



TERRITORY OF AMERICAN SAMOA

# **BROADBANDiNEI**

## INITIAL PROPOSAL

### **VOLUME 2**

BROADBAND EQUITY, ACCESS  
AND DEPLOYMENT (BEAD)  
PROGRAM

2023 - 2028



This document is as approved by the National Telecommunications Information Administration (NTIA) September 9, 2024 as part of the requirements for the Broadband Equity, Access, and Deployment Program (BEAD).

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*Cover image: A Samoan ato or bag weaved with coconut leaves.*



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## Volume II (Requirements 1, 2, 4, 8 – 20)

### Objectives (Requirement 1)

**2.1.1 Text Box:** Outline the long-term objectives for deploying broadband; closing the digital divide; addressing access, affordability, equity, and adoption issues; and enhancing economic growth and job creation. Eligible Entities may directly copy objectives included in their Five- Year Action Plans.

This Initial Proposal adopts the overall vision of the 2021-2026 American Samoa Territorial Broadband Strategy (ASTBS) for American Samoa to have affordable broadband internet access, have a qualified IT workforce and IT infrastructure with policies and regulations to support and secure business innovation and development, and improve technology literacy and quality of life.

*In alignment with the overall vision of the ASTBS 2021-2026, the mission of the American Samoa BROADBANDiNEI 5-Year Action Plan and Initial Proposal is to improve the affordability, accessibility, adoption, governance and security of broadband for all residents of American Samoa.*

Complementary to the 2021-2026 ASTBS, the American Samoa BROADBANDiNEI 5-Year Action Plan and Initial Proposal adopts the goals in the ASTBS in this strategic plan. The American Samoa BROADBANDiNEI 5-Year Action Plan prioritizes infrastructure deployment that provides reliable high-speed Internet access to all residents of American Samoa. Broadband touches all aspects of the community by providing a new foundation for innovations, economic development, healthcare, education, public safety, entertainment, and many other possibilities. American Samoa has four goals and 10 key objectives.



#### **Goal 1: AFFORDABLE BROADBAND ACCESS - Improve the quality of life afforded through services and access to affordable broadband & internet service.**

American Samoa's unique geography requires a wide range of broadband infrastructure and technologies to support its digital growth.

The American Samoa BROADBANDiNEI 5-Year Action Plan and Initial Proposal carries forward ideologies and actions to maintain and improve the quality of life by realizing a broadband driven economy that is dynamic, enterprising, self-sustaining, culturally appropriate and responsive to changes and fluctuations in the global economy.

Under this goal, efforts address the need to reside on.

#### **Key Objectives (Affordability and Access):**

- Ensure that all unserved and underserved areas are served with at least a minimum capacity of 100/20mbps by 2028. (Access)





- Deploy high speed broadband capacity to as many locations by 2028 (Access)
- Increase household enrollment in the Affordable Connectivity Program (ACP) (Affordability)
- American Samoa to have Affordable residential high speed broadband internet of 100/20 Mbps ranging between \$50-\$100 by 2028. (Affordability)

**Key Objectives (Enhancing Economic Growth and Job Creation)**

- Use broadband as a driver of economic development opportunity.
- Establish a roadmap of career possibilities for participants in Workforce Development Programs
- Connect American Samoa's workforce to broadband-delivered opportunities for training, and continuing education that supports local businesses and employers.
- Encourage recruitment of local residents for jobs in broadband including technicians, electricians, and others.



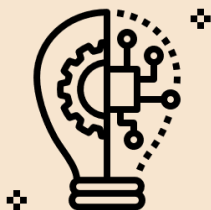
**Goal 2: RESPONSIBLE GOVERNANCE AND STRONG INSTITUTIONS - Develop an organizational, program and technical infrastructure that include governance, policies and regulations, collaborations and partnerships permitting American Samoa to become an effective part of the global digital village.**

The 2021-2026 ASTBS will initiate, develop and advance broadband-related policies, programs and initiatives that support and foster collaboration amongst sectors. Our goal is also to strengthen the implementation and revitalization of local, regional, national and global partnerships for responsible governance and strong institutions in telecommunication.

The American Samoa BROADBANDiNEI 5-Year Action Plan and Initial Proposal will aim to further responsible governance for the deployment, implementation, utilization and adoption of broadband.

**Key Objectives:**

- Explore options for alternative governance framework to regulate broadband in American Samoa.



**Goal 3: TECHNOLOGY LITERACY - Promote technology literacy at all levels.**

Technology literacy is defined as the ability of individuals to responsibly use appropriate technology tools to: access and integrate information; and construct and communicate knowledge to improve learning and support lifelong learning.

The American Samoa BROADBANDiNEI 5-Year Action Plan and Initial Proposal will leverage existing programs and partnerships with community stakeholders to increase technology literacy, access to devices and adoption rates.



### Key Objectives:

- Increase broadband household adoption (69% household subscription) (Adoption)
- Increase the percentage of residents with access to internet-capable devices (Adoption, Equity)
- Increase technology adoption and household adoptions within covered populations (Adoption, Equity)
- Complete broadband deployment as a part of the State's BEAD Five-Year Action Plan to increase the number of available internet service providers, increase the pool of their customer sizes, and increase competition



### **Goal 4: CYBERSECURITY - Enable American Samoa to securely participate in national, regional and global information infrastructure.**

Information, data and network security is a priority of the ASTBS. American Samoa shall strengthen its cybersecurity to respond to growing global threats and safely and securely protect its citizens from those attacks. In addition, with cybersecurity crimes new laws, policies and regulations shall be in place to protect consumers from potential attacks.

The American Samoa BROADBANDiNEI 5-Year Action Plan and Initial Proposal prioritizes data security and online safety and privacy of users in American Samoa and shall work to strengthen its cybersecurity capacity.

### Key Objectives:

- Ensure a territorial cybersecurity risk management plan is in place and/or updated
- Ensure that ISPs, eligible entities have an operational cybersecurity risk management plan in place prior to offering service over a BEAD-funded network

## ***Local, Tribal, and Regional Broadband Planning Processes (Requirement 2)***

**2.2.1 Text Box:** Identify and outline steps that the Eligible Entity will take to support local, Tribal, and regional broadband planning processes or ongoing efforts to deploy broadband or close the digital divide. In the description, include how the Eligible Entity will coordinate its own planning efforts with the broadband planning processes of local and Tribal Governments, and other local, Tribal, and regional entities. Eligible Entities may directly copy descriptions in their Five-Year Action Plans.

Information, discussions and data were compiled and analyzed to reflect a current environmental scan, market trends, and realities. The American Samoa BROADBANDiNEI 5-Year Action, Initial Proposal, Final Proposal and Digital Equity plans adopts the established vision, goals and formulated specific objectives according to priorities and needs of the BEAD program. To best inform this plan, the BCORD Office and BSC took a holistic and inclusive community approach, and sought input from various stakeholders through:



**Working Group Weekly Meeting:** The BCORD Office held 20+ one-hour virtual sessions focused on vision and goals building, understanding ideologies, concepts and frameworks on broadband and its applicability in various markets and industries in American Samoa.

**BEAD Office Hours:** The BCORD Office hosts weekly office hours to address questions or concerns in relation to broadband and BEAD/DE Programs.

**Broadband Steering Committee Meetings:** The Office of the Governor and the BCORD office has convened the BSC to gather input and guidance on specific priorities, actions and recommendations for broadband use and adoption.

**TalaTek: Talanoaga Fa'aTekonolosi (TALATEK)** is a webinar series / public forum of pertinent topics on the use of broadband and technology applications in American Samoa. TALA-TEK featured speakers and experts at the local and community, national and global levels. Topics include but are not limited to: cybersecurity, telehealth, distance education, eCommerce, trades and technologies and many more. The BCORD office has hosted public / virtual forums on Cybersecurity, Telehealth, Digital Economy and BEAD/DE.

**Household Survey:** The BCORD Office will conduct a post-COVID broadband household survey to gather information to understand what changed in the landscape, opportunities, challenges, usage, quality, affordability, access to broadband in American Samoa. The Household Survey will be conducted in both English and Samoan.

**Road Show Meetings:** Road Show Meetings are one-on-one meetings with eligible entities, community members and stakeholders to gather.

**Outreach and engagement of unserved and underserved communities, including historically underrepresented and marginalized groups and/or communities:** To direct stakeholder engagement, the BCORD Office continued the work of the ASTBS WG and build upon the 80+ stakeholders who represented populations highlighted in the NTIA requirements, including unserved / underserved and covered populations, to understand their needs related to the access, availability, and use of broadband. To address specific needs of covered populations, the BCORD Office will continue to engage with various public and private institutions such as the Department of Health, Department of Human and Social Services, Hope House and University Center of Excellence for Development Disabilities.

**Ongoing stakeholder engagement and feedback mechanism:** Ongoing local coordination and stakeholder engagement will continue from the development of this plan and its subsequent submissions to reflect ongoing collaboration, updates, and progress through American Samoa's BROADBANDiNEI program and initiatives. Ongoing engagement will be through continued Office Hours, Road Show Meetings, Broadband Steering Committee Meetings, Working Group Meetings, email and website updates. The BCORD Office also anticipates participating in locally planned events and initiatives. The BCORD Office has a website dedicated to the BROADBANDiNEI initiative that is updated frequently to keep our stakeholders up to date. The BCORD Office also engages with local partners to share information and resources. To further ensure critical input during the planning process the Initial and Final Proposals will be posted for public comment. The BCORD Office will continue to engage with key stakeholders and reach out to those groups that have not yet been fully engaged.

Outreach events inform the development of the BROADBANDiNEI 5-Year Action Plan, Initial Proposal, Final Proposal, Digital Equity Plan and ongoing sessions will update subsequent versions of these plans.



### ***Local Coordination (Requirement 4)***

**2.3.1 Text Box:** Describe the coordination conducted, summarize the impact on the content of the Initial Proposal, and detail ongoing coordination efforts. Set forth the plan for how the Eligible Entity will fulfill the coordination associated with its Final Proposal.

Prior to the launch of the American Samoa BROADBANDiNEI, efforts to address and engage stakeholders in broadband planning, deployment and digital equity were already in motion through the work of the 2021-2023 American Samoa Territorial Broadband Strategy (2021-2026 ASTBS) in September 2021. Extensive outreach and awareness campaigns took place to inform policies and provided a platform for feedback and input from stakeholders and the wider community. Outreach efforts reached all islands of American Samoa including Aunuu and the Manu'a Islands of Ta'u, Ofu and Olosega. These efforts led not just to the launch of the 2021-2026 ASTBS but the beginning of the implementation of various strategies for broadband. The 2021-2026 ASTBS was developed through an extensive process including over 100+ working stakeholder meetings and discussions, public webinars, community engagement and the collective input of the ASTBS Working Group, inclusive of members from the public and private sectors, civil society, non-profit organizations and the community-at-large. The 2021-2026 ASTBS is a roadmap of strategies and actions to create an environment ready for broadband-related implementations in American Samoa. Ongoing efforts will include various forms of direct engagement with stakeholder organizations, including non-profits, local governments, broadband service providers, and the general public.

To date, the American Samoa BROADBANDiNEI builds upon those efforts and will continue to do so. American Samoa continues to implement and conduct a robust stakeholder and public engagement process not only to educate but to collect feedback and input from the local community. Various strategies listed in Requirement 2 provide a means for community members to be engaged in conversations regarding the significance of broadband and its role in our community.

