

DEPARTMENT OF COMMERCE

National Telecommunications and Information Administration

Notice of Programmatic Waiver

ACTION: Notice

SUMMARY:

The Broadband Equity, Access, and Deployment (BEAD) Program provides \$42.45 billion of funding to achieve high-speed Internet coverage throughout the United States. The U.S. Department of Commerce, in keeping with its mission to create the conditions for economic growth and opportunity for all communities, is currently undertaking a detailed review of the BEAD program to remove unnecessary rules and mandates, to improve efficiency, take a more technology-neutral approach, cut unnecessary red tape, and streamline deployment. In anticipation of these forthcoming programmatic changes and to ensure States and Territories have sufficient time to implement them, the National Telecommunications and Information Administration (NTIA), as the agency responsible for administering the BEAD program, provides herein notice of a programmatic waiver of the Final Proposal deadline requirements set forth in section IV.B.9.a. of the BEAD Program Notice of Funding Opportunity (NOFO), granting a ninety (90) day extension to all Eligible Entities.¹

1. Background

The BEAD NOFO requires Eligible Entities to submit a Final Proposal no later than twelve (12) months after the date upon which the Assistant Secretary approves the Eligible Entity's Initial Proposal.² The BEAD NOFO further states that the Assistant Secretary may grant a waiver for Final Proposal deadlines in extraordinary circumstances.³ⁱ A comprehensive review of the BEAD Program is underway, and a Policy Notice will be issued to improve and streamline the program, necessitating additional time for Eligible Entities to submit their Final Proposal to NTIA.

The Assistant Secretary of Commerce for Communications and Information has determined that Eligible Entities will need additional time to implement the forthcoming programmatic improvements. Therefore, the extraordinary circumstances exist that justify a programmatic waiver to extend each Eligible Entity's Final Proposal deadline, an action that is also in the best interest of the Federal Government.

2. Programmatic Waiver

¹ Broadband Equity, Access, and Deployment Program Notice of Funding Opportunity at 46, § IV.B.9.a (BEAD NOFO).

² *Id.*

³ *Id.* at 47

NTIA hereby waives the BEAD Program's requirement that an Eligible Entity submit a Final Proposal no later than 365 days after the date upon which the prior Assistant Secretary approved that Eligible Entity's Initial Proposal. Accordingly, NTIA grants a ninety (90) day extension to each Eligible Entity's Final Proposal deadline.⁴

ⁱ *Id.* at 47

⁴ For the sake of clarity, the new Final Proposal deadline for an Eligible Entity shall be no later than 455 days after the date upon which the prior Assistant Secretary approved its Initial Proposal.