTC funding. The government has expressed an interest in shifting the focus away from real estate, however, which may make broadband projects more desirable going forward.

Nature of Award

The program provides an NMTC allocation to qualifying CDEs. Once a CDE receives an allocation, it can secure investors to make Qualified Equity Investments (QEI) in exchange for the credit. The investors claim a 39 percent tax credit over seven years, 5 percent annually for the first three years and 6 percent in years four to seven. Having secured this investment, CDEs can then offer preferential rates and terms to developers in low-income communities.

Eligible Entities

The NMTC program permits individual and corporate taxpayers to receive a credit against federal income taxes for making QEIs in CDEs, which serve as investment intermediaries. CDEs then use the proceeds that they raise from QEIs to make Qualified Low-Income Community Investments into businesses in qualified communities. CDEs are typically nonprofits, government entities, and others who provide subsidized financing, whose primary mission is to benefit low-income households. Thus, a utility could receive the credit as a CDE, raise cash representing the value of the credit from investors, and then pass the investment to a developer who would receive a loan with below-market terms and conditions to deploy broadband in a low-income community. The CDE must first apply to the Community Development Financial Institutions Fund within the Department of Treasury for allocation awards. Efforts are made to support rural communities, with nearly 20 percent of NMTC investments going to rural communities through the course of the program.

Eligible Areas

Projects invested in by CDEs receiving NMTCs must primarily benefit a Low Income Community (LIC), defined as any population census tract where the poverty rate for such tract is at least 20 percent or, in the case of a tract not located within a metropolitan area, median family income

for such tract does not exceed 80 percent of statewide median family income, or in the case of a tract located within a metropolitan area, the median family income for such tract does not exceed 80 percent of the greater of statewide median family income or the metropolitan area median family income. At least 85 percent of the investment must be made in a low-income community.

Eligible Costs

While “substantially all” (85 percent or more) of a CDE’s investments must be targeted to the low-income service area identified by the CDE, there is significant flexibility in the types of businesses and development activities that NMTC investments support—including community facilities such as child care or health care facilities and charter schools, manufacturing facilities, for-profit and nonprofit businesses, and home-ownership projects. In 2011, an NMTC award was used to support a [broadband project in rural Alaska](#).

Typical Award

Under IRC §45D(a)(2), NMTC investors claim a 39 percent tax credit over seven years, 5 percent annually for the first three years and 6 percent in years four to seven. Thus, if a CDE receives a \$2 million NMTC allocation, an investor can claim a NMTC equal to 39 percent of \$2 million (or \$780,000). In essence, an investor in the NMTC program gets 39 cents in tax credits during the seven-year credit period for every dollar invested and designated as a QEI. These benefits, in turn, are transferred to developers who receive loans with below market-rate terms and conditions for their activities. Beginning in 2002, there have been several NMTC allocation rounds, including in every year from 2017 forward.

As of August 2019, the CDFI Fund had made a total of 1,178 NMTC allocation awards totaling \$57.5 billion in allocation authority, reflecting a 30 percent applicant award rate since the program’s inception.⁵⁰

Cost-Sharing Requirement

Technically there is no cost-share, although the tax credit merely offsets expenses (so recipients are still responsible for 61 percent of project costs).

Funding Resources

The credit allocation for this year has not yet been published. For calendar year 2023 (CY23), \$5 billion in credits were allocated for the program.⁵¹

Key Application Deadlines

The funding window for new applicants is initiated with a Notice of Allocation Authority in the Federal Register and collected for several months. The credit then applies for a seven-year cycle,

⁵⁰ <https://www.cdfifund.gov/Documents/2019%20Introduction%20to%20the%20NMTC%20Program-Final.pdf>.

⁵¹ <https://www.cdfifund.gov/news/548>.

which begins on the date the Qualifying Equity Investment is initially made. The 2023 application cycle opened in October 2023 and closed in December 2023. Awards for that cycle will be announced in fall 2024.⁵² No new program details have been announced as of the date of this guidebook.

Key Links

- Background information (from IRS):
<http://www.irs.gov/pub/irs-utl/atgnmtc.pdf>
- Introduction to the New Markets Tax Credit Program:
https://www.cdfifund.gov/sites/cdfi/files/documents/2020-introduction-to-the-nmtc-program_final.pdf
- Program fact sheet:
https://www.cdfifund.gov/sites/cdfi/files/2022-11/New_Markets_Tax_Credit_Program_FactSheet.pdf
- Program page:
<https://www.cdfifund.gov/programs-training/programs/new-markets-tax-credit>

Program Contact

New Market Tax Credit Coalition (Paul Anderson) (paul@rapoza.org or 202-393-5225)

6.2 Capital Projects Fund

The Capital Projects Fund is intended to invest capital assets to directly enable work, education, and health monitoring, particularly responding to critical needs in the community made apparent or exacerbated by the COVID public health emergency. This includes broadband infrastructure that can enable high-quality, affordable broadband Internet connections.

Nature of Award

Grants

Eligible Entities

This project may fund states, territories, and freely associated states, and Tribal governments.

⁵² <https://www.cdfifund.gov/programs-training/programs/new-markets-tax-credit>.

Eligible Costs

Eligible costs include Broadband Infrastructure Projects and Digital Connectivity Technology Projects (i.e., the purchase and installation of devices and equipment). Applicants may propose different uses of funds, which will be reviewed on a case-by-case basis.

Funding Resources

Congress allocated \$9.8 billion in Capital Projects Funds to states, the District of Columbia, and Puerto Rico, \$100 million to territories and freely associated states, and \$100 million to Tribal governments, for \$10 billion allocated in total.

New Mexico was awarded approximately \$117 million in CPF funding in December 2022,⁵³ which the state used to establish the Connect New Mexico Pilot Program to provide infrastructure grants for broadband deployment to unserved and underserved communities across New Mexico.⁵⁴

Key Application Deadlines

The project is currently making awards to all states, territories, and Tribal governments with no additional funding cycles announced.

Key Links

- Program website:
<https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/capital-projects-fund>
- Supplementary Broadband Guidance:
<https://home.treasury.gov/system/files/136/SLFRF-and-CPF-Supplementary-Broadband-Guidance.pdf>

6.3 Local Assistance and Tribal Consistency Fund

Nature of Award

Allocated payments

Eligible Entities

Eligible revenue sharing counties and eligible Tribal governments, defined as follows.

⁵³ <https://home.treasury.gov/news/press-releases/jy1152>.

⁵⁴ See, <https://connect.nm.gov/obae-funding-opportunities.html>.

Eligible counties include “any county, parish, or borough

- i. that is independent of any other unit of local government; and
- ii. that is the principal provider of government services for the area within its jurisdiction; and
- iii. for which there is a negative revenue impact due to implementation of a Federal program or changes to such program.”⁵⁵

The District of Columbia, the Commonwealth of Puerto Rico, Guam, and the United States Virgin Islands are also eligible.

“An eligible Tribal government is the recognized governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of enactment of the American Rescue Plan pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 1531).”⁵⁶

Funding was also made available for eligible revenue sharing consolidated governments (i.e., a county, parish, or borough classified as “an active government consolidated with another government”) for FY23 and FY24;⁵⁷ this funding was not allocated to any entities in New Mexico.⁵⁸

Eligible Costs

“Recipients may use funds for any governmental purpose other than a lobbying activity.” They “may treat these funds similarly to funds generated from their own revenue. Programs, services, and capital expenditures traditionally undertaken by a government are considered to fulfill a “governmental purpose.” “For Tribal governments, investing in activities undertaken by Tribal enterprises, such as operating or capital expenditures for businesses that are owned or controlled by a Tribal government, are considered a governmental purpose.”⁵⁹ Refer to the Local Assistance and Tribal Consistency Fund guidance document for more detailed information:

⁵⁵ <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/local-assistance-and-tribal-consistency-fund>.