- Establishment of the BCORD Office and Broadband Steering Committee: In March 2023, Governor Lemanu P.S. Mauga signed Executive Order 007-2023 that established the BCORD Office, housed within the American Samoa Department of Commerce (ASDOC). The BCORD Office works collaboratively with both public and private sectors to develop and recommend structural and non-structural territorial strategies to achieve functional affordable universal access to broadband in American Samoa. EO 007-2023 also established the Broadband Steering Committee (BSC) to provide strategic and technical guidance to the BCORD Office. Governor Lemanu recognizes that access to affordable broadband is essential to the prosperity and quality of life of the people of American Samoa. Members of the BSC include:
  - Office of the Governor
  - Department of Commerce
  - American Samoa Telecommunications Authority
  - American Samoa Power Authority
  - LBJ Tropical Medical Center
  - Department of Health
  - Department of Education
  - Department of Homeland Security
  - American Samoa Community College
  - American Samoa ARPA Office
  - Office of Disaster and Petroleum Management





- Department of Human and Social Services
  - BlueSky Communications
  - American Samoa Community Cancer Coalition
  - Congregational Christian Church of American Samoa - Fagatogo
- **BROADBANDiNEI Working Group:** The BROADBANDiNEI WG is an informal working group established with members of various organizations including underrepresented communities to assist with the work of the BCORD and BSC. This group is a continuation of the ASTBS Working Group and meets weekly from December 2022. The group advises on strategies for the development of the external engagement process to ensure that it is equitable and appropriate to reach our local community. In addition to BSC members, the BROADBANDiNEI expands participation to others including but not limited to:
- University Center of Excellence for Development Disability
  - ASTBS Subgroup Members
    - Critical Services
    - Cybersecurity
    - Economic Development
    - Education
    - Health
    - Policy and Regulation
  - Members of Public and Private Sector
  - Non-profit organizations
- **Identification of Stakeholders:** The BCORD Office invited all applicable stakeholders to various events listed in Requirement 2 to bring them into the plan development process. The BCORD Office through its subgroups worked to identify relevant Underrepresented Communities identified in the BEAD and Digital Equity Act (DEA) NOFOs.
- **Outreach and Public Awareness:** The BCORD Office leveraged traditional and social media to ensure that there was widespread awareness of the development of BROADBANDiNEI plans and initiatives, as well as opportunities for the public to provide feedback. As listed in Requirement 2, the BCORD Office took to radio and TV shows, social media and news outlets, local events, workshops and conferences to talk about broadband.
- **Household Survey:** The BCORD Office will conduct a post-COVID broadband household survey to gather information to understand what changed in the landscape, opportunities, challenges, usage, quality, affordability, access to broadband in American Samoa. The Household Survey will be conducted in both English and Samoan. The Household Survey also covers all islands of American Samoa including Aunu'u, Ofu, Olosega and Tau.
- **Coordination with Ongoing Efforts:** American Samoa has taken a parallel approach to develop the BROADBANDiNEI plans in alignment with the 2021-2026 Territorial Broadband Strategy (2021-2026 ASTBS). This means building upon existing efforts, engagement with existing projects and grantees of related projects. This also means working closely with subgrantees to work with them through the application process and project development process and monitor progress to ensure accountability and applicability.
- **Updated Information:** As this process continues to unfold, the BCORD Office will continue to collect data and track broadband availability across the territory. This also includes tracking available funding sources and could be leveraged to further support BROADBANDiNEI initiatives island wide. The BCORD Office will also continue to



provide outreach and public awareness to ensure all stakeholders are kept up to date regarding development and progress.

- **Update to the ASTBS:** The BROADBANDiNEI shall serve as the next update to the territorial strategy for broadband. It is critical that these documents are kept alive with the work and progress through ongoing documentation.

**02.03.01.a Attachment:** Included is the Local Coordination Tracker Tool.

**02.03.01.b Coordination Geographic Coverage.** The Eligible Entity made no mention of geographic coverage to all corners of the island, or to the remote island, Aunu'u or the Manu'a island group.

**Full Geographical Coverage:** It is the goal of the BCORD Office to ensure continued outreach reaches all of American Samoa including Aunu'u Island and the Manua Islands of Tau, Ofu and Olosega. The BCORD Office has been on interviews and discussions on local radio and television broadcasted to all islands. Virtual and in person presentations and public forms were conducted and made available to an island wide audience. In addition, the BCORD gathered input from American Samoa's covered populations through online and in person activities. The establishment of the broadband working group and the Broadband Steering Committee also included representatives from covered populations. The BCORD Office collected a broadband household survey across all islands including Aunu'u and the Manua Islands and is preparing to launch an updated survey.

**02.03.01.c Coordination Diverse Groups.** The Eligible Entity's Initial Proposal does not outline efforts to promote the recruitment of women and other historically marginalized populations for workforce development opportunities and jobs related to BEAD-funded eligible activities.

All American Samoa residents are Rural Inhabitants and therefore marginalized. By definition of the BEAD, individuals residing in any town with less than 50,000 residents and not an urbanized area next to a town with 50,000 or more inhabitants is a covered population. American Samoa has a population of 49,710 people (2020 Census). This plan addresses all covered populations including, women, historically marginalized populations and covered populations.

The BCORD will continue leveraging existing community organizations, churches to reach and engage underrepresented communities including women and other historically marginalized populations for workforce development opportunities and jobs related to BEAD-funded eligible activities. Strategies included in-person and virtual meetings (which were recorded and live streamed), listening sessions, roadshows with specific organizations, public forums, media announcements including social and traditional media. All recordings were shared with attendees via email list as well as shared on social media platforms. Engagement included the collection of inputs via online form and in person to capture broader feedback from the public. Ongoing consultations with specific covered populations including women's groups, veterans, rural inhabitants and other marginalized populations aimed at collecting a more in-depth understanding of the needs associated with covered populations. Participants were either members of a covered population or those who have worked with a covered population.

**02.03.01.e Coordination Transparency.** The Eligible Entity could expand on its efforts to transparently communicate changes and updates to the 5-year Action Plan and Initial Proposal development.



American Samoa is committed to transparency, clear communication, and continuous engagement on planned broadband activities. Updates and changes to the BROADBANDiNEI 5-year Action Plan and Initial Proposal will be made available on the BCORD website, located at: <https://www.doc.as.gov/broadband>. The BCORD Office will use its website to facilitate feedback during public comment periods for each stage of the BEAD and Digital Equity programs as well as listening and outreach sessions.

As the plans are finalized and approved by NTIA, soft and hard copies will be available for distribution to stakeholders. The BCORD Office has ongoing weekly broadband working group meetings where updates and changes to the plans and status of BEAD projects are shared in general. The Broadband Steering Committee also has ongoing monthly meetings to receive status updates from the BCORD Office. The BCORD Office will publish periodic reports on broadband efforts for community stakeholders, including a report on public comments received on this Initial Proposal and their impact on planning.

**02.03.01.f Coordination Historically Underrepresented Communities.** The Eligible Entity should expand on its outreach and direct engagement with unserved and underserved communities.

The BCORD Office hosts regular ongoing working group, stakeholder and steering committee meetings for planning. These stakeholder groups include government entities, ISPs, academic institutions, community anchor institutions, nonprofit organizations, and private sector partners. The BCORD Office plans to continue to work with local organizations such as non-profit organizations, churches to reach and engage underrepresented communities. In addition to collecting feedback from this diverse set of stakeholders by committee, email and online comments, the BCORD has hosted online meetings that cover key topics, subgrantee selection, and other key components of BEAD planning. In each webinar, the BCORD informed government leaders, internet service providers, local organizations, and residents of BEAD plans and solicited feedback on proposed programs. The BCORD Office will continue to find opportunities to present to membership of community organizations.

Stakeholder engagement in American Samoa will extend to deployment awards.

**2.3.2 Text Box:** Describe the formal tribal consultation process conducted with federally recognized Tribes, to the extent that the Eligible Entity encompasses federally recognized Tribes. If the Eligible Entity does not encompass federally recognized Tribes, note “Not applicable.”

Not Applicable. American Samoa does not have federally recognized Tribal entities.

### ***Deployment Subgrantee Selection (Requirement 8)***

**2.4.1 Text Box:** Describe a detailed plan to competitively award subgrants to last-mile broadband deployment projects through a fair, open, and competitive process, including by having safeguards against collusion, bias, conflicts of interest, and arbitrary decisions. The Eligible Entity must provide additional details about how the pre-application and application process will be set up, what types of prospective subgrantees will be allowed, how prospective subgrantees will be solicited using what forms of communication, and how project areas will be defined and by whom. The Eligible Entity should explain how the Subgrantee Selection process includes safeguards against collusion, bias, conflicts of interest, arbitrary decisions, and other factors that could undermine confidence in the outcomes and awards.



#### **a. Deployment Projects Subgrantee Selection Fairness.**

The BCORD Office prioritizes broadband infrastructure deployment that provides reliable high-speed Internet access to all residents of American Samoa, focusing on unserved and underserved areas. An outline of example potential non-deployment projects include but are not limited to:

- Deploying and/or upgrading broadband network facilities in connection with an Unserved Service Project or an Underserved Service Project;
- Deploying and/or upgrading broadband network facilities to provide or improve service to an eligible community anchor institution;
- Data collection, broadband mapping, and planning to the extent necessary beyond the planning fund allocation to facilitate the goals and deliverables of the BEAD Program;
- Installing internet and Wi-Fi infrastructure or providing reduced-cost broadband within a multi-family residential building, with priority given to a residential building that has substantial share of unserved households or is in a location in which the percentage of individuals with a household income that is at or below 150 percent of the poverty line applicable to a family of the size involved is higher than the national percentage of such individuals;
- Broadband adoption, including programs to provide affordable internet-capable devices;
- Training and workforce development; and
- Other uses, including other Digital Equity programs not already included above, proposed by Eligible Entities and approved in advance in writing by the Assistant Secretary that support the goals of the Program.

American Samoa anticipates that it will use a substantial amount of its BEAD funding allocation for broadband deployment activities. This includes network updates, strengthening our domestic undersea fiber optical cable infrastructure, and other network facilities upgrades. The BCORD Office also hopes to ensure that all BSLs that are valid BSLs will have fiber infrastructure pulled to them through BEAD funding.

American Samoa has a solid fiber infrastructure from prior investments over the years, however due to the type of network deployed at the time, symmetrical connectivity (required for CAIs and corporate customers) cannot be deployed. In addition, there are network limitations that must be addressed to ensure that the providers are capable of providing 100/20 Mbps service (or higher) to consumers at a large scale. American Samoa anticipates the need to upgrade existing fiber networks to improve broadband to meet the deliverables of the BEAD project. To be able to deliver high-speed internet capacity to unserved and underserved areas, American Samoa will need to upgrade existing networks and systems to accomplish this goal through BEAD funding<sup>1</sup>. American Samoa's fiber infrastructure has unlit fiber available around the island, and to increase capacity to 25/3 Mbps and 100/20Mbps for unserved and underserved areas, it requires additional dark fiber to be lit or used. In other instances, an upgrade to systems network would allow for access to high-speed internet. For other non-deployment activities such as digital equity initiatives, American Samoa anticipates using the Digital Equity Act's capacity- building and competitive grant programs as its primary source of funding.

Our plan for awarding subgrants contains a pre-application and application process that will achieve fair, open competition for qualified entities. It incorporates Subgranting

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<sup>1</sup> The BEAD NOFO (pg. 33) allows for projects deploying and/or upgrading broadband network facilities in connection with an Unserved Service Project or an Underserved Service Project.



Accountability Procedures mandated by NTIA, including for challenge process, disbursement, claw-back rights, subgrantee reporting and ongoing monitoring. Our priority is to offer funding towards efforts that address the need for residents to have access to affordable broadband service at high-speed 100/20Mbps capacity to afford them opportunities to access services such as virtual learning, telehealth, digital economy, research and development, video conferencing, teleworking and access to information.

The American Samoa BROADBANDiNEI will be done in 2 phases:

- Pre-Application, to establish the qualifications of potential applicants - Applicants will submit pre-applications, which will provide BCORD Office with basic information to begin filtering out unqualified applicants as well as develop a clear idea of the capital that the companies have available, expanded upon in this section.

A pre-application process:

- Helps to mitigate the challenges of compressed timeline
- Maximize the limited time available for the Application Process
- Manage BCORD limited resources

Potential applicants may include but not limited to:

- Internet Service Providers
- Non-profit organizations
- Public-Private Partnerships
- Public or Private Utilities
- Local government
- Electrical Co-ops
- Tribal entities
- Application Process - the BCORD will publish a list of Broadband Serviceable Locations (BSLs) that are eligible for BEAD funding. Applicants that have successfully passed the pre-application phase will then be approved to submit full project applications for the projects.

The BCORD will use Census Tract grouping to define each Project Funding Areas (PFA) boundary. Prospective subgrantees will have wide flexibility to define their proposed project areas, but such proposals must be submitted in the form of groups of PFAs. By including a PFA in an application, the provider commits to reach all included eligible locations. By this definition, there will be 17 PFAs in American Samoa. PFAs would include only those BSLs deemed to be unserved and underserved after the challenge process has been completed. Potential subgrantees may only be able to propose alternative locations in the case of receiving funding under another state, private, or federal program to deploy funding with overlap in project areas. Potential subgrantees must report this if requesting funding from another program concurrently with overlapping project areas. In the event a potential subgrantee is awarded funding from another program covering locations they proposed to service, potential subgrantees are required to notify BCORD prior to contract to avoid duplication of funding, which is not allowed under the BEAD NOFO. Potential subgrantees must notify the BCORD Office as soon as the decision is made to avoid further delays in the award process. Failure to do so by the elected offeror will result in a non-award for the funding round.

The BCORD Office will use this PFA-based approach to ensure that the award of BEAD subgrants in American Samoa both reaches all eligible locations as well as meets BEAD's





stringent requirements for a fair, open and competitive process. The BCORD Office considered an approach of allowing providers to propose entirely custom project areas at the level of individual locations, but this approach would create significant risks that locations would not benefit from a truly fair, open and competitive award process, or at worst would receive no subgrant proposal at all. Instead, every eligible location in American Samoa will be included in a PFA. The use of standardized PFAs also will allow the BCORD Office to make fair comparisons between different proposals that partially overlap; to foster competition between prospective subgrantees and therefore more reliably only award BEAD funds at the level required by an efficient business case; and to still provide significant flexibility that will enable a wide range of providers, both small and large, to participate in the process, rather than using areas that favor only one specific entity or general type of provider.

### **Pre-application process (45 days):**

The BCORD Office will release pre-qualification requirements to interested prospective subgrantees as well as the initial proposed list of FPAs. The BCORD Office intends to initiate a mandatory pre-application for a 30 day window following completion of the challenge process and approval of the Initial Proposal by NTIA. All materials will be posted on the BCORD website.

