Rosebud Tribal Broadband Consultation

Agenda

Wednesday, December 6th, 2023

10:00 a.m.   Open Consultation Meeting – Rosebud Tribal Leaders

Introductions
     ConnectSD Team
     NTIA Staff
     Tribal Broadband Members

ConnectSD and BEAD Overview (ConnectSD Team)

Digital Opportunity Overview (Department of Labor and Regulations)

Tribal Broadband Connectivity Program/BEAD Overview (NTIA Staff)

Rosebud Tribal Broadband Leaders/Representatives Discussion
    See questions on next page.

Closing – Feedback and Next Steps

Discussion Questions for the Tribal Consultation:

(Same questions asked at the virtual consultation meeting)

- Can you provide your current broadband infrastructure plans to be included in the State plan and identify if you have secured funding for implementation?

- Do you need assistance in putting together a plan for inclusion in the state plan?

- How would you like to be included in the state plan and are you interested in being a subgrantee during implementation?

- Are there preferred broadband vendors that you have an established relationship with and/or are their broadband vendors prohibited from working with your Tribe?

- Who is the best person to coordinate with for your Tribe?

12/06/23: Rosebud Tribal Consultation Update

> NOTE: We prepared these public comments for Mike Waldner, but did not do a read-out of this as formal comments as the meeting went directly into discussion and Q-n-A. All of this was covered during the consultation.

Update on the State of South Dakota's Broadband Initiatives

Thank you, President Herman and members of the council.

It is so nice to be back in front of you again, Thank You for the opportunity to give you the broadband update. My name is Mike Waldner, and I am the State Broadband Program Manager. I'm here to give you an update on the ConnectSD program and broadband expansion for our state.

Since 2019, the ConnectSD program has leveraged $58 million dollars of state general funds along with $89 million dollars of federal funds and over $122 million dollars of private investment from the broadband providers. These investments total almost $270 million dollars in broadband expansion in our state over the past 5 years.

With these funds, we have awarded 103 grant awards or projects partnering with 24 different broadband providers. Together we have connected or are in the process of connecting 31,000 locations that either did not have Internet or were underserved before starting this program. Within these awards we have funded projects on 8 of the 9 tribal lands in South Dakota. Rosebud was the only area we did not have any applications for. We partnered with 9 different companies and funded 12 projects to connect these locations on tribal lands. These awarded Telecommunication providers have been great partners for the State of South Dakota and most importantly the citizens they are connecting.

We will discuss the federal BEAD program more later, but I'd like to say a few brief comments now. In June NITA announced the allocation of $207 million dollars for broadband expansion for South Dakota. The last estimate we had from industry consultants to cover some (not all) of the remaining locations with future-proof fiber technology was well over $250 Million dollars. So you can see, we know we have a lot of work to do to be prudent with that funding to stretch it as best as possible.

While the states belief is that all citizens (no matter where they live – including our tribal areas) deserve to have the future-proof, reliable gold standard of high-speed fiber broadband, ultimately, we know some locations especially in the Black Hills will simply be too expensive to connect by fiber. We are well aware of technologies such as DSL copper, fixed wireless, and satellite. While they have their place in the ecosystem, they are considered temporary "stop-gap" or "the only option" technologies. These technologies will need to be utilized when the expense exceeds an "Extremely High-Cost Threshold." While it is questionable whether any government dollars should be spent on short term solutions like wireless or satellite, the BEAD program requires that all unserved locations are provided with a means to access broadband. The state will adhere to this policy for our citizens as much as possible while staying in the confines of the funding, the allowable activities, rules, and compliancy of the BEAD program.

We look forward to learning more about the broadband projects Rosebud Tribe has going on, learning how we can work together, and including your work in the overall state broadband plans.

CONNECT SOUTH DAKOTA

CONNECTSD
BROADBAND DEVELOPMENT PROGRAM

SOUTH DAKOTA
GOVERNOR'S OFFICE OF
ECONOMIC DEVELOPMENT

Rosebud Tribal Consultation 12 – 6- 23
Meeting Minutes

Note: *These are minutes (and notes) are from various members of the ConnectSD team as best we can recall. They are intended solely to capture the discussion for action items, future meetings and for the NTIA BEAD Grant requirements.*

Attendees (Both in person and Virtual):
  South Dakota Governor's Office of Economic Development
    Mike Waldner, State of SD Broadband Program Manager
    Haleigh Overseth, State of SD BEAD Coordinator

  South Dakota Department of Labor and Regulation:
    Kendra Ringstmeyer Director of Workforce Development
    Bill Wendling, South Dakota Digital Opportunity Coordinator. NTIA Digital Equity Grant

  U.S. Department of Commerce - National Telecommunications and Information Administration (NTIA):
    Kim Owen, BEAD/DE Federal Program Officer for South Dakota

  Rosebud Sioux Tribe: *Note: (We tried to get the correct spelling and titles – apologies if not accurate.)*
    Scott Herman (President)
    Travis Janson (Chief of Staff)
    Santee Bird (IT Director Rosebud Sioux Tribe)
    Tom Cox (Project Manager – Rosebud Sioux Trive Broadband Program) (17 towers for 5g)
    Wayne Boyd (Treasure – was Chief of Staff?)
    Mika Lenderman (Econ Development – and Council Representative)
    Eric Antoine (Attorney)
    Shere Wright-Plank (Council Representative)
    Jordan Rahn (Council Representative)

  Virtual: *We believe these were all NTIA folks on the Zoom connection – not sure what their titles are.*
    Andrew Orozco (NTIA)
    Nick Courtney (NTIA)
    Wayne Fredrickson (NTIA – we think)
    Josh Dyksler (NTIA)

Introductions
President Scott Herman kicked off the meeting – conversations with Mike about consultation previously
- $48 million broadband infrastructure grant
- ROW and environmental assessments have been done
- Looking to start construction on existing plans and also to expand broadband into city of Mission to schools and college, looking for potential funding assistance for this expansion.
- Wanting meaningful consultation about BEAD funding and getting better internet service
- What do we need to do to receive BEAD funding?

Initial Discussion

- Last met in June 2023, and now we have more information for BEAD.
  - Enjoyed the conversation and learned so much (Both Mike & Scott agreed)
- Part of NTIA requirements is to ask for consultations with tribes
  - Meaningful meeting and creating relationships with the tribes
  - We don't see this as one and done meeting, ongoing process
- Scott asked: Is BEAD money available for Rosebud?
  - Mike: It will be difficult to do funding because of the deduplication process.
  - BEAD does not allow for grants to be awarded in areas where other federal awards exist for broadband deployment.
  - Rosebud currently has 2 federally funded programs. "Existing enforceable commitment"
    - 1) $48 Million from TBCP
      - Note: To date ConnectSD has leveraged $58M state funds for the entire state.
        - Able to do this by partnering with existing providers to keep costs low
        - We have also utilized some federal ARPA/SLFRF funding ($50M)
    - 2) Two of the 3 ILEC providers that cover this area have accepted Enhanced ACAM Federal funding
  - Based on this information Rosebud has already doubled up (overbuild is the term) on federal programs to connect their locations.
- NTIA gives us dots on the map (locations) that ConnectSD needs to do a deduplication process to account for each location
  - Mika – could work with tribal programs for mapping?
  - Mike: Sure, boots on the ground is where we are looking to get location information. We are having to go location by location to find where internet is not connected.
  - We are mapping locations regardless of funding being given to tribes or any other area
- Question from members:
  - Wayne: tribes will probably not qualify? Will existing ISPs qualify?
    - Mike: No, no one will qualify. Because the locations are considered to be covered by NTIA if locations have received funding.
    - Locations already included in awarded areas cannot receive BEAD funding.
    - [Note: Rosebud already has 2 federal funded programs (TBCP and E-ACAM)
  - Scott: We may not qualify, but good to have discussion on locations, underserved or unserved – funding still needed beyond what has been received from other federal programs in order to provide reliable service on tribal lands.
    - [Note: If fiber is put in using the $48M (then billing/paying customers should help with sustainability) or if the E-ACAM providers are allowed to put fiber in (at no cost to the Tribe) and then the tribe could use the $48M for sustainability and digital equity, then they would not need additional funding.]

- Mike -Challenge will be on the tribe to prove they still need funding and that locations are still not going to be connected by the current project funding from multiple existing enforceable committed federal programs.
  - $48 million could trench fiber to every location within boundaries and into trust lands and have gigabit speeds.
  - Could probably also provide internet at no cost for each location for a year or two.
    - [Note: Flandreau example how an existing ISP put in Fiber to every location and they used a TBCP NTIA usage grant to provide free 1Gig speed fiber Internet (for 5 years), and free training with a laptop per household to those who came to the training.]

- Santee – when the tribe first did their application 48 million they were under the gun with deadlines.

- o Fiber to the home study was expensive, inflation has only caused the cost estimates to complete the current project to go up
- o Tribal members waiting for years to get fiber to the home
- o Went with the fastest way to deploy internet based on the program terms. Fiber deployment is a slower process.
- Wayne/Shere – has always been part of the plan to do fiber but fixed wireless was faster way to deploy and get people internet
  - o ROW and other rules, providers need to follow rules. Lots of providers are in trespass because they are not compliant with current ROW and easements
  - o Fixed wireless is the fastest way to get internet, have to look at all the details of their plan and why their grant isn't enough to fully connect all locations.
  - o Program required shovel ready project in order to get funding, so they had to go with wireless because it was what they could get approved and implemented.
  - o Even if tribes are not able to get BEAD money, still want to work with the state to get fiber connectivity.
  - o [Note: The ConnectSD program has had fiber project completed within 1 year so when needed or asked for fiber projects can be expedited when you partner with existing proven fiber providers with long relationships with construction crews.]
  - o [Note: Without partnering with an ISP the tribe will have many more expenses. These expenses would be what the ConnectSD program does not pay for as they already exist within an established ISP. Thus, ConnectSD is able to connect so many more locations, economically, faster, and with the gold standard fiber connection.]

- Tribes are able to apply for BEAD, but must adhere to all subgrantee requirements in the NOFO and Initial Proposal
  - o All requirements are outlined in our Initial Proposals on our website and have been open for public comment. We discussed these three challenging requirements for tribal entities wanting to apply:
    - ▪ Who is the ownership of the entity applying
    - ▪ 25% Match is required – unless the state can get a wavier
    - ▪ Line of Credit is also required

- Mike – broadband team can't get in the middle of the tribes and the providers on the issue of providers not following tribal rules (is a legal matter).
  - o Do you have ideas on how to make that correction or turn providers around?
  - o Is the relationship between the tribes and the ISPs currently on their land irreparable?
    - ▪ A few members said yes
    - ▪ Mike's response: That is unfortunate and hopefully you all can continue to work it out.
- Wayne/Scott/Shere – offered to ISPs to be partners, but providers have no respect for tribes and tribal laws. Tribes do not feel listened to.
  - o Don't think they can reconcile with providers as things are now.
  - o Providers have been brought to consultation, but they are not willing to pay fees required on tribal lands.
  - o Tribe does not see it as overbuilding, ISPs claim they are still making upgrades to existing cable, copper DSL is not providing high speed service for citizens.
  - o Beyond just the legal issues, the lack of high-speed internet during the course of the COVID-19 pandemic means that student population is 2 years behind in academic progress.
  - o There is an appearance of collusion between provider companies and <congressional> legislators to prevent tribes from receiving BEAD funding and other federal funding that is funneled through the state.
  - o Feel that ISPs are setting higher prices on tribal lands for service and infrastructure costs

- o Jordan – current rates are $90 per month for just internet service despite service speeds being well below what the $90 plan is supposed to provide.
  - ISPs stopped upgrades to infrastructure in Mission
  - When citizens call ISP to ask why upgrades have stopped, ISPs say it is because the tribes are not allowing the upgrades and to talk to their representatives.
  - Wayne – service is slower than what is listed in plans, example of citizens trying to use streaming services that do not work because of slow speeds.
    - Our members are trying to use Sunday Football Ticket and all it does is spin and does not work.
    - Mike: Fiber would fix that.
  - o Scott – interesting process to learn FCC mapping and location mapping.
  - o Wayne – why was the tribe not consulted on ILEC territories?
    - Mike - ILEC territories were created from a very complex process back in 1974 on a national level when AT&T coverage was broken up and bought by other providers. Currently these territories are under oversight from the PUC.
      - Additional discussion was on how it came to be in South Dakota.