⁵⁶ <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/local-assistance-and-tribal-consistency-fund>.

⁵⁷ <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/local-assistance-and-tribal-consistency-fund>.

⁵⁸ <https://home.treasury.gov/system/files/136/Local-Assistance-Tribal-Consistency-Fund-Allocations-Eligible-Revenue-Sharing-Consolidated-Governments.pdf>.

⁵⁹ <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/local-assistance-and-tribal-consistency-fund>.

https://home.treasury.gov/system/files/136/Local-Assistance-Tribal-Consistency-Fund-Guidance_202302.pdf.

Funding Resources

The American Rescue Plan appropriated \$2 billion to Treasury across fiscal years 2022 and 2023 to provide payments to eligible revenue sharing counties and eligible Tribal governments for use on any governmental purpose except for a lobbying activity. Specifically, the American Rescue Plan reserves \$250 million to allocate and pay to eligible Tribal governments for each of fiscal years 2022 and 2023, and reserves \$750 million to allocate and pay to eligible revenue sharing counties for each of fiscal years 2022 and 2023. Additionally, Section 103 of Division LL of the Consolidated Appropriations Act, 2023 made additional funding available across fiscal years 2023 and 2024 for payments to eligible revenue sharing consolidated governments. Treasury determined the total allocation for eligible revenue sharing consolidated governments to be approximately \$10.5 million, approximately \$5.3 million reserved for each of fiscal years 2023 and 2024. Under this program, recipients have broad discretion on uses of funds, similar to how they may use funds generated from their own revenue sources.⁶⁰

Key Application Deadlines

- January 31, 2024: Eligible revenue sharing counties must request the second tranche payment by this date (first tranche payments were made available beginning on September 29, 2022).
- April 28, 2023: Eligible Tribal governments were required to request first tranche funding by this date to be eligible for both tranches of funding. Second tranche funding is available for Tribal governments as of February 2024.

Application Guidance

Eligible Tribal governments may review their allocation and request payment through the Treasury Submission Portal: <https://portal.treasury.gov/cares/s/slt>. They must complete payment information, sign program terms and conditions, and submit a certification related to the Tribe's economic conditions.

Eligible revenue sharing counties may review their allocation and request payment through the Treasury Submission Portal: <https://portal.treasury.gov/cares/s/slt>. They must complete payment information and sign program terms and conditions.

⁶⁰ <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/local-assistance-and-tribal-consistency-fund>.

Additional information is provided in the following guidance document:

https://home.treasury.gov/system/files/136/Local-Assistance-Tribal-Consistency-Fund-Guidance_202302.pdf.

Key Links

- Program website:

<https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/local-assistance-and-tribal-consistency-fund>

- Fund allocations for eligible revenue sharing counties:

<https://home.treasury.gov/system/files/136/LATCF-Allocations-for-Eligible-Revenue-Sharing-County-Governments.pdf>

- Allocation methodology for Tribal governments:

<https://home.treasury.gov/system/files/136/605-LATCF-Allocation-Methodology-Summary.pdf>

7 U.S. Department of Homeland Security, Federal Emergency Management Agency

The Department of Homeland Security was established in 2002, combining 22 different federal departments and agencies into a unified, integrated Cabinet agency.⁶¹ The Federal Emergency Management Agency (FEMA) is one of the 22 component agencies of DHS.

7.1 Homeland Security Grant Program

FEMA's Homeland Security Grant Program supports three interconnected grants that are intended to enhance national preparedness capabilities: The State Homeland Security Program (SHSP), the Urban Areas Security Initiative (UASI), and Operation Stonegarden (OPSG). Of these, SHSP and UASI hold the greatest promise for funding connectivity initiatives. SHSP in particular presents the most opportunity for rural connectivity projects.

7.1.1 State Homeland Security Program and Urban Areas Security Initiative

The State Homeland Security Program (SHSP) and Urban Areas Security Initiative (UASI) are intended to support the implementation of State Homeland Security Strategies to address the identified planning, organization, equipment, training, and exercise needs at the state and local levels to prevent, protect against, respond to, and recover from acts of terrorism and other catastrophic events.

Eligible Entities

The only entity eligible to submit applications is the State Administrative Agency, which applies for grants through each program separately, and then distributes funding within the state and to high-risk urban areas designated for UASI funding.

Eligible Costs

Federal funds made available through this award may be used for the purpose set forth in the NOFO,⁶² the Preparedness Grants Manual,⁶³ and the terms and conditions of the award and must be consistent with the statutory authority for the award.⁶⁴

Based on an assessment of the national risk profile, FEMA set six National Priority Areas for the SHSP and UASI programs for FY23. Awardees must allocate 30 percent of their funding across

⁶¹ <https://www.dhs.gov/history>; <https://www.dhs.gov/who-joined-dhs>.

⁶² <https://www.fema.gov/grants/preparedness/homeland-security/fy-23-nofo>; see “14. Funding Restrictions and Allowable Costs” in the NOFO.

⁶³ https://www.fema.gov/sites/default/files/documents/fema_gpd-fy-23-preparedness-grants-manual.pdf.

⁶⁴ Award funds may not be used for matching funds for any other federal awards, lobbying, or intervention in federal regulatory or adjudicatory proceedings. In addition, federal funds may not be used to sue the Federal Government or any other government entity.

these six areas, with the following minimum spend requirements for each as a percentage of total funds:

1. “Enhancing the protection of soft targets/crowded places – 3%
2. Enhancing information and intelligence sharing and analysis – 3%
3. Combating domestic violent extremism – 3%
4. Enhancing cybersecurity – no minimum percent
5. Enhancing community preparedness and resilience – 3%
6. Enhancing election security – 3%”⁶⁵

States and high-risk urban areas must allocate the remainder of their funding (70 percent) to address capability gaps identified through their Threat and Hazard Identification and Risk Assessment (THIRA) and Stakeholder Preparedness Review (SPR) process.⁶⁶

In addressing capability gaps and the national priorities, FEMA identifies the following enduring and cross-cutting security needs which awardees should consider allocating funding:

1. Effective planning
2. Training and awareness campaigns
3. Equipment and capital projects
4. Exercises

Funding Availability

Target allocation ranges are set for each state, territory, and eligible urban area. These ranges can be found on the program website and in the NOFO. New Mexico was allocated \$4,847,500 in SHSP funding for FY23; UASI funding was not allocated to any urban areas in New Mexico for FY23.

Cost Sharing Requirement

None.

Funding Resources

Funding amounts for FY23 total \$1.12 billion; \$415 million was allocated to SHSP and \$615 million was allocated to UASI.

⁶⁵ <https://www.fema.gov/grants/preparedness/homeland-security/fy-23-nofo>.

⁶⁶ SHSP and UASI recipients are required to complete a THIRA/SPR. Details on THIRA/SPR deadlines can be found in the Preparedness Grants Manual; https://www.fema.gov/sites/default/files/documents/fema_gpd-fy-23-preparedness-grants-manual.pdf.

Key Application Deadlines

Applications for FY23 became available on February 27, 2023, and were due no later than May 18, 2023.

Key Links

- Summary of all HSGP programs:
<https://www.fema.gov/grants/preparedness/homeland-security>
- Frequently Asked Questions addressing all HSGP programs:
<https://www.fema.gov/grants/preparedness/homeland-security/fy-23-faqs>
- HSGP fact sheet:
<https://www.fema.gov/grants/preparedness/homeland-security/fy-23-fact-sheet>

Program Contact

Valli Wasp, New Mexico Department of Homeland Security & Emergency Management
(valli.wasp1@dhsem.nm.gov or 505-231-4995)

The full list of State Administrative Agency contacts can be found here:

<https://www.fema.gov/grants/preparedness/about/state-administrative-agency-contacts>.