**Project Areas Comment Period (15 days)** - The BCORD Office will release a project area map by defining project areas using census tract as the base geographic unit. Multiple project areas may be included in a single application. Potential grantees may submit questions or comments regarding FPAs within 15 days of posting.

**Letter of Intent (due 15 days after Project Area Comment Period)** - Upon release of final clarification on FPAs, prospective subgrantees will be required to submit a letter for intent to the BCORD Office of their intention to participate in the BEAD funding opportunity and their intended project area(s). The BCORD reserves the right to engage with application for any needed information or clarification. During this filing window, prospective subgrantees must provide required financial, operational, managerial and technical qualifications as well as submit required certifications and authorizations. Prospective subgrantees will be notified after the closing of this window whether they have been deemed qualified to participate in the BEAD Program. All prospective subgrantees will be required to submit pre-applications to BCORD. The BCORD Office may start this phase before the conclusion of the Challenge Process. The pre-application process is intended to collect the majority of application materials, excluding project materials, that will be used throughout the eligibility and eventual project scoring process. Below is an overview of the requested materials and their purposes, and the details of these are expressed below.

- All pre-application materials will be posted on the BCORD website <https://www.doc.as.gov/broadband>. The BCORD will publically announce via a hybrid forum (in person and online) that the pre-applications are available.
- At the highest level, these pre-applications will request information designed to act as an eligibility check so that applicants do not need to go through a full application before BCORD discovers that they are not eligible from the start.
- This includes information such as company history, a certificate of good standing in American Samoa, examples of completed comparable projects, and basic company financial information to determine the health of the company. The BCORD Office



recognizes that an applicant's ability to meet eligibility requirements may change with the volume of projects it is awarded. Therefore, the BCORD will also ask for information related to the applicants' capacity to carry out potential projects in the aggregate, not only individual projects.

- BCORD will request information to establish the estimated total amount of Financial Capacity and Relative Capacity for each applicant. Financial Capacity and Relative Capacity will each set a ceiling on the total amount of awarded projects an applicant may receive. Proposed projects, that if awarded, would cause an applicant to exceed either its Financial Capacity or Relative Capacity will be treated as ineligible.

The BCORD Office recognizes that a 25% minimum matching requirement will place a burden on subgrantee applications. However, the BCORD Office requires 25% minimum matching be provided by subgrantee. In awarding BEAD grants, the BCORD Office envisions awarding grants in a single round to encourage prospective subgrantees to put their final, best offer forward for the project area as defined by the subgrantee in accordance with the BCORD project area guidance above. Each proposal will be evaluated using the scoring criteria outlined. Note: Matching Waiver Pursuant to 48 U.S.C. § 1469a(d) is applied to the first \$250,000 grant to an Eligible Entity. This is not applicable to the BEAD program.

### **Application Process (up to 45 days):**

Upon completion of the 30 day pre-application process, qualified prospective subgrantees will then have the opportunity to submit full applications. The BCORD will host as needed in person and/or virtual information sessions for potential applicants to attend. The application window will officially open after the announcement forum. The BCORD will publically announce via a hybrid forum (in person and online) that the applications are available. All application materials will also be available via the BCORD website: <https://www.doc.as.gov/broadband>

The BCORD envisions awarding grants in a single round (Round 1) to encourage prospective subgrantees to put their final, best offer forward for the project area as defined by the subgrantee in accordance with BEAD program guidance. Each proposal will be evaluated using the scoring criteria outlined in this document. The BCORD Office's priority process in selecting subgrantees for last-mile broadband deployment projects is primarily for projects and solutions that provide the most reliable broadband services and solutions. If for some reason the areas remain unserved or priority broadband services are not reliable or unavailable, the BCORD will consider alternative technology deployments or new proposals for those areas in a second round (Round 2).

An application must include the list of FPAs, the amount of requested BEAD funds requested, the proposed technology type for the project and additional primary and secondary application elements including plans for affordability, fair labor practices, deployment timeline, local and tribal support, speed of network, and the budget and technical plan for deployment to the eligible locations included in the application.

The BCORD office may provide a submission template and coordinate process where applicants will outline their proposals. Proposal requirements will include at minimum the following sections below:

- Executive Summary



- Project Scope and Deliverables
- Project Schedule, Timeline/Deployment Schedule - Include a table of site, timeline for implementation, deployed resources, equipment, devices, available broadband speed/capacity, and operational status.
- Project Resources and Budget - Submit a revised budget to reflect the amount awarded. Submit the revised budget also in appropriate Budget Categories with a Budget Justification. This financial plan must address how the project improvement rates and costs affect customers. It must also include detailed projected costs and cost savings to consumers over time (installations, potential devices and types, monthly recurring costs). Plan must demonstrate that the project will be able to offer fair and reasonable rates at the desired speeds (100Mbps), comparable to average rates in any U.S. urban area. Plan must address consumers at all levels.
- Cybersecurity Plan
- Risk and Issue Management Plan
- Communication and Marketing Plan
- Outreach and Education Plan - Project must address Digital Equity through comprehensive community outreach and education; training opportunities; etc.
- Sustainability and Maintenance Plan - Beyond project funds; How do you address issues of workforce?
- Work Plan (Table Form) - Goals, Objectives, Activities/Tasks, Anticipated Outputs/Outcomes, Measures and Indicators, Timeline/Period and Responsibility
- Business Plan - Pursuant to the NOFO, the BCORD will require prospective subgrantees to certify they have a compliant business plan that details the categories of information as well as including at least three years of operating cost and cash flow projections post targeted completion of project.
- Organizations qualifications to include resumes of key personnel
- Letter of Credit - Prospective subgrantees are required to submit a letter of credit committing to issue an irrevocable standby letter of credit and in a value of no less than 25 percent of the subaward amount. In alignment with guidance programmatic waiver of the Letter of Credit from NTIA, the BCORD Office expands permissible alternative to the LOC requirements to allow:<sup>2</sup>
  - Allow Credit Unions to Issue LOCs. The NOFO requires subgrantees to obtain a LOC from a U.S. bank with a safety rating issued by Weiss of B- or better. The waiver permits subgrantees to fulfill the LOC Requirement (or any alternative permitted under the waiver) utilizing any United States credit union that is insured by the National Credit Union Administration and that has a credit union safety rating issued by Weiss of B- or better.
  - Allow use of Performance Bonds. The waiver permits a subgrantee to provide a performance bond equal to 100% of the BEAD subaward amount in lieu of a letter of credit, provided that the bond issued by a company holding a certificate of authority as an acceptable surety on federal bonds as identified in the Department of Treasury Circular 570.
  - Allow Eligible Entities to Reduce the Obligation Upon Completion of Milestones. The waiver allows an Eligible Entity to reduce the amount of the letter of credit obligation below 25% over time, or reduce the amount of the performance bond below 100% over time, upon a subgrantee meeting deployment milestones

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<sup>2</sup> BEAD LOC Waiver

[https://broadbandusa.ntia.gov/sites/default/files/2023-10/BEAD\\_LOC\\_Waiver\\_Notice\\_10.23.23.pdf](https://broadbandusa.ntia.gov/sites/default/files/2023-10/BEAD_LOC_Waiver_Notice_10.23.23.pdf)



specified by the Eligible Entity.

- Allow for an Alternative Initial LOC or Performance Bond Percentage. The NOFO requires that the initial amount of the letter of credit be 25% of the subaward (or the initial amount of the performance bond be 100% of the subaward under the option described above). The waiver allows the initial amount of the letter of credit or performance bond to be 10% of the subaward amount during the entire period of performance when an Eligible Entity issues funding on a reimbursable basis consistent with Section IV.C.1.b of the NOFO and reimbursement is for periods of no more than six months each.
- Audited Financial Statements - The BCORD Office will require as part of application and proposals financial statements from the most recent fiscal year that are audited by an independent certified public accountant. The BCORD Office will require the submission of information from prospective subgrantees that demonstrates sufficient funds are available for ongoing coverage of the project and ongoing operational/administrative costs. This can include but not limited to bank statements, open lines of credit, or other financial means to demonstrate. This risk assessment is inclusive of a review of compliance with requirements of prior grant awards, grantees prior experience with awards of a similar complexity, staffing levels and qualifications of staff and any additional concerns (for example: recently reported incidences of fraud, embezzlement, or mismanagement by the potential grantee). Each subgrantee is assessed a risk level based upon the results of the assessment. Subgrantees assessed as high-risk will require additional monitoring requirements as part of their grant monitoring procedures outlined in their grant award. The additional monitoring requirements may include more frequent programmatic review, more frequent financial reporting, site visits, etc.
- Certifications of compliance with applicable Environmental and Historic Preservation (EHP) and Build America, Buy American Act (BABA).

As appropriate, the BCORD will review, on a case-by-case basis, any deviation from the requirements list above. For example, acknowledging that many local community organizations and businesses do not need audited financial statements to operate, organizations may provide other pro forma financial statements.

The application window will be open for 45 days. During this period the BCORD Office will provide guidance, schedule office hours, meet by request, provide technical assistance, host questions and answer forums, post documentations on our website to support applicants throughout this process.

### **Application Review Process (up to 90 days):**

Upon closing of the application window, the BCORD will assess applications against criteria outlined in the BEAD NOFO, Initial Proposal, the scoring rubric and other guidelines provided. To ensure transparency, the BCORD will make available evaluation criteria and scoring methods including:

- Eligibility, Compliance and Completeness - After the application window is closed, within 7 days, the BCORD will review for eligibility, compliance and completeness. If an application does not meet the mandatory minimum requirements of the BEAD Program for subgrantees, the application will be deemed ineligible and removed from consideration.
- Administrative and Scoring Review - Reviewers will include but not limited to the BCORD Office and an external Evaluation Source Board as appropriate. Members of the designated review committee will reuse themselves from any relation to potential applicants or projects. The committee will evaluate information submitted by applicants,



seek clarification and resolve open issues. The review of projects will be based on scoring rubric described in section 2.4.2.

- Award Recommendation and Announcement - The BCORD will finalize awards and make recommendations for funding to the Director of Commerce. Once approved, the BCORD will notify approved applicants. It is important to note that there are many factors that will be considered for award, for example a proposed technical solution that is more feasible for that location and project to be implemented versus a low cost option that is not technically feasible would be considered; low cost proposal is not the primary consideration for selecting a project. The final award announcement will be posted on the BCORD website and applicants will be notified via email. The BCORD will be available to meet with any applicants who did not get funded for feedback and qualifications.
- Appeal - The BCORD will be available to meet with any applicants who did not get funded for feedback and qualifications. A letter of appeals must be received by BCORD within 7 calendar days of awards being published on the BCORD website. Appeals will be heard by the BCORD or designee. Denied applicants will have the opportunities to file a brief, and to appear for a hearing during the appeals process.

Since its establishment, the BCORD Office is overseeing federally-funded broadband grants including: \$10M of CARES Act funds; \$14M of American Samoa's allocation from the US Treasury Department's Capital Projects Fund (CPF), and the recently awarded \$300,000 Affordable Connectivity Program from the Federal Communications Commission. This Subgrantee Selection Process takes into account these experiences and expertise and will follow established policies and procedures that govern the issuance and monitoring of grants made by the DOC on behalf of the BCORD Office. The BCORD office will work to streamline the application process for applicants under the BROADBANDiNEI program. The BCORD Office intends to use a scoring process that is consistent with the guidance provided by NTIA in terms of weighting subgrantee applications. The BCORD Office intends to comply with local laws, policies and rules that pertain to grantees.

To safeguard against collusion, bias, conflicts of interest, and arbitrary decisions, the BCORD Office will confirm all application reviewers are free of conflicts of interest and will not enter business or actions that result in conflicts of interest. The BCORD will disqualify an application if applicants or any of their representatives attempt to inappropriately influence the grant process or collude in any way.

**Fairness.** The BROADBANDiNEI includes a broad set of safeguards to ensure a fair subgrantee selection process that is free of conflicts of interest (COI), direct or indirect collusion amongst applicants and biased or otherwise arbitrary outcomes. As applicable by American Samoa law, applicants must fully disclose any real or apparent (perceived) COIs. In addition to these generally applicable requirements, the BCORD requires attestation from prospective subgrantees that will include the acceptance of these terms. Such a conflict would arise when the employee, any member of his (her) immediate family, his or her partner...has a financial or other interest in the firm selected for award" (2 CFR 200.318). Other federal regulations with which the grantee must comply are the conflict-of-interest requirements in 2 CFR 200.112 and 24 CFR 570.489(h).

**Openness.** The BCORD Office will welcome the participation of any type of provider authorized to provide broadband service in American Samoa, including for-profit entities, co-operatives and public-private partnerships as enabled by local laws. The scoring rubric described in section 2.4.2 does not favor any particular provider nor type of provider, other than to the extent that the secondary scoring criterion of local government may favor certain applicants in certain areas based on clearly articulated local preferences from local governing authorities. In addition, the





BCORD Office will provide public notice and transparency for all program activities up until applications are submitted, at which time only limited information will be available in order to prevent prospective subgrantee collusion, and then followed by full transparency after awards are announced.