Mike: Presentation slides on ConnectSD and BEAD programs
- South Dakota has funding through legislative acts, but have to partner with ISPs for infrastructure deployment.
  - o State made the decision (back in the 90's) not to act as an ISP, but will be an anchor institution and facilitate broadband infrastructure deployment by providers
    - This allowed providers to expand fiber to homes in small towns and into the rural areas
- Tribal funding breakdown slides showing what current broadband funding awards the state is aware of and have included in BEAD planning for deduplication requirements.
  - o Wayne – most federal maps show Rosebud tribal lands and trust lands in outlining tribal boundaries
    - State needs to update their maps to reflect tribal trust lands (ownership of portions of Todd County and Mellete County for example)
    - [Note: The state has asked our Mapping Team and they are using Federal GIS tribal boundary maps. We showed them how Google Map has it showing the Trust Lands (We think properly) – thus they are looking into how to update our maps with this information as well.]
- ConnectSD has funded fiber connections on 8 of the 9 tribal areas in South Dakota
  - o ConnectSD has not had any applications for Rosebud
    - Scott – Rosebud was not aware of funding being available to them through ConnectSD.
    - Mike – ISPs put in applications for broadband projects
      - All our work has been publicized through press releases, website, listservs, Governor State of the State and budget addresses, etc.
- BEAD/DE
  - o NTIA and FCC maps are inaccurate and incomplete. State is continually working on mapping efforts to create accurate internal maps. (FCC mapping issues are nationwide).
    - Scott – Rosebud didn't get a say at the Rapid City Great Plains tribal leaders meeting where FCC was present, was mainly focused on the broadband situation for Oglala.
    - Wayne – need to get ISPs and state to be fair with tribes.
    - Scott- need to build a relationship with state so that when there are funds that are left over to pass them to the tribes for assistance.
  - o Kim – Challenge process is part of BEAD to help get mapping locations right
    - Scott – Is there funding assistance available to tribes for location mapping?
    - Kim – that sort of funding would be TCBP more than BEAD
    - Wayne – tribes have a lot of mapping information they have been working on, but do not have mechanisms in place to share it.

- Digital Equity/Digital Opportunity
  - Mike: ***The value of the internet is in how it is used.***
    - It isn't in deployment or what the type of service is, but in education and using the internet.
  - Training citizens to be good "work at home" employees for more options for work.
  - Digital Opportunity money that we don't know yet is what would be most useful
  - Mike: Just imagine if we had 50 or even just 25 tribal members making 60-80 or $100K a year working from home. The beauty of fast, reliable, fiber broadband is that people can live and work where they choose to live. If they choose to live on the Rosebud there is no reason they can't be a great work from home employee for any national company.
  - One of the main reasons for the ConnectSD program is so our citizens can live and work where they want to. If tribal members want to live and work in Rosebud they should be able to and high speed fiber internet would allow them to do this while working from home making a nice income.
- BEAD Subgrantee Selection
  - Heavy lift for anyone applying based on what is required by BEAD NOFO
  - South Dakota state allocation just over 207 million for all unserved/underserved locations in the state.
    - The last estimate was over $250M just for a part of the Black Hills – will need to be very prudent with the BEAD funding the state has received.
  - Currently reviewing projects as high as 90 percent with 10 percent match under ConnectSD, but cannot guarantee that the state will be able to lower the 25% match requirement until Initial Proposal and Waivers are approved by NTIA
- Shere – tribes do still prefer to have fiber to homes (better service, more sustainable).
  - Would like to see more collaboration between state and tribes to move away from wireless and towards fiber.
  - Mike: The state would agree with this and feel it is in the best interest to install fiber now and only do wireless where it would be absolutely necessary, but we feel every location should be able to have a fiber connection based on the landscape of the Rosebud tribal lands.
- 100/20 Mbps service is the benchmark under BEAD
  - Mike: Our last ConnectSD application required 250/250Mbps. I think this demonstrates how we are looking to the future needs from streaming, video conference work, etc.
- We want to be a liaison to help tribes with IT training and getting skilled digital citizens
- Wayne – If providers are in trespass, is that considered served? Or can we say they are unserved because providers are not in compliance with tribal laws?
  - Mike/Kim: Based on NTIA BEAD guidelines, locations receiving 100/20 Mbps are considered served.
  - Scott – ISPs are claiming service availability, but putting up dummy boxes that do not have service to them.
- Kim – where is there service are people actually subscribing
  - Andrew – federal legislation and FCC/USDA/NTIA require tribal consent to build on tribal lands. Previous awards did not require tribal consent. NTIA and federal programs are working to correct this prior lack of tribal consent requirement.
  - Scott – these types of issues are where the lack of trust comes from.
- Santee – local telco is the gatekeeper for Rosebud to be their own ISPs
  - Reached out to Golden West and SDN for backhaul – 10 gig circuit was 17k per month for support of backhaul
  - They pay a third of that from current provider
  - Mike: OK – there is nothing we can do about that, especially without looking into the invoice/quote details
- Tom – university was getting price gouged as well
  - Charged 7.5k per month to connect campuses
  - After Tom said they wanted to put up their towers, Golden West said they had dark fiber they would work on $500 per month to use their main dark fiber line

- o Mike: Again, we can't get into the middle of those discussions

Bill: Presentation on Digital Opportunity – The NTIA Digital Equity Grant
- Digital Equity/Digital Opportunity synonymous
  - o Internet access, skills, devices – main components of the program
  - o SD Digital Opportunity Plan –
    - Have been engaging stakeholders
    - Ongoing stakeholder engagement
    - Covered populations – low income, aging, incarcerated populations, veterans, individuals with disabilities, low literacy/language barrier, racial or ethnic minorities, rural populations
  - o Youth need skills more than social media use to use internet well (MS Office Suite, etc.)
  - o Proposed activities – we don't know the allocation yet or how much money would go to each activity, but have wish list they would like to implement
  - o Sustainability is key – want to have the program continue beyond this current funding
  - o ACP program – want to work with tribes to sign more people up to show the service is needed and support continuation of the program
    - Lots of discussion about the Federal FCC ACP program
      - The Affordable Connectivity Program
      - Bill left a document and we will provide more information
      - The member applies and the funds are provided to the ISP to reduce the internet bill
    - [Note: We know of other ISP's that spend days with other tribal areas to help member properly apply for this benefit]
  - o TCBP round 1 recipients not prioritized, may not be able to get funding
  - o But competitive grant available for tribe once those grants are made available
  - o Kendra – looking to broaden awareness of ACP and competitive grant info
  - o Want to reach out and work with tribes to continue collaborating and seeing where they can work together

Kim: NTIA slides
- High level overview of BEAD and DE programs – affordability is the overlap between BEAD and Digital Equity/Digital Opportunity Plans

Closing discussion

- Rosebud still would prefer to have fiber technology as their broadband service technology.
    - Mike: Full agreement Fiber is the best option. Discussed how Rosebud should trench fiber to every location now as they have plenty of funding to do it. Only do wireless if they really think they can't get fiber to a location.
        - The ask for more funding to put in fiber after the wireless TBCP funds are exhausted are a great example that going directly to fiber now will ensure the infrastructure will last for 20-40 years and only need to upgrade electronics as needed. Whereas, with a wireless network you will need to replace a lot of it, sooner, less resilient to weather etc.
        - Industry rumors are that the Broadband funding will be slowed down drastically after the BEAD program.
    - As Rosebud would not qualify for BEAD deployment funding the state said you will want to apply for TBCP funding
        - NTIA told Rosebud that TBCP Round 2 will not prioritize Rosebud as they received funding in Round 1
    - Tribe is disappointed that BEAD program deduplication process excludes them from funding to support their unserved/underserved locations
    - Mika – One tribal school has created a new CTE program.
        - Digital Equity/Opportunity competitive grants would be a good place for the school to apply for funding towards their CTE goals.
        - The state DLR (Kendra and Bill) will work with them to see how they can work together on this program.
- Tribal consultation and coordination is a critical element of the BEAD/DE programs.
    - Please weigh in and engage in the coordination process.
    - Review 5-Year Plan, Initial Proposal Draft and documents that are available online.
    - Contact Matt Rogotzke from NTIA to get on the regular tribal webinars they have.
    - Go to the ConnectSD website and sign up for updates, see all our documents, view all the maps, etc.
        - The Tribe has Mike's email, cell number, etc.

- Shere – partnership with tribes are important so that when these things go to legislation, they can help lobby for more funding so that we get a bigger piece of the pie. Feels like the state gets funding and tribes are left out, and if they do qualify there are conditions.
    - What was available to tribes vs to states is huge gap. State work with tribes would help to get more funding for everyone.
    - When the state comes to talk with tribes, there is an undercurrent of state not giving tribes funding or not working with them to advocate for more federal funding across the state, not just for tribes.
    - Funding scale seems unfair, the state of South Dakota is on tribal land but tribes get left out.
    - Santee – South Dakota still got money based on tribal data and tribal locations but they are not going to get the BEAD money
- Rosebud does want fiber service, especially to hospitals and schools to avoid interruption in internet connectivity for vital services.
- Wayne – this meeting is a good step, need more of them.
    - Tribal leadership is disappointed in the fact they were left out of BEAD funding and that we don't qualify. Position all along is that they have been without service for so long, they had to connect as fast as they could as easy as they could, that's why they chose the wireless to get service as soon as possible.
- Scott: This has been a meaningful consultation and discussion.
- Mike & SD Team: Agreed

What does 'Digital Equity' mean?

Connecting every location with the necessary infrastructure

Every location, whether residential, business, or a community anchor institution (CAI) must be connected with the physical infrastructure needed to access high-speed broadband.

Building the necessary skillset and competence

Every citizen must possess the digital skills needed to access high-speed internet, in a meaningful, productive way, while ensuring safety for all.

Ensuring all citizens have access to the appropriate devices

Every citizen has access to the devices needed to access high-speed internet that support the full and meaningful use of broadband.