7.1.2 Operation Stonegarden

Operation Stonegarden (OPSG) supports enhanced cooperation and coordination among Customs and Border Protection (CBP), United States Border Patrol (USBP), and federal, state, local, Tribal, and territorial (SLTT) law enforcement agencies to improve overall border security. SLTT law enforcement agencies utilize their inherent law enforcement authorities to support the border security mission and do not receive any additional authority as a result of participation in OPSG.

Program Nature

Grant

Eligible Areas

OPSG provides funding to support joint efforts to secure the United States' borders along routes of ingress/egress to and from international borders, to include travel corridors in states bordering Mexico and Canada as well as states and territories with international water borders.

Eligible Entities

The only entity eligible to submit applications is the State Administrative Agency, which can submit on behalf of state, local, and Tribal law enforcement agencies that are located along the border of the United States.

Eligible Costs

Eligible project costs include enhanced law enforcement presence or increases to operational and intelligence capabilities of law enforcement.

Example project types are:

- Participation in the DHS/ICE 287(g) training program
- Information sharing with all DHS components, fusion centers, and other entities designated by DHS
- Cooperation with DHS officials and other entities designated by DHS intelligence, threat recognition and analysis
- Joint training and planning with DHS officials and other entities designated by DHS

Funding Availability

Target allocations are set for each state and territory. New Mexico was allocated \$2,955,000 in OPSG funding for FY23.

Cost-Sharing Requirement

None.

Funding Resources

For FY23, \$90 million was allocated to Operation Stonegarden.

Program Contact

Valli Wasp, New Mexico Department of Homeland Security & Emergency Management
(valli.wasp1@dhsem.nm.gov or 505-231-4995)

The full list of State Administrative Agency contacts can be found here:

<https://www.fema.gov/grants/preparedness/about/state-administrative-agency-contacts>.

7.2 Tribal Homeland Security Grant Program

The goal of this program is to strengthen Tribes' capabilities to prevent, protect against, mitigate, respond to, and recover from potential terrorist attacks and other hazards.

Nature of Award

Grant

Eligible Entities

Federally recognized Tribes. Recipients of funding must maintain a National Incident Management System (NIMS).

Eligible Areas

Tribes or consortia of Tribes must meet the following requirements:

1. Located in the continental United States
2. Operates a law enforcement or emergency response agency
3. Meets one of the following:
 - a. Is located on or within 100 miles of an international border, a coastline bordering an ocean, or international waters
 - b. Is located within 10 miles of a system or asset included on the prioritized critical infrastructure list established by the Homeland Security Act of 2002, or has an asset within its territory
 - c. Is located within or contiguous to one of the 50 most populous metropolitan statistical areas in the United States
 - d. Includes at least 1,000 square miles of Indian country, as defined by the United States Code
4. Has not received funds through the UASI or SHSP programs.

Eligible Costs

Eligible project costs include, but are not limited to, planning and organization, equipment, maintenance and sustainment, and construction and renovation. Up to 50 percent of the award money may be used for personnel costs to support allowable THSGP activities.⁶⁷

Applicants are encouraged, but not required, to address the six national priorities for the FY23 Homeland Security Grant Program: enhancing cybersecurity; enhancing the protection of soft targets/crowded places; combating domestic violent extremism; enhancing information and intelligence sharing and analysis; enhancing community preparedness and resilience; and

⁶⁷ For a detailed summary of allowable costs, see the Preparedness Grants Manual; https://www.fema.gov/sites/default/files/documents/fema_gpd-fy-23-preparedness-grants-manual.pdf. In general, FEMA directs funding recipients to consult their FEMA Preparedness Officer prior to implementing any investment to ensure that it clearly meets allowable expense criteria.

enhancing election security. Applicants receive a 20 percent increase to their evaluation scores if they address one or more of these priorities.

THSGP recipients are required to complete a Threat and Hazard Identification and Risk Assessment (THIRA) and Stakeholder Preparedness Review (SPR) to identify capability gaps and prioritize funding.

Funding Availability

In New Mexico, the Pueblo of Isleta was allocated \$800,000 in THSGP funding for FY23.

Cost-Sharing Requirement

None

Funding Resources

The total available funding for the program in FY23 was \$15 million.

Key Application Deadlines

- May 18, 2023: Completed applications for FY23 due

Key Links

- Program page:
<https://www.fema.gov/grants/preparedness/tribal-homeland-security>
- Program FAQ:
<https://www.fema.gov/grants/preparedness/tribal-homeland-security/fy-23-faqs>
- FEMA Preparedness Grants Manual:
https://www.fema.gov/sites/default/files/2020-06/fema_preparedness-grants-manual.pdf

Program Contact

To obtain contact information for your FEMA Preparedness Officer, contact the FEMA Grants Information Desk (fema-grants-news@fema.dhs.gov or 800-368-6498).

7.3 Emergency Management Performance Grants

Emergency Management Performance Grants (EMPG) appear to extend to broadband deployment. Because allocations are population-based, this is unlikely to be a substantial funding source for some areas. Nonetheless, this may be an option worth exploring with state Emergency Management Agencies.

Nature of Award

Grant

Eligible Entities

This project may directly fund all states and territories.

Eligible Costs

Eligible costs include direct, planning, organization, equipment, training, exercises, domestic travel, construction and renovation, operational overtime, maintenance and sustainment, management and administration, and indirect facilities and administrative costs that are described in the NOFO or grants manual (see links below).

Funding Availability

Grants are distributed based on population. New Mexico was allocated \$3,998,839 in EMPG funding for FY23.

Cost-Sharing Requirement

The EMPG Program has a 50 percent federal and 50 percent state cost-match requirement. The state match can be made with in-kind contributions but cannot be met with other federal funds.

Funding Resources

The total funding available for the program in FY23 was \$355.1 million.

Key Application Deadlines

- February 27, 2023: FY23 application start date
- May 18, 2023: FY23 application submission deadline
- No later than July 21, 2023: Anticipated funding selection date
- No later than September 30, 2023: Anticipated award date

Application Guidance

- A single state application is accepted from the State Administrative Agency (SAA) or the State's Emergency Management Agency (EMA) on behalf of state, local, or Tribal emergency management agencies. Recipients of funding must maintain a National Incident Management System (NIMS).

Key Links

- FEMA Preparedness Grants Manual:

https://www.fema.gov/sites/default/files/documents/fema_gpd-fy-23-preparedness-grants-manual.pdf

- NOFO:

<https://www.fema.gov/grants/preparedness/emergency-management-performance/fy-23-nofo>

Program Contact

The State Administrative Agency contact for New Mexico is Valli Wasp, New Mexico Department of Homeland Security & Emergency Management (valli.wasp1@dhsem.nm.gov or 505-231-4995).

The full list of SAA contacts can be found here:

<https://www.fema.gov/grants/preparedness/about/state-administrative-agency-contacts>.

7.4 Tribal Cybersecurity Grant Program (TCGP)

The Tribal Cybersecurity Grant Program provides funding to eligible entities to address cybersecurity risks and threats to information systems owned or operated by, or on behalf of Tribal governments.

Nature of Award

Grant

Eligible Entities

Eligible entities are “Tribal governments” as defined at Section 2220A(a)(7) of the Homeland Security Act (codified as amended at U.S.C. § 665g(a)(7)) as the recognized governing body of any Indian or Alaska Native Tribe, band, nation, pueblo, village, community, component band, or component reservation, that is individually identified (including parenthetically) in the most recent published list of Federally Recognized Tribes.⁶⁸

Eligible Costs

Pre-award costs require approval from FEMA before the award is announced.

According to the NOFO, recipients must prioritize the following activities using FY 2023 TCGP funds, all of which are statutorily required as a condition of receiving a grant:

1. Establish a Cybersecurity Planning Committee and
2. Implement or revise a Cybersecurity Plan, unless the recipient already has a Cybersecurity Plan and plans to revise it.