**Competitiveness.** The BCORD Office emphasizes the competitiveness of subgrant awards and thereby delivers the most impact for American Samoa. The scoring elements described in 2.4.2 are not only based on neutral criteria but are objectively algorithmic in nature, such as the award of points based on the maximum percent of BEAD funding objectively. Qualitative scoring components such as fair labor are also neutral criteria that will be made public in advance of applications.

**Subgranting Accountability Procedures.** The BROADBANDiNEI awards will be made only on a reimbursable basis. A payment schedule and timeline will be agreed upon. The BCORD will only disburse funds for completed deployments that comply with the terms included in the successful application and will withhold funds for failure to do so. For example, 10% may be disbursed upon provider certification and BCORD verification that 10% of eligible locations have been reached; with remaining disbursements at the following thresholds of completion: 35%, 60%, 85% and the final 100% provided only after verification of 100% deployment to eligible locations, all within the mandatory 48 months maximum deployment timeline or another shorter timeline certified by the applicant. The BROADBANDiNEI also includes clear penalties for non-performance, including clawback provisions to recoup disbursed funds if a subgrantee fails to continue to adhere to the obligations established in the grant agreement.

**b. Deployment Projects Subgrantee Selection Openness - Please explain how the evaluation committee will evaluate information submitted by applicants, seek clarification and resolve open issues, while maintaining fairness and openness to all competing applicants.**

Since the BCORD office functions as both the overarching governing body for the Territory and also as the local governing body, in the absence of distinct local governing bodies for localities within the Territory, to promote a transparent, evidence-based, fair, and expeditious application process, the BCORD Office will identify a committee responsible for reviewing all applications. The review committee will consist of members qualified to review the applications. If there is a perceived or potential conflict of interest with any committee member, that member must recuse him/herself from the review process. This will ensure that all reviewers apply unbiased standards of review to all applications, and avoid even the appearance of a conflict of interest, especially when evaluating applications. An audit log must be kept for all applications received by the BCORD. This ensures that staff and/or contractors responsible for intake, processing, and adjudication of applications will maintain operational autonomy from staff and/or contractors who may be submitting applications.

- **Award Recommendation and Announcement** - The BCORD will finalize awards and make recommendations for funding to the Director of Commerce. Once approved, the BCORD will notify approved applicants. It is important to note that there are many factors that will be considered for award, for example a proposed technical solution that is more feasible for that location and project to be implemented versus a low cost option that is not technically feasible would be considered; low cost proposal is not the primary consideration for selecting a project. The final award announcement will be posted on the BCORD website and applicants will be notified via email. The BCORD will be available to meet with any applicants who did not get funded for feedback and qualifications.



**2.4.2 Text Box:** Describe how the prioritization and scoring process will be conducted and is consistent with the BEAD NOFO requirements on pages 42 – 46.

The BCORD Office will use the below scoring rubric during the subgrantee selection process to evaluate Priority Broadband Projects and Other Last-Mile Broadband Projects. The BCORD will prioritize and score projects consistent with the principles as recommended by NTIA for selection among Priority Broadband Projects covering the same location or locations and/or selection among Other Last-Mile Broadband Deployment Projects.

- **Priority Broadband Projects:** The BCORD Office's process in selecting subgrantees for last-mile broadband deployment projects will first assess which locations or sets of locations under consideration are subject to one or more proposals that (1) constitute Priority Broadband Projects and (2) satisfy all other requirements set out in this NOFO with respect to subgrantees. In the event there is just one proposed Priority Broadband Project in a location or set of locations, and that proposal does not exceed the Eligible Entity's Extremely High Cost Per Location Threshold, that proposal is the default winner, unless the Eligible Entity requests, and the Assistant Secretary grants, a waiver allowing the Eligible Entity to select an alternative project. To the extent there are multiple proposals in a location or set of locations that constitute Priority Broadband Projects and satisfy all other requirements with respect to subgrantees, the BCORD Office will competitively select a project based on the criteria set by the BEAD NOFO.
- **Other Last-Mile Broadband Deployment Projects:** In deciding among competing projects that are not Priority Broadband Projects covering the same locations or area, the Eligible Entity must use the criteria detailed in the BEAD NOFO.

***Selection Criteria for Priority Broadband Projects***

The section describes the selection criteria for Priority Broadband Projects.

<b>Criteria</b>	<b>Priority Tier</b>	<b>Pass/Fail</b>
Does the project use end-to-end fiber optic architecture?	Pre-Review	Go to Other Last-Mile Broadband Deployment Projects
Does the project deploy and/or service provide a timeline of 4 years?	Pre-Review	Pass/Fail
Does the project satisfy all other subgrantee requirements?	Pre-Review	Pass/Fail
Does the project have a sustainability plan?	Pre-Review	Pass/Fail
Do you offer a speed of 1Gbps/1Gbps?	Pre-Review	Pass/Fail
<b>Criteria</b>	<b>Priority Tier</b>	<b>Point Allocation</b>



<b>Minimal BEAD Program outlay:</b> The total BEAD funding that will be required to complete the project, accounting for both total projected cost and the prospective subgrantee's proposed match (which must, absent a waiver, cover no less than 25 percent of the project cost), with the specific points or credits awarded increasing as the BEAD outlay decreases. In comparing the project's BEAD outlay and the prospective subgrantee's match commitments, the BCORD will consider the cost to the Program per location while accounting for any factors in network design that might make a project more expensive, but also more scalable or resilient.	Primary	45
<b>Affordability:</b> All applicants must provide the most affordable total price for a 1Gbps/1Gbps download/upload plan within the service area after deployment is completed.	Primary	45
<b>Fair Labor Practices.</b> The BCORD Office will give priority to projects based on a prospective subgrantee's demonstrated record of and plans to be in compliance with federal labor and employment laws. New entrants without a record of labor and employment law compliance must submit specific, forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects.	Primary	15
<b>Speed to Deployment.</b> All subgrantees that receive BEAD Program funds for network deployment must deploy the planned broadband network and begin providing services to each customer that desires broadband services within the project area not later than four years after the date on which the subgrantee receives the subgrant from the BCORD Office.	Secondary	10
<b>Open Access.</b> Points will be awarded for projects that demonstrate open access wholesale last-mile broadband service for the life of the subsidized networks, on fair, equal, and neutral terms to all potential retail providers.	Additional Criteria	10
<b>Climate and Sustainability.</b> Points will be awarded for projects that demonstrate how the approach will adopt environmentally friendly approaches like energy efficient technology and practices and utilization of renewable energy sources wherever possible. Points will also be awarded for projects that propose to build climate resilience infrastructure.	Additional Criteria	5
<b>Equitable Workforce Development and Job Quality.</b> Points will be awarded to projects that	Additional Criteria	4



demonstrate advancing equitable workforce development and job quality objectives for American Samoans.		
<b>Local Coordination.</b> Points will be awarded for projects that demonstrate a prospective subgrantee's support from the local government with oversight over the location or locations to be served. Points also awarded with projects tied to broadband territorial goals and plans.	Additional Criteria	3
<b>Community Input and Engagement.</b> Points will be awarded for projects that demonstrate substantive input from community and engagement with residents of proposed area and project location.	Additional Criteria	3
<b>Total</b>		<b>140</b>

**Minimal Bead Outlay (45 points):** The most cost-efficient applications determined by evaluating the total BEAD funding requested (inclusive of at least 25% matching funds) to provide broadband access to a defined Project Funding Area will receive maximum points under this section (45). The highest total BEAD funding requested to provide access to that same area will receive zero points. Applicants that provide at least 25% will receive 45 points. Applicants that provide less than 25% will receive 0 points.

**Affordability (45 points):** Internet business package costs are not available publicly. Some CAIs have been quoted as much as \$55,000 per month for 1Gbps internet connection. Due to these conditions, to showcase affordability on BEAD funded networks, all applicants must submit the price for 1Gbps/1 Gbps service that will be offered to all BSLs within the service area after deployment is completed. Any application that includes a five-year commitment to symmetrical 1Gbps service to all BSLs within the service area after deployment is completed at a price lower than the reference price of \$400 per month with no installation, equipment rental fees or other charges to the end user, will receive the full 45 points. Any application that includes a five-year commitment to offer symmetrical 1Gbps service to all BSLs within the service area after deployment is completed for a monthly reference price of more than \$800 shall receive a score of 0 points. This applies both to deployment and non-deployment projects. The same price commitment must be offered to all locations. Failure to provide a response within the \$400 - \$800 price range will result in a disqualification of application.

Price Offered for 1Gbps/1Gbps	Points
\$400 or less	45
\$401 to \$500	35
\$501 to \$600	25
\$601 to \$700	15
\$701 to \$799	5



\$800+	0
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**Fair Labor Practices (15 points):** Any applicant that certifies full compliance with all applicable labor laws and demonstrates in its application a record and plans of outstanding labor practices as defined in BEAD NOFO Section IV.C.1.e, including no violations within the last five years, shall receive 15 points. Any applicant that certifies full compliance with all applicable labor laws and demonstrates in its application with violations within the last five years will be subject to the following point system as described in the table below.

# of Violations	Points
0 violation	15
1 violation	10
2 violations	5
≥3 violations	0

Any applicant not able to so certify shall present to the BCORD specific, forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects. These plans shall be assessed by the BCORD and assigned a score of between 0-15 based on the strength of the commitments along the factors identified in the BEAD NOFO Section IV.C.1.e

**Speed to Deployment (10 points):** Applications that commit to the deployment of a network and provide services to each BSL within the Project Funding Area within four years from the date of the grant agreement with BCORD will be awarded points. Speed to deployment will be scored on a sliding scale based on the timeline(s) for completed deployment within a Project Funding area as demonstrated in the table below. Additionally, service milestone(s) must be committed within the applications and will measure progress made throughout the project period. These service milestones will be audited by BCORD quarterly and will be used to determine responses to requests for periodic disbursement payments by the subgrantee. Payments will not be authorized unless committed service milestones are met.

Time	Points
0-1 years contract award to project close out	10
>1 but ≤ 2 years contract award to project close out	8
>2 but ≤ 3 years contract award to project close out	6
>3 but ≤ years contract award to project close out	4
4 years+	2

**Open Access (10 points):** Any application that includes an enforceable commitment to open access wholesale last-mile broadband service for the life of the subsidized networks, on fair,





equal, and neutral terms to all potential retail providers, shall receive 10 points. Applications unable to ensure the provisions of open-access throughout the lifespan of the BEAD funded networks shall receive 0 points. Application must clearly state a Yes or No to Open Access.

**Climate and Sustainability (5 points):** Projects must demonstrate how the proposed project plans and approach will adopt environmentally friendly approaches like energy efficient technology and practices and utilization of renewable energy sources wherever possible. This may include but not limited to wireless tower, fiber backhaul, and RF antennas. Any application that includes an enforceable commitment to deploy climate resilient and sustainable infrastructures that includes at minimal, route diversity, redundancy, protective measures and restorative measures shall be awarded 5 points. Any application unable to include an enforceable commitment to deploy climate resilient and sustainable infrastructures shall present to the BCORD specific, forward-looking commitments to deploy climate resilient and sustainable infrastructures with respect to BEAD-funded projects. These plans shall be assessed by the BCORD and assigned a score of between 0-5 points based on the strength of the commitments along the factors identified in the BEAD NOFO. Projects without an enforceable commitment to deploy climate resilient sustainable infrastructure or forward-looking commitments shall receive 0 points.

Description	Points
<b>Energy efficient technology and practices and utilization of renewable energy sources</b>	1
<b>Route diversity:</b> The availability of multiple paths without common points.	1
<b>Redundancy:</b> The provision of duplicate assets to provide back-up.	1
<b>Protective measures:</b> The additional processes and systems used to reduce the likelihood that a system will be affected by natural disaster.	1
<b>Restorative measures:</b> The additional processes and systems used to reduce the time needed to return a system to full functionality	1

**Equitable Workforce (4 points):** Points will be awarded to projects that demonstrate advancing equitable workforce development and job quality objectives for American Samoans. Any application that demonstrates advancing equitable workforce development and job quality objectives for American Samoans shall be awarded 4 points. Any applications unable to demonstrate a commitment to advancing equitable workforce development and job quality objectives for American Samoans shall present to the BCORD specific, forward-looking commitments to equitable workforce with respect to BEAD-funded projects.



**Local Coordination (3 points):** Any application that includes letters of support from all its known partners shall receive 3 points. Documented letters of support from residents and local leaders within the community (e.g., village mayors, village counsel, village leadership, church groups, economic development organizations leaders, county commissioners, local business owners, city councils, school district boards) will be evaluated. Each letter of support must contain the name of the individual providing the support, the organization represented (if applicable), the nature of the support, date written, and a signature. Any applications unable to provide letters of support shall include an explanation of why it is unable to obtain the required letters to the BCORD. Points shall be deducted for any letter of opposition.

Letter of Support (Quantity)	Points
3 or more	3
2	2
1	1
0	0

**Community Engagement (3 points):** Any application that includes a summary of all community engagements events with outcomes, attendance, organizations engaged shall receive 3 points. Any applications unable to provide a summary of community engagement shall include an explanation of the required engagement to the BCORD. Points shall be deducted for any oppositions.