DIGITAL EQUITY

INTERNET ACCESS

SKILLS

DEVICES
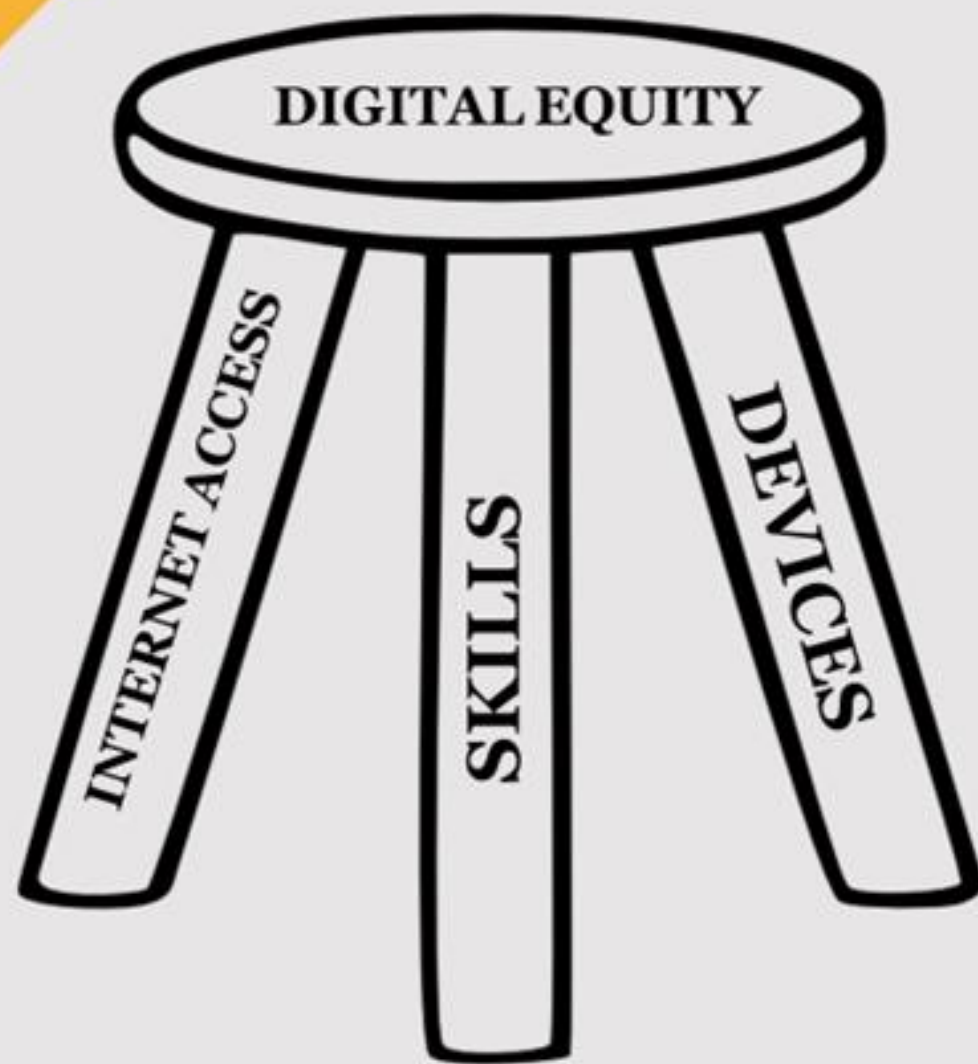
**Pillars of Digital Equity
(Source: NTIA)**

Digital Equity vs BEAD

Digital Equity Act

- Addresses a combination of affordability and education

- $2.75B made available nationally
    - South Dakota's allocation: ?

Broadband, Equity, Access & Development Program (BEAD)

- Addresses a combination of access and affordability

- $42.45B made available nationally
    - South Dakota's allocation: $207.2 million

Three Funding Sources of Digital Equity

State Digital Equity Planning Grants	Digital Equity Capacity Building Grants	Digital Equity Competitive Grants
$60 million in formula funding	$1.44 billion in formula funding	$1.25 billion

Stakeholder Engagement

- One-on-one meetings with 57 entities representing covered populations

- Three group meetings with about 10 attendees per meeting

- Presentation and open discussion at a Workforce Development Council meeting with 68 attendees

- Interactive session at the South Dakota Workforce Innovation and Opportunities Act (WIOA) Partner Symposium with 115 registered attendees

- South Dakota Broadband Summit with 78 registered attendees

What are Covered Populations?

- **Low-income individuals:** Individuals who live in covered households (the income of which for the most recently completed year is not more than 150 percent of an amount equal to the poverty level, as determined by using criteria of poverty established by the Bureau of the Census)

- **Aging individuals:** Individuals 60 and above

- **Incarcerate populations:** Incarcerated individuals, other than individuals who are incarcerated in a Federal correctional facility.

- **Veterans**

- **Individuals with disabilities**

- **Individuals with low literacy and/or language barriers:** Individuals with a language barrier, including individuals who are English learners; and have low levels of literacy.

- **Racial or ethnic minority populations:** Individuals who are members of a racial or ethnic minority group.

- **Rural populations:** Individuals who primarily reside in a rural area.

Vision

Ensure every citizen will have access to affordable, future-proof, high-speed internet, along with the means to utilize it safely and competently.

Objectives

Objective 1: Improve access to and adoption of affordable high-speed internet

Objective 2: Enhance accessibility of public services online

Objective 3: Increase access to digital literacy curriculums

Objective 4: Increase access to cybersecurity curriculums

Objective 5: Expand access to computing devices for accessing the internet

Strategies

1.1 Subsidize infrastructure deployment in unserved and underserved communities **1.2 Make high-speed internet affordable** **1.3 Increase awareness of the benefits of adopting high-speed internet**
2.1 Improve online services interface **2.2 Increase awareness of MySD Digital Citizen portal**
3.1 Establish digital literacy and training sessions
4.1 Establish cybersecurity curriculums and training sessions
5.1 Expand access to public-use devices **5.2 Make low-cost or free devices available for distribution**

Proposed Activities

- Support the continuation and creation of Digital Equity Coalitions
- Aid in ACP Enrollment events and encourage partners to train staff on the benefit program
- Improve access to workforce services
- Provide digital literacy training to incarcerated populations
- Offer community anchor institutions digital skills and cybersecurity curriculums
- Expand public-use & loaner devices offerings

Important Dates

- December 14th – Submission date for South Dakota's Digital Opportunity Plan
- Early 2024 – Application made available for State Capacity Grants
- Late 2024 – Beginning of implementation of 5-year plan

Contact Information

- Bill Wendling – Digital Opportunity Coordinator
  - Bill.wendling@state.sd.us
  - 605-910-4905

CONNECT SOUTH DAKOTA

TRIBAL BROADBAND UPDATE

DECEMBER 2023

As of May 2023,

The ConnectSD program has leveraged ….
$58 million dollars of state general funds
$89 million dollars of federal funds
$122 million dollars of private investment from the broadband providers

These investments total almost $270 million dollars in broadband expansion in our state since Governor Noem took office in 2019.

With these funds, we have awarded 103 grant awards or projects and have connected or are in the process of connecting 31,000 locations that either did not have Internet or were underserved before starting this program.

QUICK SUMMARY

CONNECTSD PROGRAM

WHERE WE STARTED IN 2019

2019 Broadband Coverage
- 100+ Mbps Existing Cable/Fiber
- Unserved/Underserved Coverage Areas

➢ Cable/Fiber connected areas capable of minimum 100Mbps download

➢ *Notice the need in our Tribal areas*

Revision Date: 5/15/23

2023 Broadband Coverage

■ 100+ Mbs Existing Cable/Fiber, or Grant Awarded Area
■ Unserved/Underserved Coverage Areas
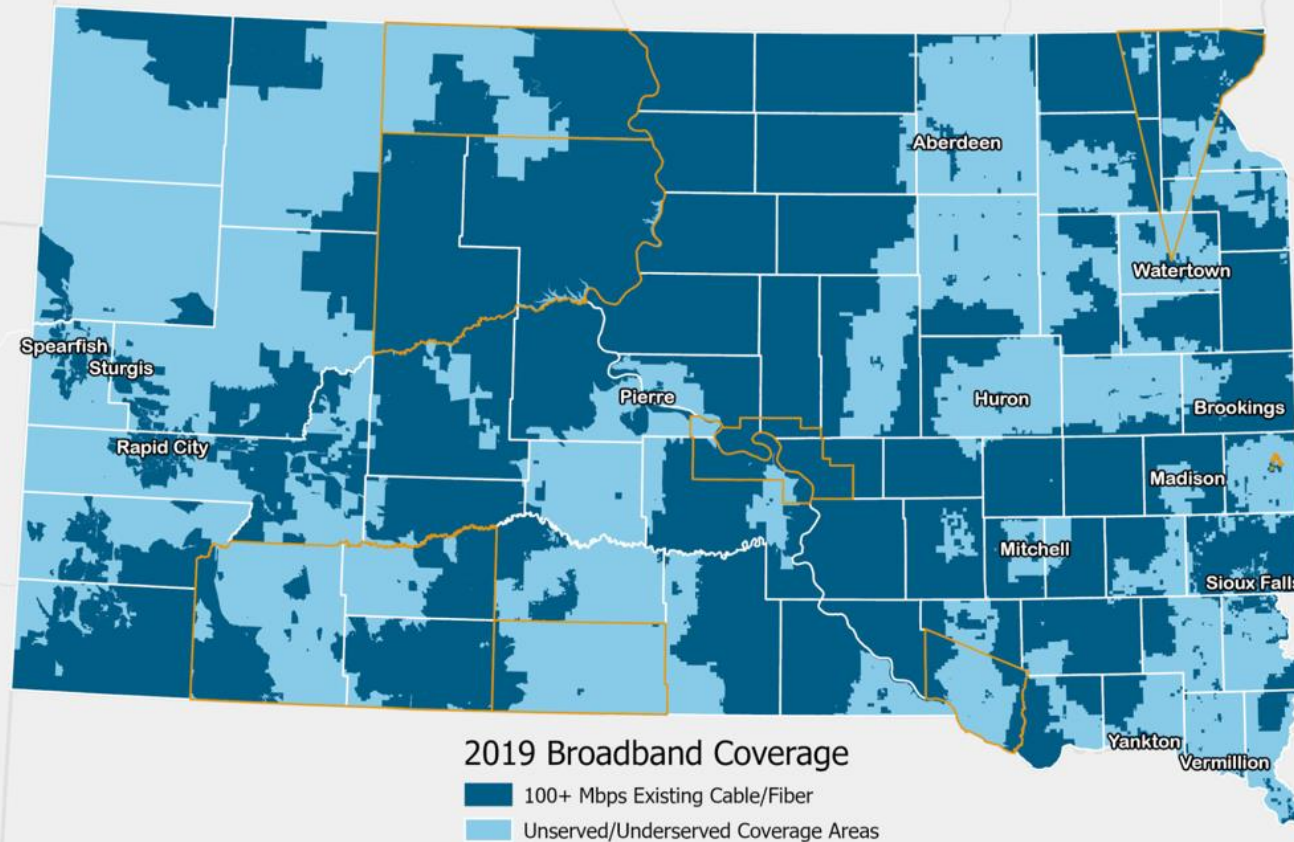
WHERE WE ARE AFTER THE MAY 2023 AWARDS