⁶⁸ <https://www.fema.gov/grants/preparedness/tribal-cybersecurity-grant-program>.

A Tribal Cybersecurity Planning Committee is:

An existing Tribal Council/Governing Body that includes the participation of a designated Chief Information Officer (CIO), Chief Information Security Officer (CISO), or equivalent official to the CIO or CISO with expertise in information technology (IT) and systems. The CIO, CISO, or equivalent official to the CIO or CISO is one who fulfills the duties of the CIO, even if their job includes other duties and responsibilities. If the Tribal government would prefer to establish a separate Cybersecurity Planning Committee, the required members of that committee must include the following: the grants administration office and a designated CIO, CISO, or equivalent official to the CIO or CISO with expertise in IT and systems. Additional members are encouraged but not required.

The TCGP NOFO contains a list of requirements for the Cybersecurity Plan.⁶⁹

Cost-Sharing Requirement

The matching requirement is waived for the FY 2023 TCGP.

Funding Resources

Funding consists of \$6 million for FY 2022 and \$12,246,845 for FY 2023. FEMA and the Cybersecurity and Infrastructure Security Agency (CISA) combined the funding from both fiscal years into a single TCGP NOFO, which totals \$18,246,845.

Funding is based on the Tribal Population, as shown in the table below, which was published in the TCGP NOFO:

Tribal Population	Number of Tribes in Category	Maximum Allocation of Funding per Category
100,000 or more	8	\$8,109,709
10,000 to 99,999	33	\$5,068,568
1,000 to 9,999	124	\$3,041,141
1 to 999	392	\$2,027,427

The period of performance is 48 months, with extensions permitted as described in the TCGP NOFO.

Key Application Deadlines

For the 2023 TCGP, applications began on September 27, 2023, at 1 PM ET and were due by January 10, 2024, at 5 PM ET.

⁶⁹ https://www.fema.gov/sites/default/files/documents/fema_tribal-cybersecurity-nofo_fy2023.pdf.

According to the TCGP NOFO, “FEMA will not review applications that are received after the deadline or consider these late applications for funding. FEMA may, however, extend the application deadline on request for any applicant who can demonstrate that good cause exists to justify extending the deadline. Good cause for an extension may include technical problems outside of the applicant’s control that prevent submission of the application by the deadline, other exigent or emergency circumstances, or statutory requirements for FEMA to make an award.”⁷⁰

Application Guidance

Applicants can download the TCGP Cybersecurity Plan Template from the Grants.gov website in the “Related Documents” tab on the “View Grant Opportunity” page.⁷¹

Key Links

- Program website:
<https://www.fema.gov/grants/preparedness/tribal-cybersecurity-grant-program>
- TCGP 2023 NOFO:
https://www.fema.gov/sites/default/files/documents/fema_tribal-cybersecurity-nofo_fy2023.pdf
- CISA Cybersecurity Performance Goals:
<https://www.cisa.gov/cross-sector-cybersecurity-performance-goals>

Program Contact

Questions regarding the TCGP can be sent to FEMA-TCGP@fema.dhs.gov.

7.5 Building Resilient Infrastructure and Communities (BRIC)

The BRIC program is included under FEMA’s Hazard Mitigation Assistance programs.⁷² The program aims to categorically shift the federal focus away from reactive disaster spending and toward research-supported, proactive investment in community resilience. Examples of BRIC projects are ones that demonstrate innovative approaches to partnerships, such as shared funding mechanisms, and/or project design.⁷³

⁷⁰ https://www.fema.gov/sites/default/files/documents/fema_tribal-cybersecurity-nofo_fy2023.pdf.

⁷¹ https://www.fema.gov/sites/default/files/documents/fema_tribal-cybersecurity-nofo_fy2023.pdf.

⁷² <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities>.

⁷³ <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities/about>.

Nature of Award

Grant

Eligible Entities

The state and eligible Tribal governments may submit applications for BRIC funding on behalf of local government subapplicants.

Applicants may include states, the District of Columbia, U.S. territories, and federally recognized Tribal governments under the Federally Recognized Indian Tribe List Act of 1994. Applicants must have a FEMA-approved state or Tribal Hazard Mitigation Plan (HMP) by the application deadline. They also must have one at the time of obligation of grant funds.⁷⁴

A state or territory must have received a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act in the 7 years before the application period start date; a federally recognized Tribal government must have received a major disaster declaration in the 7 years before the application period start date or must be located at least partially in a state or territory that had a major disaster declaration in the 7 years before the application period start date.⁷⁵

Local governments, including cities, townships, counties, special district governments, state agencies and federally recognized Tribal governments who choose to apply as subapplicants are considered subapplicants. They must submit subapplications to their state, territory, or Tribal applicant agency.⁷⁶

Eligible Costs

Depending on the category of the application (see Funding Resources, below) the following may or may not be eligible costs: management costs, capability and capacity building activities, hazard mitigation projects, and building code adoption and enforcement. For details, see the FEMA Fact Sheet, Notice of Funding Opportunity for Fiscal Year 2023 Building Resilient Infrastructure and Communities Program: https://www.fema.gov/sites/default/files/documents/fema_hma_bric-nofo-fact-sheet_102023.pdf.

Funding Availability

Some categories of BRIC funding are usually oversubscribed and grants are competitive, while other categories are undersubscribed and funding from those other areas may be added to the National Competition Subtotal (see Funding Resources, below).

⁷⁴ <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities/before-apply>.

⁷⁵ <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities/before-apply>.

⁷⁶ <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities/before-apply>.

Cost-Sharing Requirement

The cost sharing requirements are summarized as follows:⁷⁷

- Generally, the cost share for this program is 75 percent federal cost share funding/25 percent non-federal cost share funding.
- Hazard mitigation projects performed within, and/or that primarily benefit, a designated Community Disaster Resilience Zone are eligible for an increase in BRIC cost share up to 90 percent federal/10 percent non-federal with the goal to lessen the financial burden on communities to perform resilience-related activities.
- Economically Disadvantaged Rural Communities (EDRC) are eligible for an increase in funding, up to a 90 percent federal cost share/10 percent non-federal cost share. EDRCs are communities of 3,000 or fewer people, identified by the applicant, with residents having an average per capita annual income no more than 80 percent of the national per capita income, based on the best available data.
- Pre-award costs directly related to developing the BRIC grant application or subapplication that are incurred before the date of the grant award are subject to FEMA approval at the time of award. Pre-award costs may be cost shared. Applicants and subapplicants may also identify them as their non-federal cost share.

Funding Resources

The BRIC program has \$1 billion in funding, allocated to the following categories and amounts:⁷⁸

- State/Territory Allocation Subtotal: \$112 million (maximum \$2 million per state or territory)
- Tribal Set-Aside Subtotal: \$50 million (maximum \$2 million per applicant, maximum \$1 million for hazard mitigation planning and planning-related activities per applicant)
- State/Territory Building Code Plus-Up Subtotal: \$112 million (maximum \$2 million per state or territory)
- Tribal Building Code Plus-Up Subtotal: \$25 million
- National Competition Subtotal: \$701 million (maximum \$50 million per applicant)

⁷⁷ <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities/before-apply>.

⁷⁸ 2023 BRIC NOFO (see Key Links below).

Key Application Deadlines

The application period for 2023 funding closes on February 29, 2024, but many states and territories set earlier subapplication deadlines.⁷⁹ For example, New York State set a subapplication deadline of December 15, 2023.⁸⁰

The Period of Performance (POP) is 36 months, starting on the date of the recipient's federal award. Any subsequent amendments to the federal award, including awarding additional subawards, will not extend the POP unless explicitly stated. For highly complex projects, the applicant may submit a request for a longer POP in the application for FEMA to review and approve.⁸¹

Application Guidance

Eligible applicants and subapplicants must apply for funding using the FEMA GO grants management system at: <https://go.fema.gov/>. BRIC will not accept paper applications.⁸²

For reference, an overview of 2022 BRIC awards can be viewed here:

<https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities/after-apply/fy22-status>.