### ***Selection Criteria for Other Last Mile Deployment Projects***

The section describes the selection criteria for Other Last-Mile Broadband Deployment Projects.

<b>Criteria</b>	<b>Priority Tier</b>	<b>Pass/Fail</b>
Does the project use end-to-end fiber optic architecture?	Pre-Review	Pass/Fail
Does the project deploy and/or service provide a timeline of 4 years?	Pre-Review	Pass/Fail
Does the project satisfy all other subgrantee requirements?	Pre-Review	Pass/Fail
Does the project have a sustainability plan?	Pre-Review	Pass/Fail
Do you offer a speed of 100/20 Mbps?	Pre-Review	Pass/Fail



Criteria	Priority Tier	Point Allocation
<b>Minimal BEAD Program outlay:</b> The total BEAD funding that will be required to complete the project, accounting for both total projected cost and the prospective subgrantee's proposed match (which must, absent a waiver, cover no less than 25 percent of the project cost), with the specific points or credits awarded increasing as the BEAD outlay decreases. In comparing the project's BEAD outlay and the prospective subgrantee's match commitments, the BCORD will consider the cost to the Program per location while accounting for any factors in network design that might make a project more expensive, but also more scalable or resilient.	Primary	35
<b>Affordability.</b> The prospective subgrantee's commitment to provide the most affordable total price to the customer for 100/20 Mbps service in the proposed service area.	Primary	55
<b>Fair Labor Practices.</b> The BCORD Office will give priority to projects based on a prospective subgrantee's demonstrated record of and plans to be in compliance with federal labor and employment laws. New entrants without a record of labor and employment law compliance must submit specific, forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects.	Primary	15
<b>Speed to Deployment.</b> All subgrantees that receive BEAD Program funds for network deployment must deploy the planned broadband network and begin providing services to each customer that desires broadband services within the project area not later than four years after the date on which the subgrantee receives the subgrant from the BCORD Office.	Secondary	5
<b>Speed of Network and Other Technical Capabilities.</b> Applications will be scored based on certified speed and latency performance commitment that are enforceable subgrant conditions and subject to verification after deployment. To receive points, the	Secondary	6



BCORD's technical review must confirm that the proposed network design has the ability to deliver the performance level to all project areas. Applications proposing to use technologies that offer greater scalability and cost-effective/sustainable solutions will be given additional consideration.		
<b>Open Access.</b> Points will be awarded for projects that demonstrate open access wholesale last-mile broadband service for the life of the subsidized networks, on fair, equal, and neutral terms to all potential retail providers.	Additional Criteria	10
<b>Local Coordination.</b> Points will be awarded for projects that demonstrate a prospective subgrantee's support from the local government with oversight over the location or locations to be served. Points also awarded with projects tied to broadband territorial goals and plans.	Additional Criteria	5
<b>Equitable Workforce Development and Job Quality.</b> Points will be awarded to projects that demonstrate advancing equitable workforce development and job quality objectives for American Samoans.	Additional Criteria	3
<b>Community Input and Engagement.</b> Points will be awarded for projects that demonstrate substantive input from community and engagement with residents of proposed area and project location.	Additional Criteria	3
<b>Climate and Sustainability.</b> Points will be awarded for projects that demonstrate how the approach will adopt environmentally friendly approaches like energy efficient technology and practices and utilization of renewable energy sources wherever possible. Points will also be awarded for projects that propose to build climate resilience infrastructure.	Additional Criteria	3
<b>Total</b>		140 points

**Minimal Bead Outlay (35 points):** The most cost-efficient applications determined by evaluating the total BEAD funding requested (inclusive of at least 25% matching funds) to provide broadband access to a defined Project Funding Area will receive maximum points under this section. The highest total BEAD funding requested to provide access to that same area will receive zero points. Applicants that provide at least 25% will receive 35 points. Applicants that provide less than 25% will receive 0 points.



**Affordability (55 points):** Any application that includes a five-year commitment to symmetrical 100/20 Mbps service at a price between \$32 and \$52 per month with no installation, equipment rental fees or other charges to the end user, will receive the full 55 points. Any application that includes a five-year commitment to offer symmetrical 100/20 Mbps service for a monthly reference price of \$53 or more shall receive a score of 0 points. Bonus points may be awarded for cost proposals of < \$32/month.

Price Offered for 100/20Mbps	Points
\$32-\$52	55
\$53 or more	0

**Fair Labor Practices (15 points):** Any applicant that certifies full compliance with all applicable labor laws and demonstrates in its application a record and plans of outstanding labor practices as defined in BEAD NOFO Section IV.C.1.e, including no violations within the last five years, shall receive 15 points. Any applicant who can certify plans for full compliance with applicable labor laws with violations within the last five years will be subject to the following point system.

# of Violations	Points
0 violation	15
1 violation	10
2 violations	5
≥3 violations	0

New entrants without a record of labor and employment law compliance must submit specific, forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects. These plans shall be assessed by the BCORD and assigned a score of between 0-15 based on the strength of the commitments along the factors identified in the BEAD NOFO Section IV.C.1.e

**Speed to Deployment (5 points):** Applications that commit to the deployment of a network and provide services to each BSL within the Project Funding Area within four years from the date of the grant agreement with BCORD. Speed to deployment will be scored on a sliding scale based on the timeline(s) for completed deployment within a Project Funding area as demonstrated in the table below. Additionally, service milestone(s) must be committed within the applications and will measure progress made throughout the project period. These service milestones will be audited by BCORD quarterly and will be used to determine responses to requests for periodic disbursement payments by the subgrantee. Payments will not be authorized unless committed service milestones are met.

Time	Points
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0-1 years contract award to project close out	5
>1 but $\leq$ 2 years contract award to project close out	4
>2 but $\leq$ 3 years contract award to project close out	3
>3 but $\leq$ 4 years contract award to project close out	2
4 years+	0

**Speed of Network and Other Technical Capabilities (6 points).** Applications will be scored based on certified speed and latency performance commitment that are enforceable subgrant conditions and subject to verification after deployment. To receive points, the BCORD's technical review must confirm that the proposed network design has the ability to deliver the performance level to all project areas. Applications proposing to use technologies that offer greater scalability and cost-effective/sustainable solutions will be given additional consideration.

Project must deliver at a minimum 100/20 Mbps and latency <100ms to the proposed project area. It must include proposed technology including hardware configurations, including any assumptions and/or calculations around capacity oversubscription, limitations imposed by terrain, and geographic constraints, to definitively demonstrate the connection speed and network capacity requirements can be met. Applicants that do not make this demonstration will not receive any points.

Speed	Points
<100/20 Mbps	0 point
100/20 Mbps	2 points

Latency	Points
$\leq$ 100ms	2 points
100ms or above	0 point

Technology (hardware configurations, including any assumptions and/or calculations around capacity oversubscription, limitations imposed by terrain, and geographic constraints, to definitively demonstrate the connection speed and network capacity requirements can be met)	Points
Meets 3 or more of requirements	2 points
Meets 2 or less requirements	1 point



Total: 6 points

Applicants may be awarded Additional Points **(1 point each)** for the following:

- 1) **Speed and Sufficient Capacity:** 1 additional point may be added if a project proposes to deliver a speed of higher than 100/20 Mbps or higher to the project area.
- 2) **Scalability:** Project must propose infrastructure capable of delivering higher speeds in the future. Applications must detail the specific approach to scalability, such as increased wireless base station sectorization, hardware upgrades, addition of towers, etc., to include projected capital costs per location associated with upgrades necessary to deliver increased service level thresholds of the applicant's choosing (i.e., 100/100 Mbps, 500/100 Mbps, 1000/1000 Mbps). Applicants that do not make this demonstration will not receive any points.
- 3) **Cost-effective/Sustainability:** 1 point will be awarded to applications that demonstrate a cost-effective projected technical upgrade path, including a capital investment timeline and costs for equipment refresh and replacement cycles.

**Open Access (10 points):** Any application that includes an enforceable commitment to open access wholesale last-mile broadband service for the life of the subsidized networks, on fair, equal, and neutral terms to all potential retail providers, shall receive 10 points. Applications unable to ensure the provisions of open-access throughout the lifespan of the BEAD funded networks shall receive 0 points. Application must clearly state a Yes or No to Open Access.

**Local Coordination (5 points):** Any application that includes letters of support from all its known partners shall receive 5 points. Documented letters of support from residents and local leaders within the community (e.g., village mayors, village counsel, village leadership, church groups, economic development organizations leaders, county commissioners, local business owners, city councils, school district boards) will be evaluated. Each letter of support must contain the name of the individual providing the support, the organization represented (if applicable), the nature of the support, date written, and a signature. Any applications unable to provide letters of support shall include an explanation of why it is unable to obtain the required letters to the BCORD. Points shall be deducted for any letter of opposition.

Letter of Support (Quantity)	Points
5 or more	5
4	4
3	3
2	2
1	1
0	0

**Equitable Workforce (3 points):** Any application that demonstrates advancing equitable workforce development and job quality objectives for American Samoans shall be awarded 3 points. Any applications unable to demonstrate a commitment to advancing equitable workforce development and job quality objectives for American Samoans shall present to the BCORD



specific, forward-looking commitments to equitable workforce with respect to BEAD-funded projects. These plans shall be assessed by the BCORD and assigned a score of between 0-2 points based on the strength of the commitments along the factors identified in the BEAD NOFO.

**Community Engagement (3 points):** Any application that includes a summary of all community engagements events with outcomes, attendance, organizations engaged shall receive 3 points. Any applications unable to provide a summary of community engagement shall include an explanation of the required engagement to the BCORD. Points shall be deducted for any omissions.

**Climate and Sustainability (3 points):** Projects must demonstrate how the proposed project plans and approach will adopt environmentally friendly approaches like energy efficient technology and practices and utilization of renewable energy sources wherever possible. This may include but not limited to wireless tower, fiber backhaul, and RF antennas. Any application that includes an enforceable commitment to deploy climate resilient and sustainable infrastructures that includes at minimal, route diversity, redundancy, protective measures and restorative measures shall be awarded 3 points. Any application unable to include an enforceable commitment to deploy climate resilient and sustainable infrastructures shall present to the BCORD specific, forward-looking commitments to deploy climate resilient and sustainable infrastructures with respect to BEAD-funded projects. These plans shall be assessed by the BCORD and assigned a score of between 0-3 points based on the strength of the commitments along the factors identified in the BEAD NOFO. Projects without an enforceable commitment to deploy climate resilient sustainable infrastructure or forward-looking commitments shall receive 0 points.

Description	Points
<b>Energy efficient technology and practices and utilization of renewable energy sources</b>	0.5
<b>Route diversity:</b> The availability of multiple paths without common points.	0.5
<b>Redundancy:</b> The provision of duplicate assets to provide back-up.	1
<b>Protective measures:</b> The additional processes and systems used to reduce the likelihood that a system will be affected by natural disaster.	0.5
<b>Restorative measures:</b> The additional processes and systems used to reduce the time needed to return a system to full functionality	0.5

**Attachment:** BEAD Initial Proposal\_Volume II\_Subgrantee Selection Scoring Rubric.xlsx.



**Deployment Projects Prioritization and Scoring: Locations** - The Eligible Entity includes rubrics for priority and non-priority broadband projects but fails to explain how competing proposals for the same location or locations will be determined. Please elaborate.

If there is only one applicant with an acceptable project in an area, then the BCORD Office will provisionally award that project. If there is more than one, and barring one superseding the others due to it being a priority project, the BCORD will generate a list of all possible combinations of using the Proposed Projects to cover the entire area without overlapping projects. Following this, the BCORD will combine the scores of the projects that comprise the arrangement and will then select the arrangement with the highest score.

**2.4.3 Text Box:** Describe how the proposed subgrantee selection process will prioritize Unserved Service Projects in a manner that ensures complete coverage of all unserved locations prior to prioritizing Underserved Service Projects followed by prioritization of eligible CAIs.

It is important to note that based on latency, all of American Samoa has been determined to be underserved, with the exception of the Manu'a Islands which are unserved. The Manu'a Islands are presently an extremely high cost area and are considered unserved, this is due to damage sustained to the domestic undersea fiber optic network which provides service to those islands. American Samoa is fortunate to have fiber to the home run to the majority of all households. It remains underserved or underserved in these areas, in part because of the latency mentioned above, but also because the physical on-island infrastructure lacks the capacity to provide 100/20mbps or 1Gbps/1Gbps (CAI) to the BSL locations. American Samoa will use BEAD funding to complete the necessary repairs to the undersea fiber optic cables running to Manu'a, which will then classify these locations as underserved. American Samoa will then prioritize areas in the Territory that lack reasonable access to fiber to the home (new housing development areas that did not exist during the deployment). Because fiber is likely already pulled to the CAI locations, the next priority will be necessary internal network upgrades to ensure capacity of 100/20mbps or 1Gbps/1Gbps (CAI) can be delivered to the underserved locations, both the residential and business BSL locations, as well as CAIs at their higher capacity. It should be noted that issues of affordability hinder American Samoa's ability to fully take advantage of the benefits of broadband. In alignment with NTIA requirements, the BCORD Office, in awarding subgrants for the deployment of a broadband network, will award funding in a manner that ensures the deployment of service to all unserved and underserved locations. To ensure full coverage of all locations, the BCORD Office will prioritize the deployment of work to these areas. The BCORD office will consider additional rounds of subgrantee selection to achieve universal coverage, in compliance with NTIA requirements.