➤ South Dakota Coverage in 2023
  ▪ Compare: "Where we started in 2019"

➤ Cable/Fiber connected areas capable of minimum 100Mbps download

➤ These areas now (or will) have the potential of Gigabit speeds and faster.
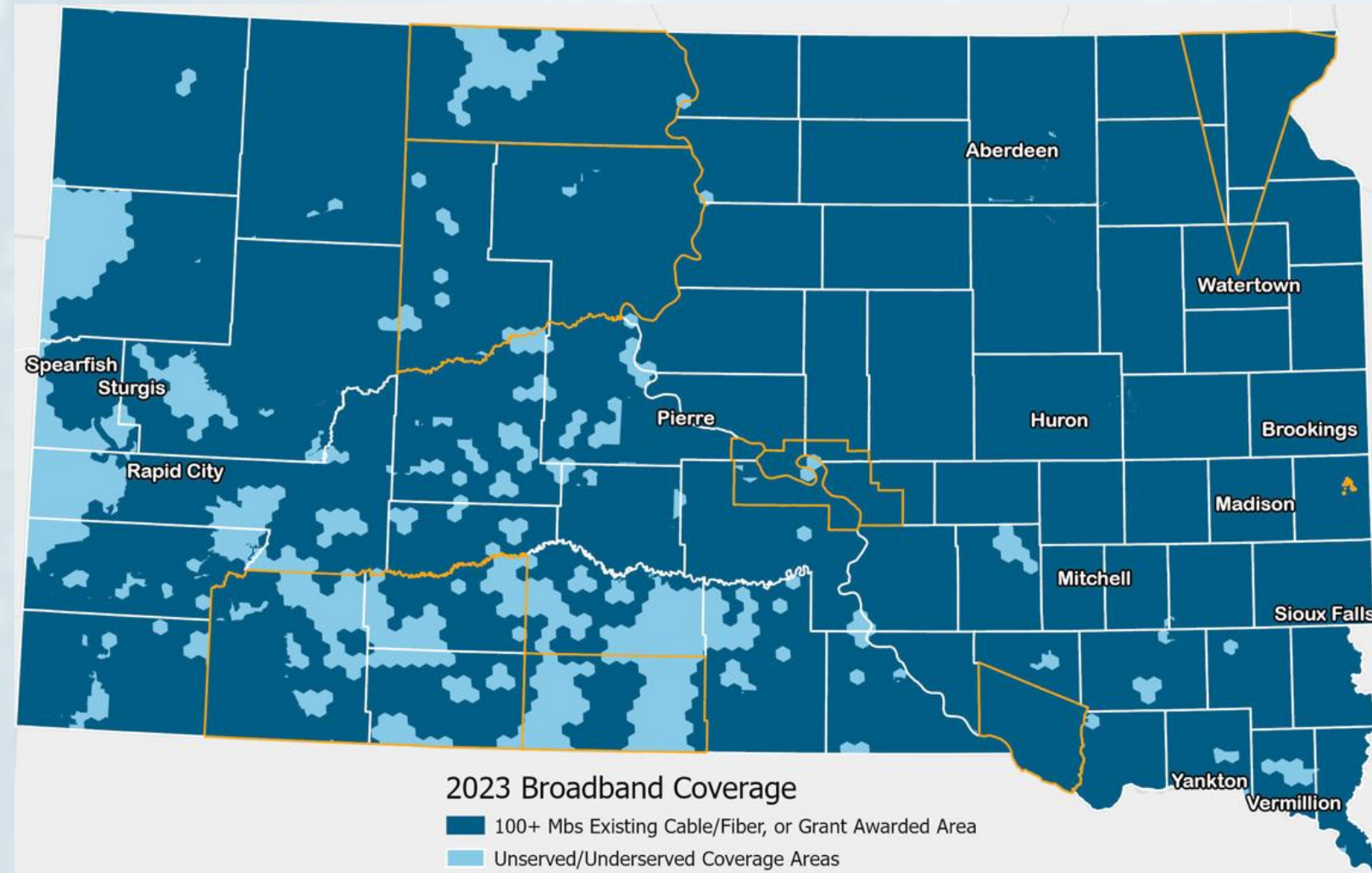
CONNECTSD FUNDING ON TRIBAL LANDS

➢ ConnectSD has funded 12 projects on 8 of our 9 tribal lands
  ➢ *Red circles indicate location of projects*
  ➢ *Nine (9) different companies awarded*

➢ Rosebud is the only tribal land without a project
  ➢ *We never had any applications for that area*

FEDERAL TRIBAL BROADBAND FUNDING IN 2022

Date	Tribal Area	Project	Federal Program	Grant Amount	# Location	Cost per location	Speeds	Technology
05/04/2022	Cheyenne River (CRSTTA)	Use & Adoption	NTIA Tribal Broadband Connectivity Program	$ 2,367,685.00				
05/04/2022	Flandreau Santee Sioux Tribe	Use & Adoption	NTIA Tribal Broadband Connectivity Program	$ 2,477,508.60				
05/04/2022	Sisseton Wahpeton Oyate of t	Use & Adoption	NTIA Tribal Broadband Connectivity Program	$ 1,847,628.00				
08/23/2022	Oglala Sioux Tribe	Deployment	NTIA Tribal Broadband Connectivity Program	$ 19,620,766.00	1,821	$10,774.72	50Mbsp/10Mpbs	Fixed Wireless Fiber & Microwave backhaul
08/23/2022	Rosebud Sioux Tribe	Deployment	NTIA Tribal Broadband Connectivity Program	$ 48,352,973.57	1,526	$31,686.09	602 Mbps/102 Mbps	Fixed Wireless Fiber to Towers & Tribal Gov
10/06/2022	Standing Rock Telecom *Not sure how much in SD	Deployment	NTIA Tribal Broadband Connectivity Program	$ 8,637,951.60	1,000	$ 8,637.95	50 Mbps/10 Mbps	Fixed Wireless
10/27/2022	Cheyenne River (CRSTTA)	Deployment	USDA ReConnect - 3rd Round	$ 16,957,883.00	280	$60,563.87	1Gig/1Gig	Fiber to premises
11/17/2022	Lower Brule Sioux Tribe	Deployment	NTIA Tribal Broadband Connectivity Program	$ 2,675,390.85	485	$ 5,516.27	400Mbps/100Mbps	Wireless LTE
		Total		**$ 102,937,786.62**	**5,112**	**$20,136.50**		
			USDA Deployment Awards	$ 16,957,883.00				
			NTIA Deployment Awards	$ 79,287,082.02				
			Total:	$ 96,244,965.02				
			NTIA Adoption and Usage (Digital Equity)	$ 6,692,821.60				

CONNECT SOUTH DAKOTA

BEAD Eligible locations per NTIA

RED dots: Unserved (Less than 25/3)
YELLOW dots: Underserved (Less than100/20)

NOTE: Per BEAD grant we must have a plan and account for all the dots on this map.

CONNECT SOUTH DAKOTA
ConnectSD Broadband Program
100% Connected

SOUTH DAKOTA GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT

2024 PLANS

➤ Continue finding the unserved locations

➤ Monitor ConnectSD projects
  ➤ Close out of ConnectSD awards
    ➤ 20 projects scheduled in 23'

➤ Continue "Internet for All" grant activities
  ➤ Find all locations left to connect
  ➤ Public Input/Challenge Process
  ➤ May have a grant round if all grant activities are approved by NTIA/NIST

BEAD Eligible locations per NTIA

CONNECT SOUTH DAKOTA

ConnectSD Broadband Program
100% Connected

SOUTH DAKOTA
GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT

2024 BEAD PLANS

NOTE: Per BEAD NOFO grant we can not overbuild other federal programs.

This map is generated with all known state and federal awards removed:
- USDA Reconnect awards
- NTIA Tribal Broadband Connectivity
- ConnectSD awards
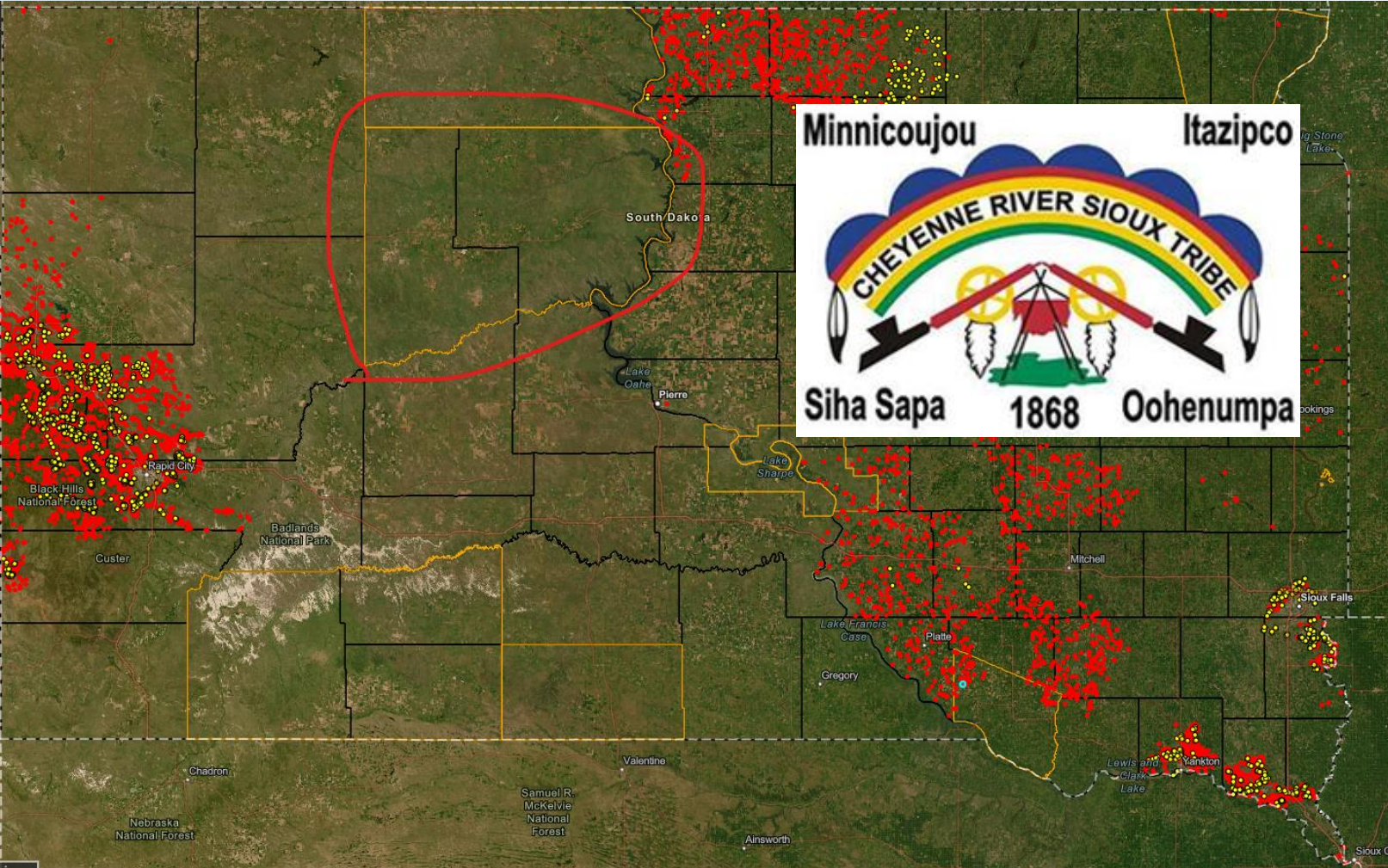- FCC RDOF/E-ACAM

Much deduplication will have to happen location by location.