Key Links

- For the NOFO for 2023 (DHS-23-MT-047-00-98), see <https://www.grants.gov/search-results-detail/350563>, go to the Related Documents tab, and click on the link to download the NOFO.
- Program website:
<https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities>

Program Contact

Prospective subapplicants in New Mexico should contact Jeremy Klass, Ph.D., New Mexico Department of Homeland Security & Emergency Management (Jeremy.Klass@dhsem.nm.gov or 505-479-0170).

For the full list of state hazard mitigation officers, see <https://www.fema.gov/grants/mitigation/state-contacts>.

⁷⁹ <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities/when-apply>.

⁸⁰ <https://www.dhSES.ny.gov/fy2023-bric-and-fma>.

⁸¹ <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities/after-apply>.

⁸² <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities/when-apply>; see <https://www.fema.gov/grants/guidance-tools/fema-go>.

8 U.S. Department of Housing and Urban Development (HUD)

*HUD provides housing support and uplifts communities.*⁸³

8.1 Community Development Block Grants (CDBG)

*The Community Development Block Grant (CDBG) Program provides annual grants on a formula basis to states, cities, and counties.*⁸⁴ *Funding supports community development activities to build stronger and more resilient communities. Activities are identified through an ongoing process, and may address needs such as infrastructure, economic development projects, public facilities installation, community centers, housing rehabilitation, public services, clearance/acquisition, microenterprise assistance, code enforcement, and homeowner assistance.*⁸⁵

Nature of Award

Grant

Eligible Entities

Eligible grantees are: Principal cities of Metropolitan Statistical Areas (MSA), other metropolitan cities with populations of at least 50,000, qualified urban counties with populations of at least 200,000 (excluding the population of entitled cities), and states and insular areas.⁸⁶

The program serving each type of entity has some differences, but the eligible costs are the same for all (see Eligible Costs, below):

- CDBG Entitlement Program⁸⁷ – for entitled cities and counties
- CDBG Hawaiian Counties⁸⁸ – only applies to Hawaii
- CDBG Insular Areas⁸⁹ – only applies to American Samoa, Guam, Northern Mariana Islands, and the U.S. Virgin Islands.
- State CDBG Program⁹⁰

In New Mexico, the City of Albuquerque, the City of Farmington, the City of Las Cruces, the City of Santa Fe, and the City of Rio Rancho receive CDBG funding directly from HUD as entitlement cities. Other incorporated municipalities and counties may apply for funding through grants administered through the Community Development Bureau of the New Mexico Department of

⁸³ <https://www.hud.gov/>.

⁸⁴ https://www.hud.gov/program_offices/comm_planning/cdbg/.

⁸⁵ <https://www.hudexchange.info/programs/cdbg/>.

⁸⁶ https://www.hud.gov/program_offices/comm_planning/cdbg/.

⁸⁷ https://www.hud.gov/program_offices/comm_planning/cdbg/entitlement-program/.

⁸⁸ https://www.hud.gov/program_offices/comm_planning/cdbg/hawaiian-counties/.

⁸⁹ https://www.hud.gov/program_offices/comm_planning/cdbg/insular-areas/.

⁹⁰ https://www.hud.gov/program_offices/comm_planning/cdbg/state/.

Finance and Administration, Local Government Division (LGD),⁹¹ which is responsible for allocating the state's appropriation under the State CDBG Program.⁹²

A separate Indian Community Development Block Grant (ICDBG) program overseen by the HUD Office of Native American Programs (ONAP) is the subject of a HUD rulemaking effort as of the writing of this report.⁹³

Eligible Costs

CDBG funds may be used for activities which include, but are not limited to:⁹⁴

- Acquisition of real property
- Relocation and demolition
- Rehabilitation of residential and non-residential structures
- Construction of public facilities and improvements, such as water and sewer facilities, streets, neighborhood centers, and the conversion of school buildings for eligible purposes
- Public services, within certain limits
- Activities relating to energy conservation and renewable energy resources
- Provision of assistance to profit-motivated businesses to carry out economic development and job creation/retention activities

Also see the CDBG FAQ: https://www.hud.gov/program_offices/comm_planning/CDBG/faqs, which notes that CDBG funds can be used for broadband infrastructure, including installing “wiring, fiber optic cables, and permanently affixed equipment such as receivers for areas to receive broadband/internet access.”

The FAQ also states, “All CDBG[-]assisted activities must be eligible and meet one of three national objectives—benefit to low- and moderate-income persons, elimination of slums/blight, and urgent need.”

The Community Development Bureau provides technical assistance for municipalities and counties in the state investing CDBG funding, including online training modules for the grant

⁹¹ <https://www.nmdfa.state.nm.us/local-government/community-development-bureau/>.

⁹² <https://www.srca.nm.gov/parts/title02/02.110.0002.html>.

⁹³ https://www.hud.gov/program_offices/public_indian_housing/ih/grants/icdbg.

⁹⁴ https://www.hud.gov/program_offices/comm_planning/cdbg/state;
https://www.hud.gov/program_offices/comm_planning/cdbg/entitlement-program.

application process: <https://www.nmdfa.state.nm.us/local-government/community-development-bureau/cdbg-information/>.

Citizen Participation

CDBG state recipients must follow the requirements of 24 CFR 570.486,⁹⁵ including but not limited to holding public hearings, providing public information, and providing technical assistance to groups that represent low- and moderate-income persons that request assistance in developing proposals.⁹⁶

Funding Resources

HUD distributes funds to each state based on a statutory formula which takes into account population, poverty, incidence of overcrowded housing, and age of housing.⁹⁷ For FY23, New Mexico received an appropriation of approximately \$11.2 million through the State CDBG Program, with just under \$10.8 million of that allocation made available for grants to localities.⁹⁸

Key Application Deadlines

- September 20, 2023: Applications for 2023 funding due to the Community Development Bureau⁹⁹

Key Links

New Mexico Community Development Block Grant information:

- <https://www.nmdfa.state.nm.us/local-government/community-development-bureau/cdbg-information/>

HUD State CDBG Program Guides, Tools, and Webinars:

- <https://www.hudexchange.info/programs/cdbg-state/guides/#guides-and-training-manuals>

Program Contact

Carmen Morin, Bureau Chief, Community Development Bureau, New Mexico Department of Finance and Administration (carmenb.morin@dfa.nm.gov or 505-470-8979)

⁹⁵ <https://www.ecfr.gov/current/title-24/subtitle-B/chapter-V/subchapter-C/part-570/subpart-I/section-570.486>.

⁹⁶ Also see https://www.hud.gov/program_offices/comm_planning/cdbg/state.

⁹⁷ https://www.hud.gov/program_offices/comm_planning/cdbg.

⁹⁸ <https://api.realfile.rtsclients.com/PublicFiles/60151d4795ce4d11abc799080b50384f/c5db6032-051c-45ea-a35a-95164679ccfa/2023%20CDBG%20Allocation%20Awards%20CDC%201-11-2024%20-%20Official.pdf>.

⁹⁹ <https://www.nmdfa.state.nm.us/wp-content/uploads/2023/05/2023-Community-Development-Block-Grant-CDBG-Schedule.pdf>.

The Community Development Bureau has designated CDBG project managers by county: <https://www.nmdfa.state.nm.us/wp-content/uploads/2022/04/Project-Manager-Map-4.8.22.pdf>.

Local officials may also contact the HUD Albuquerque Field Office (NM_Webmanager@hud.gov or 505-346-6463) for assistance.