- a. Deployment Service Prioritization of Locations**--The Eligible Entity should provide detail on how a 1-window subgrantee selection process will ensure complete coverage of all unserved locations, then if BEAD funding is still available, prioritization of underserved locations, and whether eligible CAIs will be considered at all.

The BCORD envisions awarding grants in a single round to encourage prospective subgrantees



to put their final, best offer forward for the project area as defined by the subgrantee in accordance with BEAD program guidance. Each proposal will be evaluated using the scoring criteria outlined in this document. The BCORD Office's priority process in selecting subgrantees for last-mile broadband deployment projects is primarily for projects and solutions that provide the most reliable broadband services and solutions. If for some reason the areas remain unserved or priority broadband services are not reliable or unavailable, the BCORD will consider alternative technology deployments or new proposals for those areas.

If no proposal, or no viable proposal, is received for a given proposed project area, the BCORD Office plans to implement any or all of the following processes, depending on the circumstances:

- Negotiate with one or more applicants who have applied for adjacent areas to determine if other applicants would be willing to assume commitments to fund these locations, based on costs negotiated between the applicant and BCORD.
- Negotiate with one or more applicants to maximize the chances of finding solutions for these locations.
- Conduct a second (and possibly third) competitive process to formally attract applicants for these locations.

The subgrantee selection process incentivizes prospective subgrantees to define how they will connect all proposed project areas. The process will require subgrantees to submit proposals that provide broadband service to 100 percent of the unserved locations within the project area and to as many underserved locations as possible. Applicants are strongly encouraged to utilize end-to-end fiber networks to the extent technically feasible. To ensure service to all unserved and as many underserved locations as possible in American Samoa, the BCORD will open the process to any CAIs, cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments.

**2.4.4 Text Box:** If proposing to use BEAD funds to prioritize non-deployment projects prior to, or in lieu of the deployment of services to eligible CAIs, provide a strong rationale for doing so. If not applicable to plans, note "Not applicable."

The BCORD is prioritizing non-deployment projects as existing CAIs currently have access and are eligible for other broadband funding provided through other federal programs such as those funded through the American Rescue Plan Act of 2021, FCC's Rural Healthcare Programs and eRATE Program and Connecting Minority Communities (CMC).

**2.4.5 Text Box:** The proposed subgrantee selection process is expected to demonstrate to subgrantees how to comply with all applicable Environmental and Historic Preservation (EHP) and Build America, Buy America Act (BABA)<sup>6</sup> requirements for their respective project or projects. Describe how the Eligible Entity will communicate EHP and BABA requirements to prospective subgrantees, and how EHP and BABA requirements will be incorporated into the subgrantee selection process.

- a. **Deployment Projects Subgrantee Selection EHP Requirements.** The Eligible Entity will describe how the Eligible Entity will communicate Environmental and Historic



**Preservation (EHP) requirements to prospective subgrantees and how EHP requirements will be incorporated into the subgrantee selection process.**

Subgrantees will be asked to certify that they will comply with relevant National Environmental Policy Action (NEPA), Environmental and Historical Preservation (EHP) and Build America, Buy America Act (BABA) requirements. Subgrantees awarded BEAD funds will be required to recertify their compliance on a semiannual basis for the duration of the BEAD implementation period. To ensure compliance with these Acts, the BCORD will communicate the stipulated requirements to all prospective subgrantees before the selection process begins. This will be achieved through outreach efforts, such as webinars and in-person meetings, involving key stakeholders.

EHP requirements will be incorporated as part of a minimal requirements of project proposal. If minimum requirements are not met in any response, the project is disqualified. The BCORD will communicate requirements related to both EHP and BABA and other relevant NEPA to all prospective subgrantees prior to the subgrantee selection process through webinars, in-person meetings, and through publication of such compliance requirements in compliance guidance to be posted to BCORD's website.

**b. Deployment Projects Subgrantee Selection BABA Requirements. The Eligible Entity will describe how the Eligible Entity will communicate Build America, Buy America Act (BABA) requirements to prospective subgrantees and how BABA requirements will be incorporated into the subgrantee selection process.**

Regarding compliance with BABA, the BCORD will emphasize the following key points:

- All iron, steel, manufactured products (including, but not limited to, fiber-optic communication facilities), and construction materials used in the project or eligible activities must be produced in the United States, unless a waiver is granted.
- Prospective subgrantees must adhere to the definitions outlined in Section 70912 of the Build America, Buy America Act when determining whether a product qualifies as produced in the United States.
- BEAD funding cannot be used to purchase or support covered communications equipment or services, as defined in Section 9 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. § 1608).
- The Infrastructure Act explicitly prohibits subgrantees from using BEAD funding to purchase or support fiber-optic cable and optical transmission equipment manufactured in the People's Republic of China unless a waiver is granted by the assistant secretary.

For American Samoa, the following temporary waiver is applicable, Department of Commerce Temporary General Applicability Public Interest Waiver for Federal Financial Assistance Awarded for Infrastructure Projects Located in the U.S. Pacific Island Territories of the Commonwealth of Northern Mariana Islands (CNMI), Guam, and American Samoa, Collectively Referred to as Pacific Island Territories.<sup>3</sup> “The waiver permits the use of non-domestic iron, steel, manufactured products, and construction materials in infrastructure projects located within the Pacific Island territories of CNMI, Guam or American Samoa when

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<https://www.commerce.gov/sites/default/files/2023-10/Pacific%20Island%20Territories%20Waiver%20Issuance%20Memo%203.pdf>



the total Federal award exceeds the Simplified Acquisition Threshold of \$250,000. If Federal financial assistance provided by the Department is combined with other Federal financial assistance from another Federal agency and the total amount of the Federal financial assistance in a single project is greater than the Simplified Acquisition Threshold, then the waiver shall apply to the Federal financial assistance provided by the Department. The Department applies the waiver to all awards obligated after the effective date and, in the case of awards obligated prior to the effective date, all expenditures for non-domestic iron, steel, manufactured products, and construction materials incurred after the effective date.”<sup>4</sup>

The BCORD will communicate requirements related to both EHP and BABA and other relevant NEPA to all prospective subgrantees prior to the subgrantee selection process through webinars, in-person meetings, and through publication of such compliance requirements in compliance guidance to be posted to BCORD’s website.

Regarding compliance with NEPA and NHPA, the BCORD will emphasize the following key points:

- Prospective subgrantees must describe their plans for complying with relevant environmental and national historical preservation requirements.
- They are responsible for obtaining all necessary federal, Eligible Entity, and local permits and approvals within the project implementation timeline.
- Projects and eligible activities should be designed to minimize potential adverse impacts on the environment.

The American Samoa Department of Commerce, of which the BCORD office is under, oversees the Project Notification Review System (PNRS) for land use permitting in which the American Samoa Historic Preservation is a member of this Board. Thus, compliance will be a priority via the land use permitting process. This will be included as part of the BEAD application compliance.

Prospective subgrantees will be required to provide a statement of compliance with the Acts mentioned above.

**c. Last-Mile Broadband Deployment Project Areas Comparison.** The Eligible Entity must detail the Eligible Entity's mechanism for de-conflicting overlapping proposals to allow for like-to-like comparison of competing proposals if the Eligible Entity allows prospective subgrantees to define proposed project areas. The Eligible Entity should articulate a plan to ensure that all unserved locations will receive coverage, and then a process to connect underserved locations if additional BEAD funding remains.

The BCORD will use Census Tract grouping to define each Project Funding Areas (PFA) boundary. By this definition, there will be 17 PFAs. PFAs would include only those BSLs deemed to be unserved and underserved after the challenge process has been completed. Potential subgrantees may only be able to propose alternative locations in the case of receiving funding under another state, private, or federal program to deploy funding with overlap in project areas. Potential subgrantees must report this if requesting funding from another

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<https://www.commerce.gov/sites/default/files/2023-10/Pacific%20Island%20Territories%20Waiver%20Issuance%20Memo%203.pdf>





program concurrently with overlapping project areas. In the event a potential subgrantee is awarded funding from another program covering locations they proposed to service, potential subgrantees are required to notify BCORD prior to contract to avoid duplication of funding, which is not allowed under the BEAD NOFO. Potential subgrantees must notify the BCORD Office as soon as the decision is made to avoid further delays in the award process. Failure to do so by the elected offeror will result in a non-award for the funding round.

As appropriate, any remaining BEAD funds will be allocated for Digital Equity programs.

**2.4.6 Text Box:** Describe how the Eligible Entity will define project areas from which they will solicit proposals from prospective subgrantees. If prospective subgrantees will be given the option to define alternative proposed project areas, describe the mechanism for de-conflicting overlapping proposals to allow for like-to-like comparisons of competing proposals.

The BCORD Office intends to initiate a mandatory pre-application window following completion of the challenge process and approval of the Initial Proposal by NTIA. This includes a comment period for determining project areas. Project Areas Comment Period (15 days) - The BCORD Office will develop a project area map by defining project areas using census tract as the base geographic unit to clearly identify which locations are unserved, under served or served. The project area will exclude all locations identified to already have service. Multiple project areas may be included in a single application.

Potential subgrantees may also define proposed project areas based broadband serviceable locations. Geographic levels may be chosen, per project, on a per-location basis, per-census block basis, per-town, per-county, or per-village. An “Unserved Service Project” or “Underserved Service Project” may be as small as a single unserved or underserved location, respectively. Applicants will be permitted to submit multiple project areas as part of a single application; however, no single applicant may include the same village in multiple proposed project areas (i.e., none of the applicant’s proposed project areas can overlap with each other in any way).

**02.04.06.c Last-Mile Broadband Deployment Project Areas Comparison.** The Eligible Entity must detail the Eligible Entity's mechanism for de-conflicting overlapping proposals to allow for like-to-like comparison of competing proposals if the Eligible Entity allows prospective subgrantees to define proposed project areas. The Eligible Entity should articulate a plan to ensure that all unserved locations will receive coverage, and then a process to connect underserved locations if additional BEAD funding remains.

The BCORD Office fully expects that different applicants’ proposed project areas will overlap, and when that is the case, the BCORD Office will manage a de-conflicting process to determine the winning applicant and incentivize the inclusion of unserved and underserved areas.

Potential subgrantees may only be able to propose alternative locations in the case of receiving funding under another local, private, or federal program to deploy funding with overlap in project areas. Potential subgrantees must report this if requesting funding from another program concurrently with overlapping project areas. In the event a potential subgrantee is awarded funding from another program covering locations they proposed to service, potential subgrantees are required to notify BCORD prior to contract to avoid duplication of funding,



which is not allowed under the BEAD NOFO. Potential subgrantees must notify the BCORD as soon as the decision is made to avoid further delays in the award process. Failure to do so by the selected offeror will result in a non-award for the funding round.

The BCORD Office will create an internal map of all proposed project areas to create a visualization of overlapping projects outside of the proposed project areas, this will aid the BCORD Office as well as the review committee in making a determination that is most sensible and cost effective for the BEAD program. The applicants that are not awarded a grant for the conflicting project area must remove the intersecting project areas, and may further review their applications to remove associated costs or withdraw their application in its entirety.

**Step 1: Assess Project Cost** - If the proposed cost to serve the project area included in the application requires less than the estimated cost to build plus a percentage contingency, or the subsidy ask request is less than the estimated NPV (when negative) plus a percentage contingency, the application will continue in the deconfliction process. If the proposed project cost or subsidy ask exceeds the estimated values with additional contingency, the application will be considered a “deferred application” and will be reserved for future consideration and will not be scored or considered for deconfliction at this time.

**Step 2: Deconfliction - Overlapping** If the proposed project contains overlapping census blocks, scoring will be used to deconflict the overlapping area and award the overlapping project area to the highest scoring project.

Final determination will be based on cost effective solutions to serve the project area.

**2.4.7 Text Box:** If no proposals to serve a location or group of locations that are unserved, underserved, or a combination of both are received, describe how the Eligible Entity will engage with prospective subgrantees in subsequent funding rounds to find providers willing to expand their existing or proposed service areas or other actions that the Eligible Entity will take to ensure universal coverage.

The BCORD Office intends to engage applicants in nearby or adjacent project areas to negotiate the expansion of project area to include unserved or underserved locations to ensure these areas are served. Those negotiations will include assessment of which variables, be it speed, funding match, or other programmatic requirement, were barriers to the prospective subgrantee and a review of ways the BCORD Office could modify requirements to ensure the locations are served.

- a. **Last-Mile Broadband Deployment Projects for Locations with No Proposals.** - The Eligible Entity must outline a transparent, fair, and open process for engaging with subgrantees if no proposals are received to serve a location or group of locations that are unserved, underserved, or a combination of both. Detail that the Eligible Entity would only engage in provider-specific outreach after the Eligible Entity has solicited proposals and failed to obtain one or more proposals to service the location or locations at issue.