RED dots: Unserved (Less than 25/3)
YELLOW dots: Underserved (Less than100/20)

ConnectSD Broadband Program
100% Connected

CHEYENNE RIVER SIOUX TRIBE

		NTIA Tribal Broadband Connectivity Program		
05/04/2022	Use & Adoption	NTIA Tribal Broadband Connectivity Program	$2,367,685.00	
10/27/2022	Deployment	USDA ReConnect - 3rd Round	$16,957,883.00	Locations 180

FCC Enhanced ACAM support:
- Cheyenne River Sioux Tribe Telephone Authority
- Golden West Telecommunications Cooperative

RED dots: Unserved (Less than 25/3)
YELLOW dots: Underserved (Less than100/20)

Cheyenne River

- NTIA Eligible Entity Planning Toolkit Data
  - Total Broadband Serviceable Location (BSL): 3,953
  - Served with Fiber or Cable Modem: 3,728
  - Unserved locations (Less than 25/3): 225
  - Underserved locations (Less than 100/20): 0

ISP Providers	Website	Exchange Territory
West River Cooperative Telephone Company	www.sdplains.com	Meadow, Mobridge
Cheyenne River Sioux Tribe Telephone Authority	www.crstta.com	Isabel, Dupree, South Dupree, Eagle Butte, La Plant
Golden West Telecommunications Cooperative	www.goldenwest.com	Faith
Qwest/Lumen	https://www.lumen.com	Timber Lake

CONNECT SOUTH DAKOTA

ConnectSD Broadband Program
100% Connected
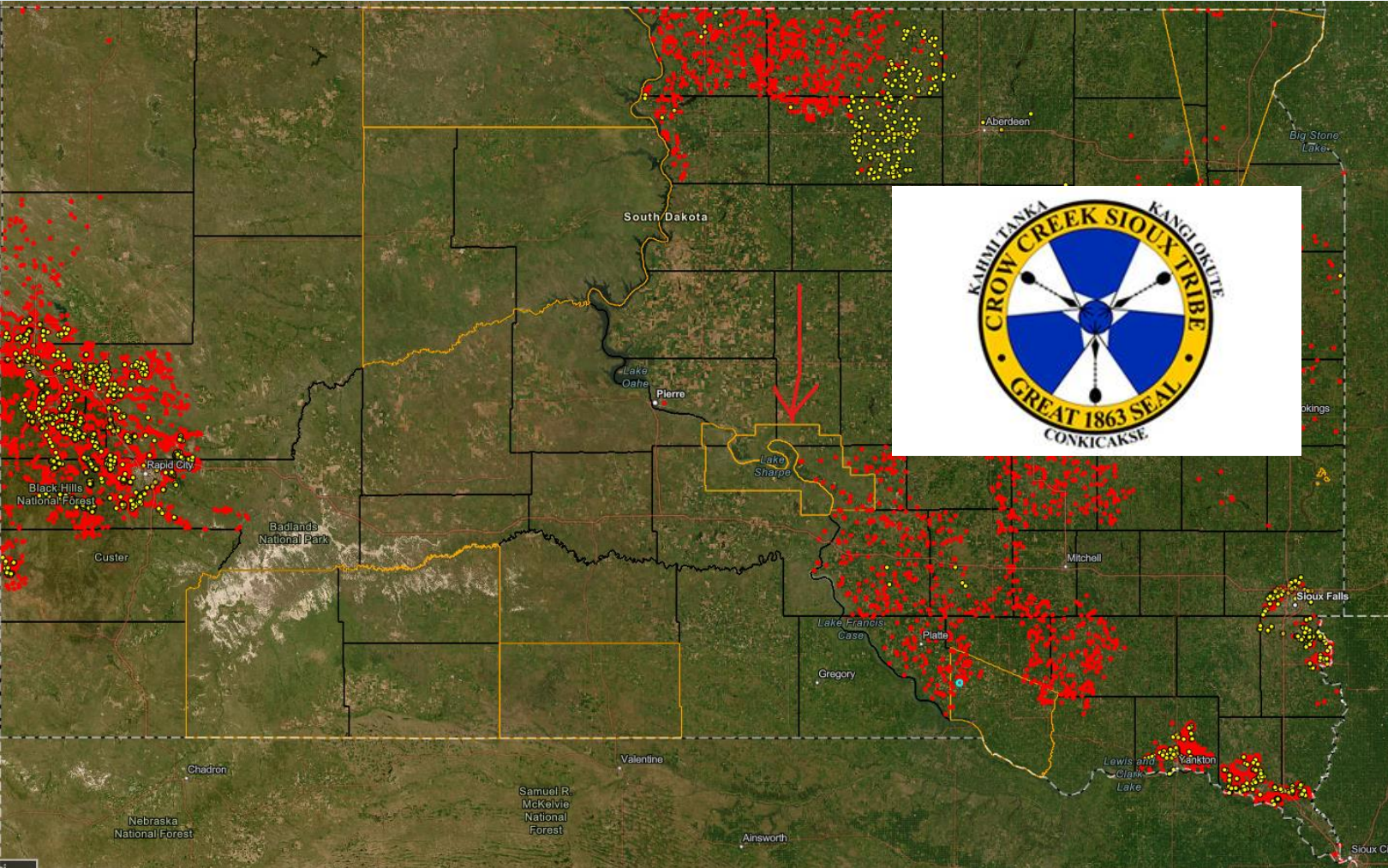
CROW CREEK SIOUX TRIBE

FCC Enhanced ACAM support:
- Venture Communications Cooperative, Inc.

RED dots: Unserved (Less than 25/3)
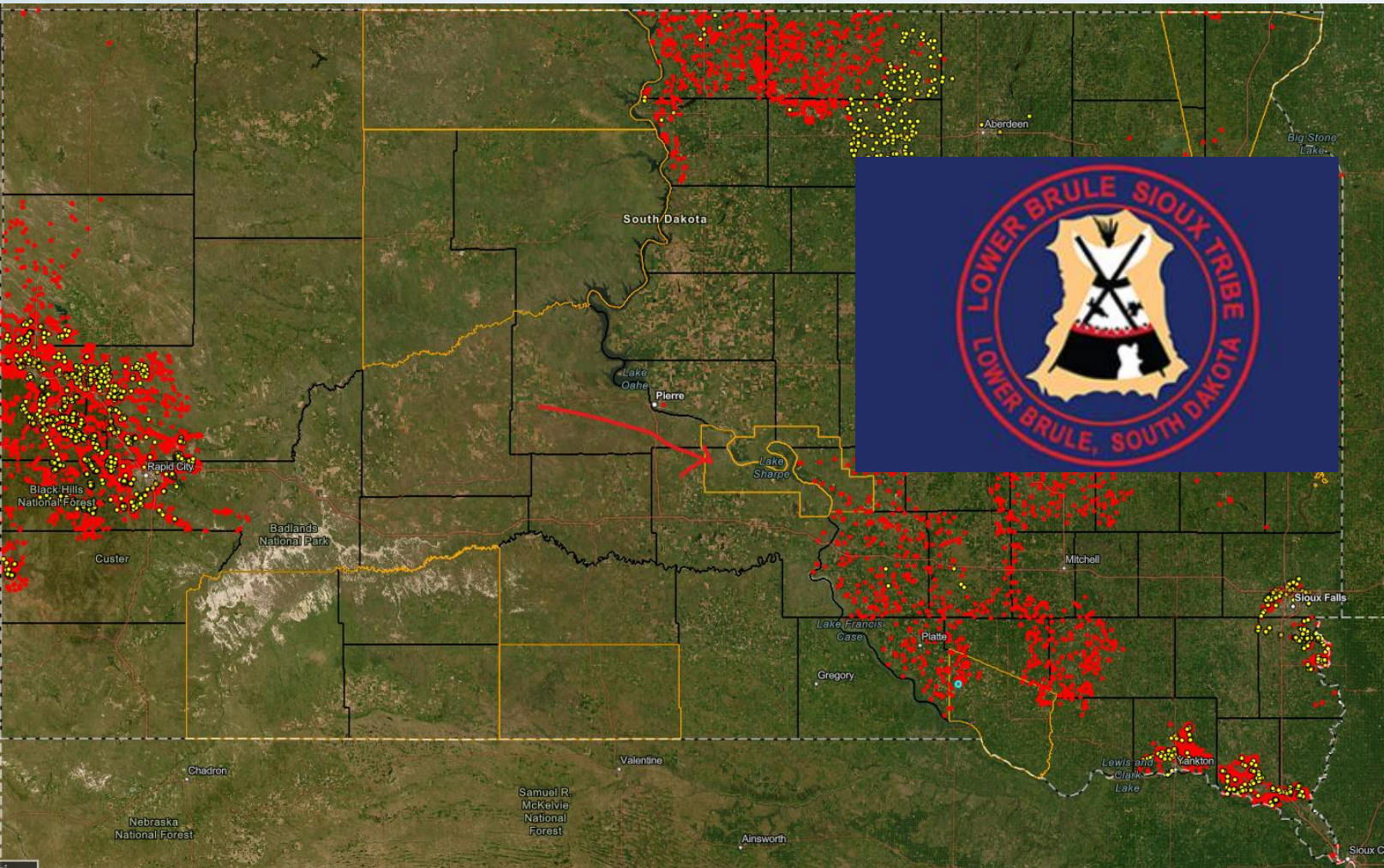YELLOW dots: Underserved (Less than100/20)

Crow Creek

- NTIA Eligible Entity Planning Toolkit Data:

  - Total Broadband Serviceable Location (BSL): 710

  - Served with Fiber or Cable Modem: 692

  - Unserved locations (Less than 25/3): 18

  - Underserved locations (Less than 100/20): 0

Providers	Website	Exchange Territory
Midstate Communications	https://web.midstatesd.net/	Gannvalley, Pukwana, Ft. Thompson
Qwest/Lumen	https://www.lumen.com	Chamberlain
Venture Communications Cooperative, Inc.	www.venturecomm.net	Highmore, Harrold

CONNECT SOUTH DAKOTA

CONNECT SOUTH DAKOTA

ConnectSD Broadband Program
100% Connected

SOUTH DAKOTA GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT

FLANDREAU SANTEE SIOUX TRIBE

		NTIA Tribal Broadband Connectivity Program	
05/04/2022	Use & Adoption		$2,477,508.60

RED dots: Unserved (Less than 25/3)
YELLOW dots: Underserved (Less than100/20)

Flandreau

- NTIA Eligible Entity Planning Toolkit Data:
  - Total Broadband Serviceable Location (BSL): 126
  - Served with Fiber or Cable Modem: 126
  - Unserved locations (Less than 25/3): 0
  - Underserved locations (Less than 100/20):0