8.2 Section 108 Loan Guarantee Program

The Section 108 Loan Guarantee Program (Section 108) provides Community Development Block Grant (CDBG) recipients with the ability to leverage their annual grant allocation to access low-cost, flexible financing for economic development, housing, public facility, and infrastructure projects.¹⁰⁰

Nature of Award

Loan guarantee

Eligible Entities

CDBG recipients

Eligible Costs

Rules of the program are covered under 24 CFR 570, Subpart M—Loan Guarantees.¹⁰¹

According to HUD Exchange, Section 108 loans may be used to finance the construction, reconstruction, or installation of public facilities including street, sidewalk, and other site improvements that are part of the overall project. The funds can also be used for related relocation, clearance, or site improvements. Section 108 loans are generally used for economic and community development projects but may be used for long-term recovery or to prevent future damage from natural disasters.¹⁰²

Funding Resources

HUD periodically updates the Current Availability of Section 108 Financing spreadsheet at: https://www.hud.gov/program_offices/comm_planning/section108. Scroll down and click on “Current Availability of Section 108 Financing.” Make sure that your computer can open Microsoft Excel files.

¹⁰⁰ <https://www.hudexchange.info/programs/section-108/>.

¹⁰¹ <https://www.ecfr.gov/current/title-24/subtitle-B/chapter-V/subchapter-C/part-570/subpart-M>.

¹⁰² <https://www.hudexchange.info/programs/section-108/section-108-program-eligibility-requirements/#section-108-eligibility-requirements>.

According to HUD Exchange, the borrower will be required to secure the loan by pledging current and future CDBG allocations to repay and secure the loan. In addition, the borrower will be required to pledge additional security for the loan. Additional security may include property liens, tax increment revenue, or other collateral. HUD is flexible and will work with local governments to identify proper collateral, including accepting a subordinated position behind the primary lender.¹⁰³

Expected Timeline

According to HUD Exchange, a loan guarantee process can be completed in approximately 180 days, including the 30-day public note period.¹⁰⁴

Key Links

Section 108 Loan Guarantee Program:

- https://www.hud.gov/program_offices/comm_planning/section108

Section 108, HUD Exchange web page:

- <https://www.hudexchange.info/programs/section-108/>

Program Contact

According to HUD Exchange, The Financial Management Division (FMD) and HUD Section 108 staff provide in-depth, tailored technical assistance in the form of extended communication or long-term assistance to CPD grantees and partner agencies. An e-mail link is provided at: <https://www.hudexchange.info/programs/section-108/section-108-program-eligibility-requirements/#section-108-technical-assistance>.

8.3 HUD Office of Public and Indian Housing (PIH)

*The Office of Public and Indian Housing (PIH) ensures safe, decent, and affordable housing, creates opportunities for residents' self-sufficiency and economic independence, and assures the fiscal integrity of all program participants.*¹⁰⁵

¹⁰³ <https://www.hudexchange.info/programs/section-108/section-108-program-eligibility-requirements/#how-the-section-108-program-works>.

¹⁰⁴ <https://files.hudexchange.info/resources/documents/Overview-HUD-Section-108-Loan-Guarantee-Process-and-Typical-Associated-Timelines.pdf>.

¹⁰⁵ https://www.hud.gov/program_offices/public_indian_housing/about.

8.3.1 PIH Capital Fund

The PIH Office of Capital Improvements administers the Capital Fund. The Capital Fund provides funds, annually, to Public Housing Agencies (PHA) for the development, financing, and modernization of public housing developments and for management improvements.¹⁰⁶

Nature of Award

Grant

Eligible Entities

Public Housing Agencies (PHA)

Eligible Costs

Eligible costs include the upgrade and modernization of housing facilities as well as costs related to PHA offices including PHA office computers. See the Capital Fund Guidebook, Chapter 2, for details.¹⁰⁷

A related program, the Capital Fund Financing Program (CFFP), authorizes PHAs to borrow funds conditioned on a promise to pay the debt service from Capital Fund grants. See: https://www.hud.gov/program_offices/public_indian_housing/programs/ph/capfund/cffp.

According to PIH guidance issued in 2021, “[f]or computer internet connectivity, PHAs have used Capital Funds to update buildings to support broadband internet and Wi-Fi. They have also used funds to purchase and install equipment, and for capital expenditures to facilitate programs to improve the empowerment and economic self-sufficiency of public housing residents, tenant accommodations, and training to operate equipment.” The guidance provides an illustrative list of eligible broadband-related uses for Capital Funds and Operating Funds (described below): <https://www.hud.gov/sites/dfiles/PIH/documents/PublicHousingFundingSupportInternetConnectivityResidents.pdf>.

Funding Resources

Funding is based on previous funding, adjusted for inflation. See, for example, Guidance on Calculating Formula Income: CY 2024 Operating Subsidy Grant: https://www.hud.gov/sites/dfiles/PIH/documents/CY2024_Formula_Income_Guidance_FINAL_91423.pdf.

Key Application Deadlines

For 2024, the certification deadline for data in the IMS/PIC system was August 15, 2023.

¹⁰⁶ https://www.hud.gov/program_offices/public_indian_housing/programs/ph/capfund.

¹⁰⁷ <https://www.hud.gov/sites/documents/CAPITALFUNDGUIDEBOOKFINAL.PDF>.

Key Links

Capital Fund Guidebook:

- <https://www.hud.gov/sites/documents/CAPITALFUNDGUIDEBOOKFINAL.PDF>

List of local PIC coaches:

- https://www.hud.gov/program_offices/public_indian_housing/systems/pic/help

Public Housing Capital Fund Program Final Rule, effective November 25, 2013:

- <https://www.hud.gov/sites/documents/CAPFUNDFINALRULE2013-23230.PDF>

Program Contact

HUD Albuquerque Field Office (NM_Webmanager@hud.gov or 505-346-6463)

8.3.2 PIH Operating Fund

The Public Housing Operating Fund offers housing authorities subsidies to help fund expenses related to the operation and maintenance of their dwellings.¹⁰⁸

Nature of Award

Grant

Eligible Entities

Public Housing Agencies (PHA)

Eligible Costs

PHAs frequently request guidance on eligible/ineligible uses of Operating Funds. Under Section 9(3) of the Housing Act of 1937, Operating Funds are available to PHAs for the operation and management of public housing, including:¹⁰⁹

(A) procedures and system to maintain and ensure the efficient management and operation of public housing units (including amounts sufficient to pay for the reasonable costs of review by an independent auditor of the or other information maintained pursuant to section 6(j)(6) by a public housing agency or resident management corporation to substantiate the performance of that agency or corporation);

(B) activities to ensure a program of routine preventative maintenance;

¹⁰⁸ https://www.hud.gov/program_offices/public_indian_housing/programs/ph/programs.

¹⁰⁹ https://www.hud.gov/program_offices/public_indian_housing/programs/ph/am/eligibility.

(C) anticrime and anti-drug activities, including the costs of providing adequate security for public housing residents, including above-baseline police service agreements;

(D) activities related to the provision of services, including service coordinators for elderly persons or persons with disabilities; activities to provide for management and participation in the management and policy making of public housing by public housing residents;

(E) the costs of insurance;

(F) the energy costs associated with public housing units, with an emphasis on energy conservation;

(G) the costs of administering a public housing work program under Section 12, including the costs of any related insurance needs;

(H) the cost of repaying, together with rent contributions, debt incurred to finance the rehabilitation and development of public housing units, which shall be subject [t]o such reasonable requirements as the Secretary may establish;

(I) the costs associated with the operation and management of mixed finance projects, to the extent appropriate; and

(J) the costs of operating computer centers in public housing through a Neighborhood networks initiative described in subsection (d)(2)(E), and of activities related to that initiative.