If no proposal, or no viable proposal, is received for a given PFA, the BCORD Office plans to implement any or all of the following processes, depending on the circumstances:

- Negotiate with one or more applicants who have applied for adjacent areas to



determine if other applicants would be willing to assume commitments to fund these locations, based on costs negotiated between the applicant and BCORD.

- Negotiate with one or more applicants to maximize the chances of finding solutions for these locations.
- Conduct a second (and possibly third) competitive process to formally attract applicants for these locations.

**b. Last Mile Broadband Deployment Project Areas--Inducements.** The Eligible Entity must provide details if the Eligible Entity intends to consider inducements, such as use of state/territory funding toward the match requirement or benefits during the grant selection process.

We do not intend to use inducements for matching. During any negotiation period, the BCORD reserves the right to make necessary modifications to subgrant applications after consulting with NTIA. Potential alterations may include aerial deployment or a combination of underground and aerial non-fiber deployment, a hybrid of non-fiber and fiber, or modifications to PFA.

**2.4.8 Text Box:** Describe how the Eligible Entity intends to submit proof of Tribal Governments' consent to deployment if planned projects include any locations on Tribal Lands.

American Samoa does not have federally or locally recognized Tribes.

**2.4.9 Text Box:** Identify or outline a detailed process for identifying an Extremely High Cost Per Location Threshold to be utilized during the subgrantee selection process. The explanation must include a description of any cost models used and the parameters of those cost models, including whether they consider only capital expenditures or include the operational costs for the lifespan of the network.

American Samoa's geographical isolation and remoteness adds to the extremely high cost to deploy and deliver broadband services. The BCORD Office's intent is to set American Samoa's Extremely High Cost Per Location Threshold at a level that does not exhaust all our BEAD resources. The BCORD Office intends to use NTIA data set available through the Eligible Entity Planning Tool to support the identification of Extremely High Cost Per Location Threshold.

- Extremely High Cost Per Location Threshold Identification.** The Eligible Entity should identify, or include a detailed process for identifying, an Extremely High Cost Per Location Threshold to be utilized during the sub-grantee selection process.
- Extremely High Cost Per Location Threshold--Revising Proposals.** The Eligible Entity must describe its planned process for engaging with prospective subgrantees to revise their proposals to ensure that no location requires a subsidy that exceeds the Extremely High Cost Per Location Threshold.
- Extremely High Cost Per Location Threshold--Alternative Technology.** The Eligible Entity should detail the Eligible Entity's planned process for selecting a proposal involving a less costly technology for a location, even if that technology does not meet the definition of Reliable Broadband Service, but otherwise satisfies the Program's



technical requirements if no Reliable Broadband Service technology meeting the BEAD Program's technical requirements would be deployable for a subsidy of less than the Extremely High Cost Per Location Threshold at a given location.

Once the extremely high-cost per location threshold is determined, the BCORD will issue an addendum to the application/proposal materials via its website. All prospective subgrantees who had submitted proposals will be automatically notified of the addendum once posted. Potential subgrantees will be required to submit updated proposals by a set time period (typically 2-3 weeks from addendum posting). In the follow-up/addendum request, potential subgrantees may provide alternative technology solutions for the set of designated BSLs above American Samoa designated extremely high-cost per location threshold. Should potential subgrantees not be able to provide reasonable responses, the BCORD may elect to remove locations from the scope of work, and select alternative technologies to implement the required connectivity for the subset of locations removed from the extremely high-cost per location threshold.

**2.4.10 Text Box:** Outline a plan for how the Extremely High Cost Per Location Threshold (EHCPLT) will be utilized in the subgrantee selection process to maximize the use of the best available technology while ensuring that the program can meet the prioritization and scoring requirements set forth in Section IV.B.6.b of the BEAD NOFO.

In efforts to ensure that sufficient funding is available to extend high-speed to all unserved and underserved areas in American Samoa, the BCORD Office's intent to set American Samoa's Extremely High Cost Per Location Threshold at a level that does not exhaust all our BEAD resources and will reject proposals that exceed the threshold.

The BCORD Office will review and prioritize applications and will factor in the EHCPLT in awarding any project that would exceed the threshold. In those proposed project areas with costs that exceed the HCPLT, the BCORD Office will consider other proposals to use less costly Reliable Broadband Service technologies that can be provided at a lower cost or a technology that does not meet the definition of reliable but will provide service at a minimum of 100/20 and latency less than or equal to 100 milliseconds at a lower cost.

Once the extremely high-cost per location threshold is determined, the BCORD will issue an addendum to the application/proposal materials via its website. All prospective subgrantees who had submitted proposals will be automatically notified of the addendum once posted. Potential subgrantees will be required to submit updated proposals by a set time period (typically 2-3 weeks from addendum posting). In the follow-up/addendum request, potential subgrantees may provide alternative technology solutions for the set of designated BSLs above American Samoa designated extremely high-cost per location threshold. Should potential subgrantees not be able to provide reasonable responses, the BCORD may elect to remove locations from the scope of work, and select alternative technologies to implement the required connectivity for the subset of locations removed from the extremely high-cost per location threshold.

The BCORD will continue to do outreach to prospective subgrantees to ensure they understand the objectives of the BROADBANDiNEI and the required matching options.

## **Deployment Subgrantee Qualifications**



**2.4.11 Text Box:** Describe how the Eligible Entity will ensure prospective subgrantees deploying network facilities meet the minimum qualifications for financial capability as outlined on pages 72-73 of the BEAD NOFO.

- a. **Deployment Subgrantee Qualifications--Available Funds.** The Eligible Entity will describe how the Eligible Entity will require prospective subgrantees to certify that they are qualified to meet the obligations associated with a Project, that prospective subgrantees will have available funds for all project costs that exceed the amount of the grant, and that prospective subgrantees will comply with all Program requirements, including service milestones. To the extent the Eligible Entity disburses funding to subgrantees only upon completion of the associated tasks, describe how the Eligible Entity will require each prospective subgrantee to certify that it has and will continue to have sufficient financial resources to cover its eligible costs for the Project until such time as the Eligible Entity authorizes additional disbursements.

As described in the Pre-Application section, all applications will be required to submit details of their financial capacity. This will include estimated capital that the applicant has available and is willing to spend for the purposes of the BEAD program. Applicants will need to attest to the best effort accuracy of this estimate. They must also certify that this funding will remain available throughout the duration of the BEAD program and that they have no financial obligations that would preclude them from doing so. The BCORD will also require each applicant to certify that it has and will continue to have sufficient financial resources to cover its eligible costs for the Project until such time as additional funds is authorized and disbursed.

- b. **Detail how the Eligible Entity plans to establish a model letter of credit substantially similar to the model letter of credit established by the FCC in connection with the Rural Digital Opportunity Fund (RDOF).**
- c. **Detail how the Eligible Entity will require prospective subgrantees to submit audited financial statements.**

The BCORD Office is committed to selecting projects that have the financial resources and capabilities necessary to successfully complete and manage a project. The BCORD Office acknowledges that most organizations within its service population do not have the necessary capital to

Consistent with the NOFO and in accordance with Uniform Guidance §200.205(b), all subgrantees must undergo a pre-award risk assessment prior to issuance of new competitive grant awards. The BCORD Office will require as part of application and proposals financial statements from the most recent fiscal year that are audited by an independent certified public accountant. The BCORD Office will require the submission of information from prospective subgrantees that demonstrates sufficient funds are available for ongoing coverage of the project and ongoing operational/administrative costs. This can include but not limited to bank statements, open lines of credit, or other financial means to demonstrate. This risk assessment is inclusive of a review of compliance with requirements of prior grant awards, grantees prior experience with awards of a similar complexity, staffing levels and qualifications of staff and any additional concerns (for example: recently reported incidences of fraud, embezzlement, or mismanagement by the potential grantee). Each subgrantee is assessed a risk level based upon the results of the assessment. Subgrantees assessed as high-risk will require additional monitoring requirements as part of their grant monitoring procedures outlined in their grant award. The additional monitoring requirements may include more frequent programmatic





review, more frequent financial reporting, site visits, etc.

All documentation will be reviewed by qualified personnel and evaluated on a pass/fail basis. Subgrantee applicants who are deemed to fail any of the requirements mentioned may be asked to re-submit required documentation within seven calendar days. If subgrantee applicants ultimately fail to provide documentation that meets the standards outlined below, the subgrantee applicant will be ineligible to receive any funding as part of the BEAD deployment subgrantee process.

Pursuant to the NOFO, the BCORD will require prospective subgrantees to certify they have a compliant business plan that details the categories of information as well as including at least three years of operating cost and cash flow projections post targeted completion of project.

Prospective subgrantees are required to submit a letter of credit committing to issue an irrevocable standby letter of credit and in a value of no less than 25 percent of the subaward amount. In alignment with guidance programmatic waiver of the Letter of Credit from NTIA, the BCORD Office expands permissible alternative to the LOC requirements to allow:<sup>5</sup>

- Allow Credit Unions to Issue LOCs. The NOFO requires subgrantees to obtain a LOC from a U.S. bank with a safety rating issued by Weiss of B– or better. The waiver permits subgrantees to fulfill the LOC Requirement (or any alternative permitted under the waiver) utilizing any United States credit union that is insured by the National Credit Union Administration and that has a credit union safety rating issued by Weiss of B– or better.
  - Allow use of Performance Bonds. The waiver permits a subgrantee to provide a performance bond equal to 100% of the BEAD subaward amount in lieu of a letter of credit, provided that the bond issued by a company holding a certificate of authority as an acceptable surety on federal bonds as identified in the Department of Treasury Circular 570.
  - Allow Eligible Entities to Reduce the Obligation Upon Completion of Milestones. The waiver allows an Eligible Entity to reduce the amount of the letter of credit obligation below 25% over time, or reduce the amount of the performance bond below 100% over time, upon a subgrantee meeting deployment milestones specified by the Eligible Entity.
  - Allow for an Alternative Initial LOC or Performance Bond Percentage. The NOFO requires that the initial amount of the letter of credit be 25% of the subaward (or the initial amount of the performance bond be 100% of the subaward under the option described above). The waiver allows the initial amount of the letter of credit or performance bond to be 10% of the subaward amount during the entire period of performance when an Eligible Entity issues funding on a reimbursable basis consistent with Section IV.C.1.b of the NOFO and reimbursement is for periods of no more than six months each.
- d. Deployment Subgrantee Qualifications--Business Plans. The Eligible Entity will detail how the Eligible Entity will require prospective subgrantees to submit business plans and related analyses that substantiate the sustainability of the proposed project.

Minimum qualifications for ensuring that prospective subgrantees deploying network facilities have the financial capability must be included in the proposals. The BCORD Office will require applicants to submit business plans and related analyses that substantiate the sustainability of the proposed project. This can be provided in the form of pro forma statements or analyses,

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<sup>5</sup> BEAD LOC Waiver

[https://broadbandusa.ntia.gov/sites/default/files/2023-10/BEAD\\_LOC\\_Waiver\\_Notice\\_10.23.23.pdf](https://broadbandusa.ntia.gov/sites/default/files/2023-10/BEAD_LOC_Waiver_Notice_10.23.23.pdf)



inclusive of cash flow and balance sheet projections and should include at least three years of operating cost and cash flow projections post targeted completion of the project.

**2.4.11.1 Optional Attachment:** As an optional attachment, submit application materials related to the BEAD subgrantee selection process, such as drafts of the Requests for Proposals for deployment projects, and narrative to crosswalk against requirements in the Deployment Subgrantee Qualifications section.

Attachments will be forthcoming.

**2.4.12 Text Box:** Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for managerial capability as outlined on pages 73 – 74 of the BEAD NOFO.

Resumes from their key managerial staff, including leadership, operations, and network construction staff, an organization chart detailing parent, subsidiary or affiliated entities shall be submitted as part of application proposal. The BCORD Office will enforce managerial capability requirements as outlined on pages 73 – 74 of the BEAD NOFO. The prospective subgrantees must submit narratives that describe the experience and qualifications of its key management personnel, their experience undertaking projects of similar size and scope, recent and upcoming organizational changes including mergers and acquisitions and relevant organizational politics.

A business plan shall be prepared for the project to include workforce and asset details. In addition, the narrative shall include applicant qualification and experience in building, maintaining, and upgrading the network, demonstrate lessons they have learned from past deployments, and any anticipated challenges they may face based on their prior experience. The narrative should include details on the experience of the leadership team, how long they have been with the company, how long the company has been in the business of providing broadband services and whether they have deployed fiber before. To the extent the subgrantee has done work pursuant to federal or state broadband funding, provide information detailing their successful completion of those projects or their progress to date on such projects. In addition, the subgrantee must include a statement in its narrative as to whether it has been the subject of any enforcement actions in relation to past projects. The narrative shall include the need for any contractors, additional staff for a comprehensive review and an impartial managerial capability assessment.

The narrative shall also demonstrate the readiness of the organization to manage the proposed project and meet its obligations to funding conditions of the BEAD program.