Providers	Website	Exchange Territory
Qwest/Lumen	https://www.lumen.com	Flandreau

ConnectSD Broadband Program
100% Connected

LOWER BRULE SIOUX TRIBE

		NTIA Tribal Broadband Connectivity Program		Locations
11/17/2022	Deployment		$2,675,390.85	485

FCC Enhanced ACAM support:
• Golden West Telecommunications Cooperative

RED dots: Unserved (Less than 25/3)
YELLOW dots: Underserved (Less than100/20)

Lower Brule

- NTIA Eligible Entity Planning Toolkit Data:

  - Total Broadband Serviceable Location (BSL): 536

  - Served with Fiber or Cable Modem: 534

  - Unserved locations (Less than 25/3): 2

  - Underserved locations (Less than 100/20): 0

Providers	Website	Exchange Territory
Golden West Telecommunications Cooperative	www.goldenwest.com	Reliance
Qwest/Lumen	https://www.lumen.com	Chamberlain, Pierre
Kennebec Telephone Company, Inc.	www.kennebectelephone.com	Kennebec, Presho

BEAD Eligible locations per NTIA

RED dots: Unserved (Less than 25/3)
YELLOW dots: Underserved (Less than100/20)
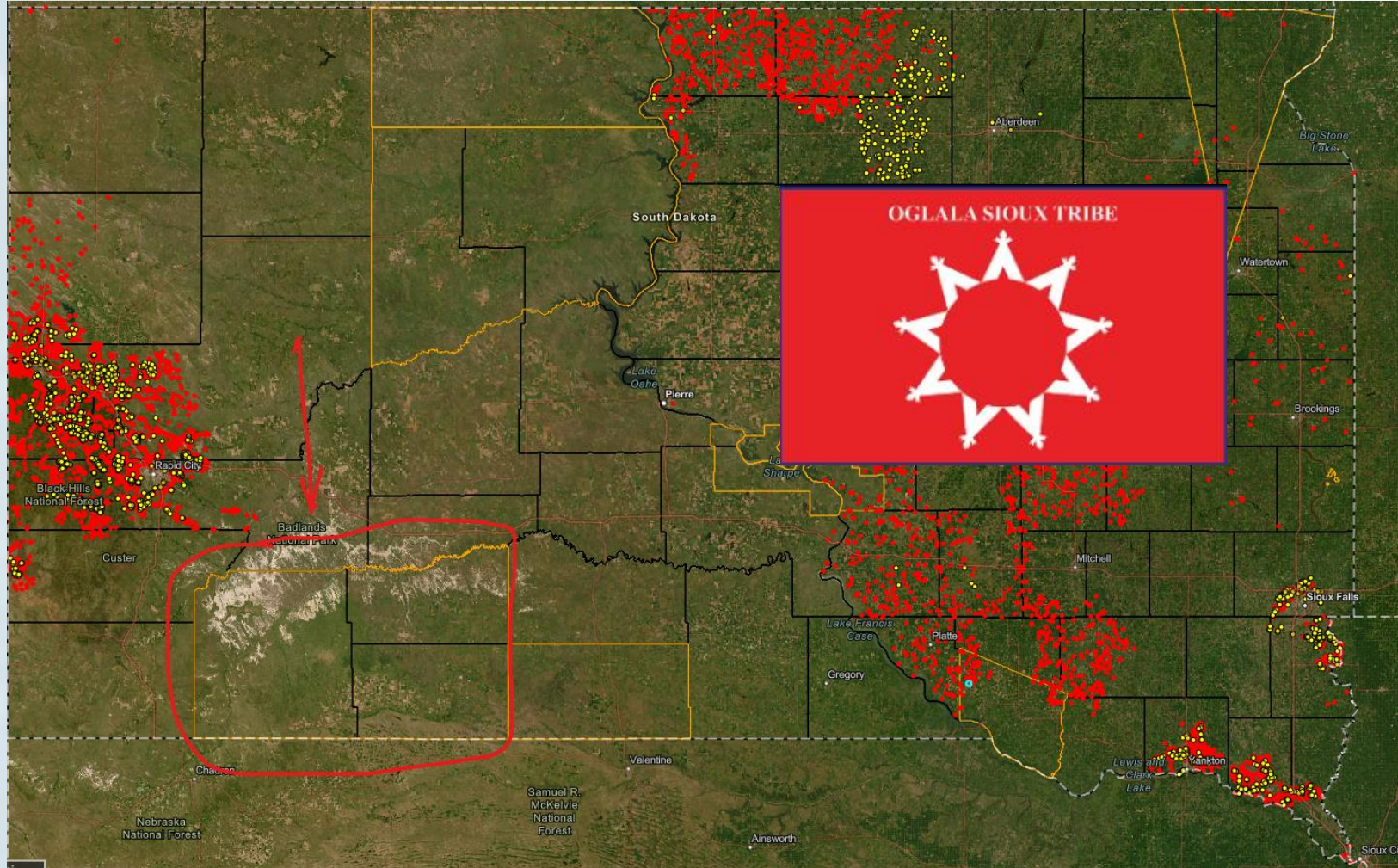
OGLALA SIOUX TRIBE

OGLALA SIOUX TRIBE

2021??	OST Broadband Connectivity Project	ARPA Allocation from Council	$6.4 Million *Dates/Amounts from LakotaTimes.com Note below: Removed $1.2M
8/23/2022	Deployment	NTIA Tribal Broadband Connectivity Program	$19,620,766 — Locations 1,821
FY2023	Deployment	USDA ReConnect *(Under Review)*	$34,999,264 — Locations 485
FY2023	Equipment/ Deployment	Allocated from ARPA funds?	$350,000 — Up to $700 for Satellite
FY2023	Equipment/ Deployment	Reprogramed / Removed from OST Broadband Connectivity Project. Initially ARPA funds?	$1.2M "To be used for school clothes across the reservation… $200 per student…." - From Lakota Times

FCC Enhanced ACAM support:
• Golden West Telecommunications Cooperative
• Fort Randall Telephone Company
• Great Plains Communication (NE)

Oglala

- NTIA Eligible Entity Planning Toolkit Data:
    - Total Broadband Serviceable Location (BSL): 5,058
    - Served with Fiber or Cable Modem: 4,025
    - Unserved locations (Less than 25/3): 828
    - Underserved locations (Less than 100/20): 205

Providers	Website	Exchange Territory
Golden West Telecommunication Cooperative	www.goldenwest.com	Pine Ridge, Oelrichs, Buffalo Gap, Kyle, Interior, Long Valley, Belvidere, Martin
Fort Randall Telephone Company	www.fortrandall.hcinet.net	Hermosa
Great Plains Communication (NE)	www.gpcom.com	Cody, Merriman, Gordon

BEAD Eligible locations per NTIA

ConnectSD Broadband Program
100% Connected

ROSEBUD SIOUX TRIBE

		NTIA Tribal Broadband Connectivity Program		Locations
08/23/2022	Deployment	Program	$48,352,973.57	1,526

FCC Enhanced ACAM support:
- Golden West Telecommunications Cooperative
- Great Plains Communications (NE)

RED dots: Unserved (Less than 25/3)
YELLOW dots: Underserved (Less than100/20)

Rosebud

- NTIA Eligible Entity Planning Toolkit Data:
  - Total Broadband Serviceable Location (BSL): 2,992
  - Served with Fiber or Cable Modem: 1,595
  - Unserved locations (Less than 25/3): 846
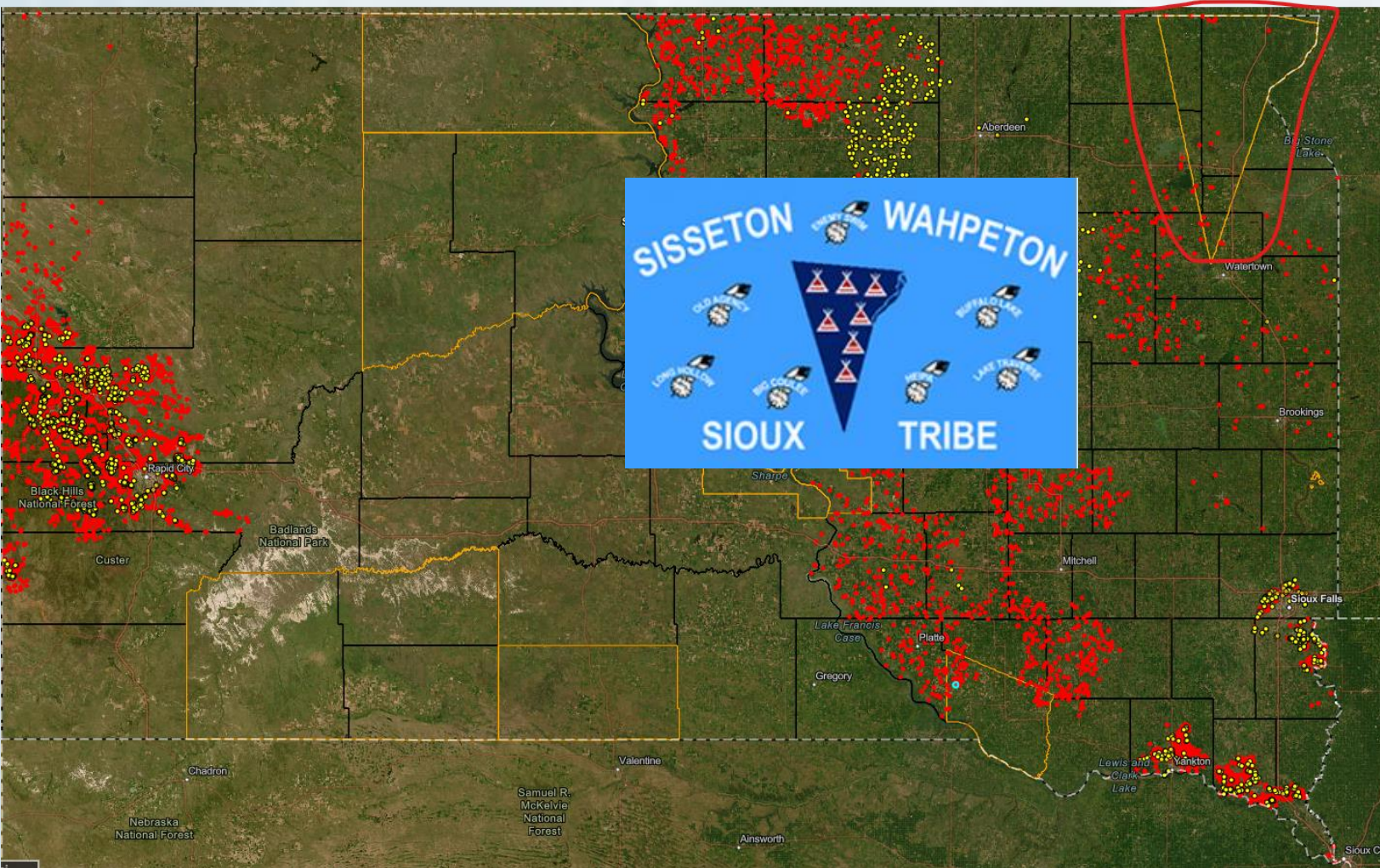 - Underserved locations (Less than 100/20): 551

Providers	Website	Exchange Territory
Golden West Telecommunication Cooperative	www.goldenwest.com	Long Valley, Rosebud, Matin, Mission, Wood, Witten, Clearfield
Qwest/Lumen	https://www.lumen.com	Valentine
Great Plains Communication (NE)	www.gpcom.com	Crookston, Kilgore, Cody

BEAD Eligible locations per NTIA

SISSETON WAHPETON OYATE SIOUX TRIBE

ConnectSD Broadband Program
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05/04/2022	Use & Adoption	NTIA Tribal Broadband Connectivity Program	$1,847,628.00

FCC Enhanced ACAM support:
• Venture Communications Cooperative, Inc.

