

ALERT

White House and NTIA Announce BEAD Funding Allocations

June 27, 2023

On June 26, 2023, the National Telecommunications and Information Administration (NTIA) announced its funding allocations for the \$42.45 billion Broadband Equity, Access, and Deployment (BEAD) Program. All 50 states received an allocation, as did the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands. The White House also issued a Fact Sheet on the announcement, which is available [here](#). As a result of NTIA's announcement of funding allocations under the BEAD Program, states and territories may submit their Initial Proposals between July 1 and December 1, 2023, and they may also request up to 20% of their allocated funds once their proposal is approved by NTIA.

Overview of The BEAD Program

As covered in a previous Wiley alert, the BEAD Program was established by the Infrastructure Investment and Jobs Act (IIJA), which was passed by Congress in 2021.

The BEAD Program is the single largest broadband investment in United States history, and lays the groundwork for widespread access, affordability, equity, and adoption of broadband services. The IIJA directed NTIA to administer the BEAD Program's \$42.45 billion in funding through formula-based grants to the states, the District of Columbia, and the territories (collectively, Eligible Entities). Eligible Entities, in turn, must competitively award grants to support broadband infrastructure deployment, mapping, and adoption.

In fulfilling its obligations under the IIJA, in May 2022 NTIA released the BEAD Notice of Funding Opportunity (BEAD NOFO), which outlines the types of projects that will qualify, the way subgrantees (vendors/

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carriers) will be selected, and the timing of awards and deployments. Wiley's summary outlining the BEAD NOFO is available [here](#).

Funding Allocations to the States and Territories

The IIJA directed NTIA to use the Federal Communications Commission's (FCC or Commission) National Broadband Map to determine how much money should be allocated to each Eligible Entity from the BEAD Program. The Commission released Version 2 of the National Broadband Map in May 2023, which served as the basis for the funding decisions announced yesterday by NTIA.

Pursuant to the IIJA, each state received a baseline \$100 million (and each territory \$25 million), although the total amounts allocated to each state varied based on (a) the number of "unserved" locations in the jurisdiction (*i.e.*, locations lacking access to 25/3 Mbps Internet service) divided by the total number of such locations nationwide; and (b) the number of "high cost" unserved locations in each state—as determined by NTIA based on certain statutory factors—divided by the total number of such locations nationwide. Awards range from \$27 million to over \$3.3 billion, with every state receiving a minimum of \$107 million.

Based on the FCC's National Broadband Map and NTIA's subsequent calculations, nineteen states received BEAD allocations exceeding \$1 billion, and the five states receiving the most funding were Texas (\$3.3 billion), California (\$1.9 billion), Missouri (\$1.7 billion), Michigan (\$1.6 billion), and North Carolina (\$1.5 billion). Thirteen states received between \$500 million and just under \$1 billion, including Arizona (\$993 million), Indiana (\$868 million), Colorado (\$826 million), and Tennessee (\$813 million). A full listing of allocations for each of the states can be accessed [here](#).

Next Steps for BEAD Program Implementation

Under the IIJA, Eligible Entities have 180 days from the date of receiving a formal notice of allocation to submit their Initial Proposals describing how they propose to run their grant programs. According to NTIA, Eligible Entities will receive that formal notice on June 30, 2023, and may begin submitting their Initial Proposals as early as July 1, 2023. Once NTIA approves an Initial Proposal—which will happen on a rolling basis—Eligible Entities will be permitted to request access to at least 20% of their allocated funds.

Wiley's Telecom, Media, and Technology Team has helped entities of all sizes with issues relating to broadband infrastructure deployment and funding opportunities, and our experts regularly handle federal and state issues relating to such opportunities. If you have any questions about the BEAD funding allocations or next steps, please contact one of the attorneys listed on this alert or your usual Wiley contact.