Per guidance issued by PIH in 2021, “[b]ased on Section 9(e) [of the 1937 Housing Act as amended], PHAs may use Operating Funds to provide computer internet services to residents of public housing both in their units and in common areas.”¹¹⁰ The guidance provides an illustrative list of eligible broadband-related uses for Capital Funds and Operating Funds: <https://www.hud.gov/sites/dfiles/PIH/documents/PublicHousingFundingSupportInternetConnectivityResidents.pdf>.

Funding Resources

The Operating Fund delivers \$4.5 billion annually to 3,000 PHAs, approximately 7,000 public housing developments, and assistance to over 1.1 million low-income families.¹¹¹

¹¹⁰

<https://www.hud.gov/sites/dfiles/PIH/documents/PublicHousingFundingSupportInternetConnectivityResidents.pdf>.

¹¹¹ https://www.hud.gov/program_offices/public_indian_housing/programs/ph/am/webportal.

Key Application Deadlines

See the PHA Operating Fund Grant Submission Schedule 2024:

https://www.hud.gov/sites/dfiles/PIH/documents/2024_PHA_Operating_Fund_Grant_Submission_Schedule_10232023pdf.pdf.

Key Links

Program website:

- https://www.hud.gov/program_offices/public_indian_housing/programs/ph/am

PIH Operating Fund Web Portal:

- https://www.hud.gov/program_offices/public_indian_housing/programs/ph/am/webportal

Operating Fund Financing Guide:

- <https://www.hud.gov/sites/documents/OPFUND-FINANCING-GUIDE.PDF>

Program Contact

HUD Albuquerque Field Office (NM_Webmanager@hud.gov or 505-346-6463)

See also, the Operating Fund Web Portal:

https://www.hud.gov/program_offices/public_indian_housing/programs/ph/am/webportal

Appendix A: Rural Digital Opportunity Fund

The Rural Digital Opportunity Fund (RDOF) Phase I was the first of a two-phase reverse auction held by the Federal Communications Commission (FCC) to subsidize the costs of buildout of broadband infrastructure in rural America by qualified Internet Service Providers (ISP).

The Phase I auction, conducted in late 2020, targeted census blocks entirely unserved by broadband speeds of at least 25/3 Mbps. Areas lacking 10/1 Mbps and Tribal areas were given priority. The minimum performance tier was 25/3 Mbps, the baseline tier was 50/5 Mbps, and additional tiers existed for 100/20 Mbps and 1 Gbps/500 Mbps (“gigabit”) service. Award recipients were required to provide both voice and broadband service, including standalone voice service, and to ensure that voice and broadband services are offered at costs comparable to rates in urban areas.

The auction was open to service providers with an Eligible Telecommunications Carrier (ETC) designation (or that would be eligible for one if awarded funding). The eligibility of applicants was determined using Form 477 data and the Connect America Cost Model (CAM).

In several rounds of bidding, applicants bid a certain amount of money to serve a specific area in a given speed tier and with a designated latency. Bidders who proposed to provide service with the smallest FCC subsidy (after applying other evaluation weights) were awarded the bid. The auction itself involved intense competition. Some gigabit providers accepted very low levels of support, introducing doubt about their ability to meet their auction commitments.

The FCC announced the winning bidders in December 2020. Award winners came from all 50 states, partly because SpaceX, offering low-earth-orbit satellite technology branded as Starlink, could bid on any area without regard to terrestrial buildout costs. The FCC has since rejected SpaceX and LTD Broadband’s applications, which initially were awarded two of the largest funding allocations by the agency.¹¹² Other award outcomes varied widely by state, with some states seeing awards go primarily to recipients offering fiber technology and gigabit service, while others saw more awards go to recipients offering cable, fixed wireless, and satellite technologies, generally with lower-speed service.

The FCC is completing the RDOF Phase I awards. Awardees must provide additional information about qualifications, funding, and the network that they intend to use to meet their obligations. They also must submit an eligible bank’s commitment to issue a letter of credit and then must obtain a letter of credit from an eligible bank that will cover disbursements until milestones are

¹¹² <https://www.fcc.gov/document/fcc-rejects-ltd-broadband-starlink-bids-broadband-subsidies>.

completed. Awardees also must certify, within six months, that they are eligible telecommunications carriers in any areas for which they seek support.

An awareness of RDOF is important because areas that bidders have won in Phase I will likely be ineligible for many other funding opportunities, even if service has not yet been made available. Additionally, the FCC will likely administer an RDOF Phase II auction in the next few years.

The FCC has not set a date for the Phase II auction. In addition to completing the Phase I awards, the FCC also has announced its intention to use updated, more precise maps, a time-consuming effort. In addition, there are questions about whether enough contiguous eligible areas will remain to make a second RDOF auction worthwhile.

If the second auction is held, the \$4.4 billion in funding for Phase II would be augmented by more than \$7 billion remaining from Phase I. Phase II is intended to include census blocks that are partially served, as well as locations that were not funded in Phase I. The eligibility criteria for bidders are likely to be similar to the Phase I criteria.

Appendix B: Tribal Grant Programs

While billions of dollars have been made available for broadband expansion over the last two years, there has been growing awareness of the need for significant, focused investment in Tribal and Native communities. Federal funding programs that welcome a wide variety of eligible entities can make it difficult for Tribal communities to secure funding sufficient for their needs. In addition, narrowly proscribed program requirements may not provide the flexibility Tribal organizations need to design programs that leverage their unique assets and attend to the specific needs of their communities.

To meet the demand for greater broadband access in Tribal communities, NTIA has allocated an additional \$1 billion from the IIJA to the Tribal Broadband Connectivity Program (TBCP)—discussed in Section 2.3 of this document and in more detail below. In addition, more funding opportunities are now including set-asides or are structured specifically for Tribal and Native applicants.

Tribal Broadband Connectivity Program

Originally funded by the Consolidated Appropriations Act, 2021, TBCP was allocated \$980 million for programs that would bring high-speed broadband to historically unserved and underserved Tribal communities. Eligible entities included Tribal Governments, Tribal Colleges or Universities, Tribal organizations, and Native Hawaiian and Alaskan organizations. Funds could be used for a wide variety of programs including those that expanded access to broadband service on Tribal land, promoted its use, and specifically addressed the digital divide through planning, training and capacity building.

NTIA received more than 300 applications requesting over \$5 billion in funding during this first application window. This overwhelming response highlighted the urgent need to rapidly expand access to high-speed Internet service on Tribal lands. In response, NTIA announced the allocation of an additional \$2 billion from the IIJA to the program, bringing the total amount available to approximately \$3 billion. \$1 billion of that additional funding was set aside for applicants under the original funding opportunity; entities that applied in the first round were not required to reapply and NTIA continues to announce additional awards on a rolling basis. To date, over \$1.86 billion has been awarded to 226 Tribal entities.¹¹³ An additional NOFO was released in the summer of 2023 to solicit applications for the remaining funds.

The response to the original funding opportunity shed light on the size and scope of challenges faced in these communities. Lack of access to high-speed broadband service, technology, training, and support, particularly during the height of the COVID-19 pandemic, put Tribal

¹¹³ <https://broadbandusa.ntia.doc.gov/news/latest-news/biden-harris-administration-announces-over-744-million-internet-all-grants-tribal>.

communities at a significant disadvantage. This grant opportunity and the infusion of additional funds is meant to rapidly address these gaps by deploying funds directly to the Tribal entities best situated to identify and implement effective solutions.

Additional Broadband Funding Opportunities for Tribal Governments

Additional funding opportunities that are discussed earlier in this document may be of specific interest to Tribal applicants. These opportunities are collected below, with links to more information about each program:

U.S. Department of Commerce

- Digital Equity Act Programs

The Digital Equity Capacity Grant Program is a \$1.44 billion formula-based grant program for states, territories, and Tribal governments, and the Digital Equity Competitive grant program has \$1.25 billion in competitive funding to support five years of implementation of Digital Equity projects. As of this writing, NTIA has not yet released NOFOs or tentative application timelines for these programs.