RED dots: Unserved (Less than 25/3)
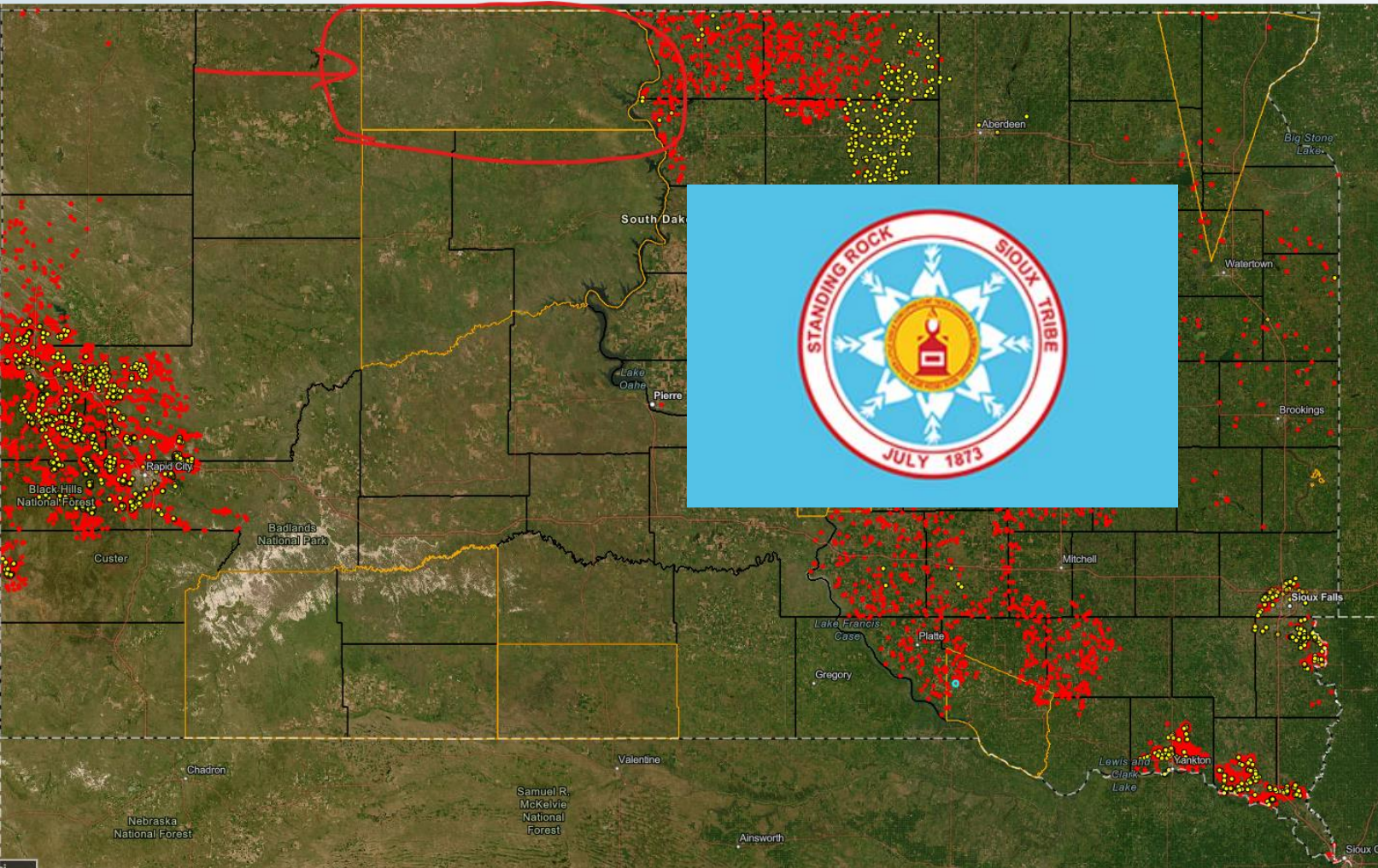YELLOW dots: Underserved (Less than100/20)

Sisseton Wahpeton

- NTIA Eligible Entity Planning Toolkit Data:
  - Total Broadband Serviceable Location (BSL): 6,278
  - Served with Fiber or Cable Modem: 6,261
  - Unserved locations (Less than 25/3): 16
  - Underserved locations (Less than 100/20): 1

Providers	Website	Exchange Territory
Interstate Telecommunications Cooperative	www.itc-web.com	Florence, Waubay
RC Communications Inc (Roberts)	https://www.tnics.com/	Summit, Peever, Wilmot, Weblen
Red River Communications	https://redrivercomm.com/	Solidgerwd
Qwest/Lumen	https://www.lumen.com/	Watertown
Venture Communications Cooperative, Inc	www.venturecomm.net	Roslyn, Sisseton, Britton, Rosholt
Roberts County Telephone Cooperative Association	https://www.tnics.com/	New Effington, Claire City
Valley Telephone Company - Valley FiberCom	www.valleytel.net	West Browns Valley
Dickey Rural Telephone Cooperative	www.drn.coop	So Forman

BEAD Eligible locations per NTIA

ConnectSD Broadband Program
100% Connected

STANDING ROCK SIOUX TRIBE

		NTIA Tribal Broadband Connectivity Program		Locations
10/06/2022	Deployment		$8,637,951.60	1,000

FCC Enhanced ACAM support:
- Cheyenne River Sioux Tribe Telephone Authority

RED dots: Unserved (Less than 25/3)
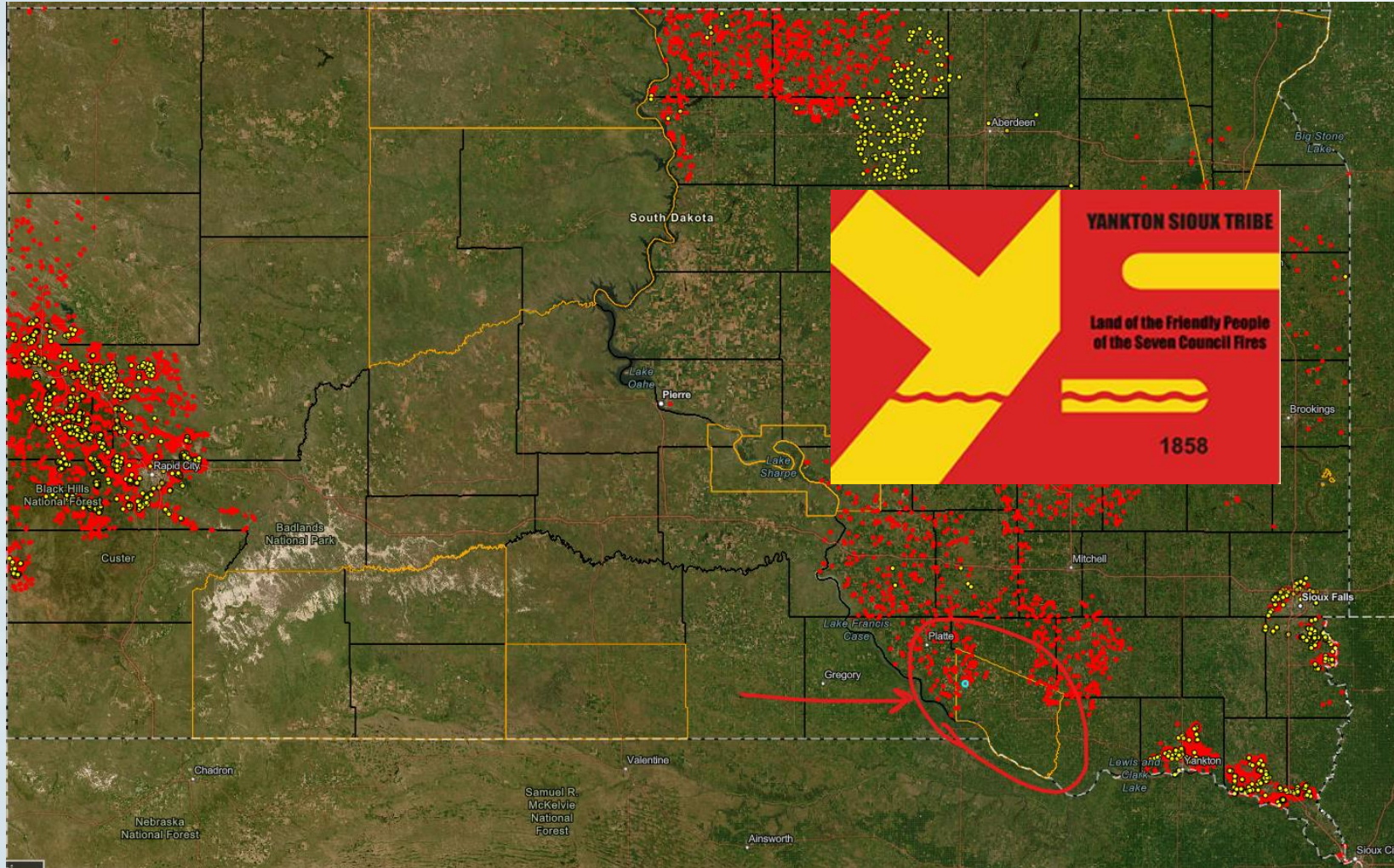YELLOW dots: Underserved (Less than100/20)

Standing Rock

- NTIA Eligible Entity Planning Toolkit Data:
  - Total Broadband Serviceable Location (BSL): 2,048
  - Served with Fiber or Cable Modem: 1,671
  - Unserved locations (Less than 25/3): 377
  - Underserved locations (Less than 100/20): 0

Providers	Website	Exchange Territory
West River Cooperative Telephone Company	www.sdplains.com	Lemmon, Meadow
Cheyenne River Sioux Tribe Telephone Authority	www.crstta.com	Isabel
Qwest/Lumen	https://www.lumen.com/	Morristown, McIntosh, Timber Lake
West River Telecommunications Cooperative	www.westriv.com	Mobridge, McLaughlin

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SOUTH DAKOTA
GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT

YANKTON SIOUX TRIBE

FCC Enhanced ACAM support:
- Golden West Telecommunications Cooperative
- Fort Randall Telephone Company

YANKTON SIOUX TRIBE

Land of the Friendly People
of the Seven Council Fires

1858

RED dots: Unserved (Less than 25/3)
YELLOW dots: Underserved (Less than100/20)

Yankton

- NTIA Eligible Entity Planning Toolkit Data:
  - Total Broadband Serviceable Location (BSL): 3,155
  - Served with Fiber or Cable Modem: 2,739
  - Unserved locations (Less than 25/3): 74
  - Underserved locations (Less than 100/20): 342

Providers	Website	Exchange Territory
Midstate Communications	https://web.midstatesd.net/	Platte, New Holland, Delmont
Golden West Telecommunications Cooperative	www.goldenwest.com	Armour, Avon
Fort Randall Telephone Company	www.fortrandall.hcinet.net	Wagner, Lake Andes
Santel Communications Cooperative	www.santel.coop	Tripp

BROADBAND EQUITY, ACCESS, AND DEPLOYMENT (BEAD) PROGRAM

FINAL NOTES

➢ NTIA Grant
  ➢ We can/must only do the allowable activities

➢ The BEAD Application process will be difficult, very time consuming, and costly to applicants

➢ We will have a lot of compliance, reporting, and auditing along the way

➢ We will only have Deployment Funding in the BEAD program
  ➢ Too many costly locations left
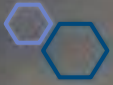
➢ Digital Opportunity funding will be known later in 2024

CONNECT SOUTH DAKOTA

THANK YOU

MIKE.WALDNER@STATE.SD.US

CONTACT

PROGRAM MANAGER

- Mike.Waldner@state.sd.us
- https://sdgoed.com/partners/connectsd/
- Office: (605) 773-2483
- Cell: (605) 295-0821 (call/text)
- GOED Main Line: (605) 773-4633

STAY INFORMED

- ConnectSD Broadband Development Program Listserv
- This is a listserv we will use to communicate with anyone interested in the program
- Sign up at:
  https://sdgoed.com/partners/connectsd/

Last Revision Date: 3/5/24

Requirements of Note from the BEAD NOFO

Link to NOFO: https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf

This document lists some key elements of the Subgrantee Selection Requirements taken from the BEAD NOFO. You can also find these requirements in our Initial Proposal Volume 2. This is not a complete list of what will be required of applicants, rather it is meant to highlight requirements that many potential subgrantee applicants are finding to be the most challenging.

Application process requires potential subgrantees submit and/or certify the following items:

- **25% Match and Letter of Credit (p 72-73 NOFO)**
    - o 25% Match is required from ISPs as well as a Letter of Credit from a bank or credit union to prove that those funds are available for implementation and deployment. While South Dakota has requested waivers and alternatives to these requirements specific to our state, NTIA has thus far only directed us to the existing programmatic waivers or new guidance coming out on a national level.

- **Audited financial statements (p. 73 NOFO)**
    - o "Each prospective subgrantee shall submit to the Eligible Entity from which it seeks funding financial statements from the prior fiscal year that are audited by an independent certified public accountant."
    - o Business plans and related analyses, including cash flow and balance sheet projects, and including at least three years of operating costs and cash flow projections post targeted completion of the project.

- **Managerial Qualifications (p. 73-74 NOFO)**
    - o Resumes of key management personnel
    - o Organizational charts detailing all parents, subsidiaries and affiliates.

- **Technical Qualifications (p. 74 NOFO)**
    - o A certification that the prospective subgrantee is technically qualified to complete and operate the project, that they are capable of carrying out the funded activities in a competent manner, and that they will use an appropriately skilled and credentialed workforce.
    - o A network design, diagram, project costs, build out timeline, milestones for implementation, and a capital investment schedule evidencing complete build

out and initiation of service within four years of the date the prospective subgrantee receives the subgrant.

- **Ownership Disclosure (p. 75 NOFO, points to 47 C.F.R. § 1.2112(a)(1)-(7).)**
  - ***NTIA has not provided guidance as to what this would look like for a Tribal Government Entity. NTIA has only stated that all applicants must adhere to this requirement, Tribal Governments included.***
  - List the real party or parties in interest in the applicant or application, including a complete disclosure of the identity and relationship of those persons or entities directly or indirectly owning or controlling (or both) the applicant;
  - List the name, address, and citizenship of any party holding 10 percent or more of stock in the applicant, whether voting or nonvoting, common or preferred, including the specific amount of the interest or percentage held;
  - List all parties holding indirect ownership interests in the applicant as determined by successive multiplication of the ownership percentages for each link in the vertical ownership chain, that equals 10 percent or more of the applicant, except that if the ownership percentage for an interest in any link in the chain exceeds 50 percent or represents actual control, it shall be treated and reported as if it were a 100 percent interest; and
  - List any FCC-regulated entity or applicant for an FCC license, in which the applicant or any of the parties identified in paragraphs (a)(1) through (a)(5) of this section, owns 10 percent or more of stock, whether voting or nonvoting, common or preferred. This list must include a description of each such entity's principal business and a description of each such entity's relationship to the applicant (e.g., Company A owns 10 percent of Company B (the applicant) and 10 percent of Company C, then Companies A and C must be listed on Company B's application, where C is an FCC licensee and/or license applicant).

- **Existing Broadband Projects Using Public Funds (p. 75-76 NOFO)**
  - A list of all broadband deployment projects that the subgrantee or its affiliates are undertaken or have committed to undertake at the time of the application using public funds; and
    - For each of these broadband deployment projects, the following components must also be submitted
    - The speed and latency of the broadband service to be provided (as measured and/or reported under the applicable rules),
    - The geographic area to be covered,
    - The number of unserved and underserved locations committed to serve (or, if the commitment is to serve a percentage of locations within the specified geographic area, the relevant percentage),
    - The amount of public funding to be used,
    - The cost of service to the consumer, and

- The matching commitment, if any, provided by the subgrantee or its affiliates.

- **Labor Standards and Protection (p. 56-57 NOFO)**
  - A narrative section regarding prospective subgrantees' record of past compliance with federal labor and employment laws, including the Occupational Safety and Health Act, Fair Labor Standards Act, or other applicable labor and employment laws over the preceding three years. The prospective subgrantee must certify that it and its contractors and subcontractors are currently in compliance with applicable laws. Additionally:
    - The prospective subgrantee must detail any such violations over the previous 3 years by the prospective subgrantee and any of its contractors and subcontractors, including when the violation occurred, the nature of the violation, and remedial actions taken following the violation; and
    - An Officer or Director-level employee of the prospective subgrantee must certify that all applicable violations during the previous 3 years by the prospective subgrantee and any of its contractors and subcontractors have been disclosed as part of the prospective subgrantee's applications.
    - New entrants without a record of labor and employment law compliance may mitigate this fact by making specific, forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects.

- **Skilled Workforce (p. 58 NOFO)**
  - Applicants must provide the following information:
    - The ways in which the prospective subgrantee will ensure the use of an appropriately skilled workforce, e.g., through Registered Apprenticeships or other joint labor-management training programs that serve all workers;
    - The steps that will be taken to ensure that all members of the project workforce will have appropriate credentials, e.g., appropriate and relevant pre-existing occupational training, certification, and licensure;
    - Whether the workforce is unionized;
    - Whether the workforce will be directly employed or whether work will be performed by a subcontracted workforce; and
    - The entities that the proposed subgrantee plans to contract and subcontract with in carrying out the proposed work.
  - If the project workforce or any subgrantee's, contractor's, or subcontractor's workforce is not unionized, the subgrantee must also provide with respect to the non-union workforce:
    - The job titles and size of the workforce (FTE positions, including for contractors and subcontractors) required to carry out the proposed work over the course of the project and the entity that will employ each portion of the workforce;

- For each job title required to carry out the proposed work (including contractors and subcontractors), a description of:
  - Safety training, certification, and/or licensure requirements (e.g., OSHA 10, OSHA 30, confined space, traffic control, or other training as relevant depending on title and work), including whether there is a robust in-house training program with established requirements tied to certifications, titles; and
  - Information on the professional certifications and/or in-house training in place to ensure that deployment is done at a high standard.

- **Cybersecurity (p. 70 NOFO)**
  - The prospective subgrantee has a cybersecurity risk management plan (the plan) in place that is either:
    - operational, if the prospective subgrantee is providing service prior to the award of the grant; or
    - ready to be operationalized upon providing service, if the prospective subgrantee is not yet providing service prior to the grant award;
  - The plan reflects the latest version of the National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity (currently Version 1.1) and the standards and controls set forth in Executive Order 14028 and specifies the security and privacy controls being implemented;
  - The plan will be reevaluated and updated on a periodic basis and as events warrant; and
  - The plan will be submitted to the Eligible Entity prior to the allocation of funds. If the subgrantee makes any substantive changes to the plan, a new version will be submitted to the Eligible Entity within 30 days.

- **Supply Chain Risk Management (p. 70-71**
  - The prospective subgrantee has a SCRM plan in place that is either:
    - operational, if the prospective subgrantee is already providing service at the time of the grant; or
    - ready to be operationalized, if the prospective subgrantee is not yet providing service at the time of grant award;
  - The plan is based upon the key practices discussed in the NIST publication NISTIR 8276, Key Practices in Cyber Supply Chain Risk Management: Observations from Industry and related SCRM guidance from NIST, including NIST 800-161, Cybersecurity Supply Chain Risk Management Practices for Systems and Organizations and specifies the supply chain risk management controls being implemented;
  - The plan will be reevaluated and updated on a periodic basis and as events warrant; and
  - The plan will be submitted to the Eligible Entity prior to the allocation of funds. If the subgrantee makes any

substantive changes to the plan, a new version will be submitted to the Eligible Entity within 30 days. The Eligible Entity must provide a subgrantee's plan to NTIA upon NTIA's request.

Additional Considerations:

- NTIA has determined that the Federal Interest Period for BEAD funding and any work done with BEAD funding is 10 years beyond the program.
  - This means that any recipient of BEAD funds is subject to monitoring and auditing of work done and reimbursements issued until 2037.
  - This also means that any work found to be non-compliant with BEAD NOFO requirements is subject to Clawback Provisions until 2037.
  - For example: If a resident emails the State and is not connected or receiving the 100/20mbps and their location was reported to have been connected by BEAD funds, the State will have to audit and report to NTIA that location that was paid for by BEAD funding and is not connected, therefore cost for that location ID would be owed back to NTIA.
- If selected as a subgrantee for BEAD funding, funds will be disbursed on a reimbursement basis.
  - Expenses for equipment, supplies, completed work, etc., are paid by the subgrantee.
  - Receipts and invoices for these items paid for by the subgrantee are submitted to the Broadband office for review.
  - Once all invoiced items or receipts are found to be compliant with BEAD contract, subgrantee will be reimbursed for those dollar amounts they have already spent in deployment activities.
- The Challenge Process (Volume 1) is where Tribal Governments, Municipal Governments, ISPs and Non-profits can challenge BEAD Eligible locations that are served or underserved.
  - BSL locations cannot be removed from or added to the fabric.
  - Any challenge submitted (such as a challenge that would state a location is not going to be covered by known existing funding) needs to be supported by evidence (example, a kmz file of locations being challenged).
  - Any location challenge to an existing ISP award or service area must be reported to that ISP so that they have an opportunity to submit a rebuttal to that challenge.
  - South Dakota must follow NTIA BEAD programmatic guidance while reviewing and approving or denying challenges to BEAD Eligible locations.
  - The final list of post-Challenge Process BEAD Eligible locations must be submitted to NTIA for approval.