See Section 2.2 for more information about the programs.

To learn more, visit this link: <https://broadbandusa.ntia.doc.gov/funding-programs/digital-equity-act-programs>

U.S. Department of Agriculture

- Community Connect Grant Program

USDA gives priority for Community Connect grants to areas demonstrating “economic necessity.” Funding is limited to a contiguous area with a population of fewer than 20,000 that does not currently have broadband service, and eligible projects must offer basic broadband transmission service to residents and businesses within the area.

See Section 4.2 for more information about the program and application requirements.

To learn more, visit this link: <https://www.rd.usda.gov/community-connect>

- The ReConnect Program

The ReConnect program offers financing to facilitate broadband deployment in rural areas of the country that lack access of at least 100/20 Mbps.

See Section 4.1 for more information about the program and application requirements.

To learn more, visit this link: <https://www.usda.gov/reconnect/program-overview>

- Telecommunications Infrastructure Loans & Loan Guarantees

These loans, intended to support broadband in rural communities, are limited to telephone companies serving rural areas and towns of 5,000 or fewer inhabitants.

See Section 4.4 for more information about the program and application requirements.

To learn more, visit this link: <https://www.rd.usda.gov/programs-services/telecommunications-programs/telecommunications-infrastructure-loans-loan-guarantees>

Department of the Interior

- National Tribal Broadband Grant

This program provides grant funding to hire consultants to perform feasibility studies for broadband deployment, with the goal of supporting informed decisions about broadband planning to improve quality of life in a community.

See Section 5.1 for more information about the program and application requirements.

To learn more, visit this link: <https://www.bia.gov/service/grants/ntbg>

U.S. Department of the Treasury

- Local Assistance and Tribal Consistency Fund

The American Rescue Plan Act allocated funding to Treasury to provide allocated payments to eligible Tribal governments for use on any governmental purpose except for a lobbying activity.

See Section 6.3 for more information about the program and application requirements.

To learn more, visit this link: <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/local-assistance-and-tribal-consistency-fund>

U.S. Department of Homeland Security

- Tribal Homeland Security Grant Program

The goal of this program is to strengthen Tribes' capabilities to prevent, protect against, mitigate, respond to, and recover from potential terrorist attacks and other hazards.

See Section 7.2 for more information about the program and application requirements.

To learn more, visit this link: <https://www.fema.gov/grants/preparedness/tribal-homeland-security>

- Tribal Cybersecurity Grant Program

The Tribal Cybersecurity Grant Program provides funding to eligible entities to address cybersecurity risks and threats to information systems owned or operated by, or on behalf of Tribal governments.

See Section 7.4 for more information about the program and application requirements.

To learn more, visit this link: <https://www.fema.gov/grants/preparedness/tribal-cybersecurity-grant-program>

- Building Resilient Infrastructure and Communities

Federally recognized Tribal governments that have a Tribal Hazard Mitigation Plan (HMP) by the application deadline may apply for this program, which aims to categorically shift the federal focus away from reactive disaster spending and toward research-supported, proactive investment in community resilience.

See Section 7.5 for more information about the program and application requirements.

To learn more, visit this link: <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities>

Federal Communications Commission

- Affordable Connectivity Outreach Grant Program

This program supports outreach activities to raise awareness of and increase enrollment in the Affordable Connectivity Program (ACP), the nation's largest effort to increase the affordability of broadband. The ACP provides a monthly discount of up to \$75 towards the cost of a broadband subscription for eligible households on qualifying Tribal lands.

See Section 3.4 for more information about the program and application requirements.

To learn more, visit this link: <https://www.fcc.gov/fcc-establishes-affordable-connectivity-outreach-grant-program>

U.S. Department of Housing and Urban Development

- Office of Public and Indian Housing (PIH) Capital Fund and Operating Fund

The Capital Fund provides annual funds to public housing agencies to support modernizing, developing, and financing public housing developments, and the Operating Fund supports the operation and management of dwellings. ’

See Section 8.3 for more information about the programs and application requirements.

To learn more, visit these links:

https://www.hud.gov/program_offices/public_indian_housing/programs/ph/capfund
and https://www.hud.gov/program_offices/public_indian_housing/programs/ph/am

Appendix C: Glossary of Terms

The following glossary defines commonly used terms as a quick reference for personnel evaluating different broadband solutions and funding opportunities.

Access fiber – The fiber in an FTTP network that goes from the FDCs to the optical taps that are located outside homes and businesses in the rights-of-way.

AOR – Authorized organization representative; a user role in Grants.gov that has the authority and permissions in the system to submit a grant application on behalf of an organization. If your organization already has a Grants.gov account, you may need to contact the account administrator to assign someone from your team an AOR role.

Broadband – High-speed Internet access that is always on and is faster than dial-up access. In 2015, the FCC updated the legal definition of broadband to refer to services providing at least 25 Mbps download and 3 Mbps upload.

Burstable – An Internet connection that can temporarily exceed the bandwidth speed that a subscriber is purchasing.

CAGE code – Commercial and government entity code; a unique identifier assigned when you register with SAM. This code is needed in order to do business with the federal government.

CPE – Customer premises equipment; the electronic equipment installed at a subscriber’s home or business.

Dark fiber – Fiber that is unused or not connected to electronics that “light” the fiber. The phrase can also refer to fiber that is provided in a “dark” state to be connected and lit by the customer.

Dark fiber lease – A contract to lease dark fiber, typically for a shorter term than that in an IRU agreement, paid on a month-to-month or annual basis.

Drop – The fiber connection from an optical tap in the right-of-way to the customer premises.

DUNS number – Data universal numbering system number; a unique business identification number given by Dun & Bradstreet.

ETC – Eligible telecommunications carrier; a designation given to service providers that meet certain public safety and consumer standards. An ISP does not need to be an ETC to provide broadband service, but they do need this designation in order to receive universal service support from the government.

FDC – Fiber distribution cabinet; houses the fiber connections between the distribution fiber and the access fiber. FDCs, which can also house network electronics and optical splitters, can sit on a curb, be mounted on a pole, or reside in a building.

FTTP – Fiber-to-the-premises; a network architecture in which fiber optics are used to provide broadband services all the way to each subscriber’s premises.

Grants.gov – A federal website that serves as a database and application portal for many funding opportunities.

IP – Internet protocol; the method by which computers share data on the Internet.

IRU – Indefeasible right of use; an agreement, typically covering 10 to 20 years, under which the customer has the right to use dark fiber strands on a network.

ISP – Internet service provider; an organization that provides services enabling customers to connect to the Internet.

NOFO – Notice of funding opportunity; an official notice from an agency that a funding opportunity has opened. These documents include all the details about application process, requirements, and eligibility, and are specific to each funding round. For this reason, it is critical to read the NOFO as soon as you begin the application process, especially to learn of any changes to program rules.

OSP – Outside plant; the physical portion of a network (also called Layer 1) that is constructed on utility poles (aerial) or in conduits (underground).

QoS – Quality of service; a network’s performance as measured on a number of attributes.

RFP – Request for proposal; a document that solicits price/solution proposals for a given project.

ROW – Right-of-way; land reserved for the public good such as utility construction. ROW typically abuts public roadways.

SAM – System for award management; a directory managed by the federal government of all businesses with which it does business. Entities must register with SAM in order to receive the CAGE code that is necessary to participate in funding programs.

WAP – Wireless access point; a device that broadcasts an Internet signal wirelessly to enable devices to connect to the Internet.

Wi-Fi – Wireless fidelity; the networking technology by which computers and other devices transmit data wirelessly.