**2.4.13 Text Box:** Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for technical capability as outlined on page 74 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section.

Each prospective subgrantee seeking funding to deploy or upgrade a broadband network must certify that it is technically qualified to complete and operate the Project and that it is





capable of carrying out the funded activities in a competent manner, including that it will use an appropriately skilled and credentialed workforce (see Section IV.C.1.e of this NOFO).

In addition to requirements set forth in 2.4.12, the BCORD Office shall be given proof of certification by the potential subgrantee that they are technically qualified to carry out and complete project activities. This includes compliance with local business licensing processes overseen by the American Samoa Department of Commerce; proof of current licensing in American Samoa; verification of industry or technical certification of personnel involved in the design, diagrams, and project budgeting. Prospective subgrantees must submit a network design, diagram, project costs, build-out timeline and milestones for project implementation, and a capital investment schedule evidencing complete build-out and the initiation of service within four years of the date on which the entity receives the subgrant, all certified by a professional engineer, stating that the proposed network can deliver broadband service that meets the requisite performance requirements to all locations served by the project. The BCORD will not approve any applicant for the deployment or upgrading of network facilities unless it determines that the materials submitted to it demonstrate the prospective subgrantee's technical capability with respect to the proposed project.

The BCORD Office may provide a template to subgrantee applicants to aid subgrantee applicants with their submission. All documentation will be reviewed by the BCORD Office and evaluated on a pass/fail basis. The BCORD Office may request additional information within 7 calendar days. If a potential applicant fails to provide sufficient documentation, the application will be deemed ineligible.

The BCORD office may provide a submission template and coordinate process where applicants will outline their proposals. Proposal requirements will include at minimum the following sections below:

- Executive Summary
- Project Scope and Deliverables
- Project Schedule, Timeline/Deployment Schedule - Include a table of site, timeline for implementation, deployed resources, equipment, devices, available broadband speed/capacity, and operational status.
- Project Resources and Budget - Submit a revised budget to reflect the amount awarded. Submit the revised budget also in appropriate Budget Categories with a Budget Justification. This financial plan must address how the project improvement rates and costs affect customers. It must also include detailed projected costs and cost savings to consumers over time (installations, potential devices and types, monthly recurring costs). Plan must demonstrate that the project will be able to offer fair and reasonable rates at the desired speeds (100Mbps), comparable to average rates in any U.S. urban area. Plan must address consumers at all levels.
- Identify source of Matching
- Cybersecurity Plan
- Risk and Issue Management Plan
- Communication and Marketing Plan
- Outreach and Education Plan - Project must address Digital Equity through comprehensive community outreach and education; training opportunities; etc.
- Sustainability and Maintenance Plan - Beyond project funds; How do you address issues of workforce?



- Work Plan (Table Form) - Goals, Objectives, Activities/Tasks, Anticipated Outputs/Outcomes, Measures and Indicators, Timeline/Period and Responsibility
- Business Plan - Pursuant to the NOFO, the BCORD will require prospective subgrantees to certify they have a compliant business plan that details the categories of information as well as including at least three years of operating cost and cash flow projections post targeted completion of project.
- Organizations qualifications to include resumes of key personnel
- Letter of Credit - Prospective subgrantees are required to submit a letter of credit committing to issue an irrevocable standby letter of credit and in a value of no less than 25 percent of the subaward amount. In alignment with guidance programmatic waiver of the Letter of Credit from NTIA, the BCORD Office expands permissible alternative to the LOC requirements to allow:<sup>6</sup>
  - Allow Credit Unions to Issue LOCs. The NOFO requires subgrantees to obtain a LOC from a U.S. bank with a safety rating issued by Weiss of B- or better. The waiver permits subgrantees to fulfill the LOC Requirement (or any alternative permitted under the waiver) utilizing any United States credit union that is insured by the National Credit Union Administration and that has a credit union safety rating issued by Weiss of B- or better.
  - Allow use of Performance Bonds. The waiver permits a subgrantee to provide a performance bond equal to 100% of the BEAD subaward amount in lieu of a letter of credit, provided that the bond issued by a company holding a certificate of authority as an acceptable surety on federal bonds as identified in the Department of Treasury Circular 570.
  - Allow Eligible Entities to Reduce the Obligation Upon Completion of Milestones. The waiver allows an Eligible Entity to reduce the amount of the letter of credit obligation below 25% over time, or reduce the amount of the performance bond below 100% over time, upon a subgrantee meeting deployment milestones specified by the Eligible Entity.
  - Allow for an Alternative Initial LOC or Performance Bond Percentage. The NOFO requires that the initial amount of the letter of credit be 25% of the subaward (or the initial amount of the performance bond be 100% of the subaward under the option described above). The waiver allows the initial amount of the letter of credit or performance bond to be 10% of the subaward amount during the entire period of performance when an Eligible Entity issues funding on a reimbursable basis consistent with Section IV.C.1.b of the NOFO and reimbursement is for periods of no more than six months each.
- Audited Financial Statements - The BCORD Office will require as part of application and proposals financial statements from the most recent fiscal year that are audited by an independent certified public accountant. The BCORD Office will require the submission of information from prospective subgrantees that demonstrates sufficient funds are available for ongoing coverage of the project and ongoing operational/administrative costs. This can include but not limited to bank statements, open lines of credit, or other financial means to demonstrate. This risk assessment is inclusive of a review of compliance with requirements of prior grant awards, grantees prior experience with awards of a similar complexity, staffing levels and qualifications of staff and any additional concerns (for example: recently reported incidences of fraud, embezzlement,

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<sup>6</sup> BEAD LOC Waiver

[https://broadbandusa.ntia.gov/sites/default/files/2023-10/BEAD\\_LOC\\_Waiver\\_Notice\\_10.23.23.pdf](https://broadbandusa.ntia.gov/sites/default/files/2023-10/BEAD_LOC_Waiver_Notice_10.23.23.pdf)



or mismanagement by the potential grantee). Each subgrantee is assessed a risk level based upon the results of the assessment. Subgrantees assessed as high-risk will require additional monitoring requirements as part of their grant monitoring procedures outlined in their grant award. The additional monitoring requirements may include more frequent programmatic review, more frequent financial reporting, site visits, etc.

As appropriate, the BCORD will review, on a case-by-case basis, any deviation from the requirements list above. For example, acknowledging that many local community organizations and businesses do not need audited financial statements to operate, organizations may provide other pro forma financial statements.

The application window will be open for 45 days. During this period the BCORD Office will provide guidance, schedule office hours, meet by request, provide technical assistance, host questions and answer forums, post documentations on our website to support applicants throughout this process.

**2.4.14 Text Box:** Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for compliance with applicable laws as outlined on page 74 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section.

- a. Detail how the Eligible Entity will require prospective subgrantees to demonstrate that they are capable of carrying out funded activities in a competent manner in compliance with all applicable federal, state, territorial, and local laws.

The BCORD Office will require certification from applicants that it will permit workers work-led health and safety committees. The BCORD Office follows local laws, policies/procedures already established by the American Samoa Government. The American Samoa Department of Commerce is looking to recruit inhouse legal counsel. The BCORD has budgeting costs for external legal review assistance as required.

American Samoa has limited resources available concerning local laws, of which many are outdated. Presently there are no laws concerning technology, broadband and telecommunications that would be relevant for the purposes of this section. The authority of the telecommunications regulator is vested in the Governor through executive order. The BCORD Office requires compliance with all federal and territorial laws. Concerning territorial laws in regard to labor, they may be found under Title 32 of the American Samoa Code Annotated (asbar.org). Laws concerning environmental and historic preservation can be found in Title 26 of the American Samoa Code Annotated (asbar.org).

- b. Detail how the Eligible Entity will require prospective subgrantees to permit workers to create worker-led health and safety committees that the subgrantee's management will meet with upon reasonable request.

To submit a grant application, prospective subgrantees will be required to provide the details listed below related to compliance with applicable laws:

- Policies and procedures to ensure compliance with occupational safety and health requirements including worker-led health and safety committees that management will meet with upon reasonable request. (The Office may utilize details or suggestions from



NTIA's Workforce Planning Guide to assist with specific requirements for prospective subgrantees).

**2.4.15 Text Box:** Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for operational capability as outlined on pages 74 – 75 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section.

- a. Deployment Subgrantee Qualifications--Operational Capability. The Eligible Entity must state that they will require prospective subgrantees to certify that they possess the operational capability to complete and operate the Project.
- b. Detail how the Eligible Entity will require prospective subgrantees to submit a certification that have provided a voice, broadband, and/or electric transmission or distribution service for at least two (2) consecutive years prior to the date of its application submission or that it is a wholly owned subsidiary of such an entity, attests to and specify the number of years the prospective subgrantee or its parent company has been operating.
- c. Detail how the Eligible Entity will require prospective subgrantees that have provided a voice and/or broadband service, to certify that it has timely filed Commission Form 477s and the Broadband DATA Act submission, if applicable, as required during this time period, and otherwise has complied with the Commission's rules and regulations.
- d. Detail how the Eligible Entity will require prospective subgrantees that have operated only an electric transmission or distribution service, to submit qualified operating or financial reports, that it has filed with the relevant financial institution for the relevant time period along with a certification that the submission is a true and accurate copy of the reports that were provided to the relevant financial institution.
- e. In reference to new entrants to the broadband market, detail how the Eligible Entity will require prospective subgrantees to provide evidence sufficient to demonstrate that the newly formed entity has obtained, through internal or external resources, sufficient operational capabilities.

The BCORD Office will require subgrantee applicants to describe in detail their operational capabilities and experience to complete and manage the proposed project. This must include workforce, finances, engineering and past experiences. The BCORD Office will require prospective subgrantees to certify that they possess the operational capability to complete and operate the proposed project. The BCORD Office will require prospective subgrantees to submit a certification that have provided a voice, broadband, and/or electric transmission or distribution service for at least two (2) consecutive years prior to the date of its application submission or that it is a wholly owned subsidiary of such an entity, attests to and specify the number of years the prospective subgrantee or its parent company has been operating. However, consistent with the NOFO Operational Capabilities section, the BCORD intends to allow those who cannot submit this certification to submit evidence sufficient to demonstrate that the newly formed entity has obtained, through internal or external resources, sufficient operational capabilities. The BCORD Office will require prospective subgrantees that have provided a voice and/or broadband service, to certify that it has timely filed Commission Form 477s and the Broadband DATA Act submission, if applicable, as required during this time



period, and otherwise has complied with the Commission's rules and regulations. The BCORD Office will require prospective subgrantees that have operated only an electric transmission or distribution service, to submit qualified operating or financial reports, that it has filed with the relevant financial institution for the relevant time period along with a certification that the submission is a true and accurate copy of the reports that were provided to the relevant financial institution. The BCORD Office will require prospective subgrantees to provide evidence sufficient to demonstrate that the newly formed entity has obtained, through internal or external resources, sufficient operational capabilities.

**2.4.16 Text Box:** Describe how the Eligible Entity will ensure that any prospective subgrantee deploying network facilities meets the minimum qualifications for providing information on ownership as outlined on page 75 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section.

- a. Detail how the Eligible Entity will require prospective subgrantees to provide ownership information consistent with the requirements set forth in 47 C.F.R. § 1.2112(a)(1)-(7).

Consistent with NTIA guidance, the BCORD Office will require subgrantee applicants to upload an ownership narrative that meets the requirements outlined in 47 C.F.R. § 1.2112(a)(1)-(7). Subgrantee applicants must respond comprehensively and accurately. All documentation will be reviewed by qualified personnel and evaluated on a pass/fail basis. Subgrantee applicants who are deemed to fail any of the requirements mentioned below may be asked to re-submit required documentation within seven calendar days. If subgrantee applicants ultimately fail to provide documentation that meets the standards outlined below, the subgrantee applicant will be ineligible to receive any funding as part of the BEAD deployment subgrantee process. Requirements for the ownership narrative include:

- List of the real party or parties in interest in the subgrantee 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 subgrantee applicant
- List of the names, addresses, and citizenships of any party holding 10 percent or more of stock in the subgrantee applicant, whether voting or nonvoting, common or preferred, including the specific amount of the interest or percentage held
- List of, in the case of a limited partnership, the names, addresses, and citizenships of each limited partner whose interest in the subgrantee applicant is 10 percent or greater calculated according to the percentage of equity paid in or the percentage of distribution of profits and losses)
- List of, in the case of a general partnership, the names, addresses and citizenships of each partner, and the share or interest participation in the partnership
- List of, in the case of a limited liability company, the names, addresses, and citizenships of each of its members whose interest in the subgrantee applicant is 10 percent or greater
- List of all parties holding indirect ownership interests in the subgrantee 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



- List of any FCC-regulated entity or applicant for an FCC license, in which the subgrantee applicant or any of the parties identified in other bullets as part 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 subgrantee applicant (e.g., Company A owns 10 percent of Company B (the subgrantee 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 app

**2.4.17 Text Box:** Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for providing information on other public funding as outlined on pages 75 – 76 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity may reference those to outline alignment with requirements for this section.

- a. Detail how it will require prospective subgrantees to disclose for itself and for its affiliates, any application the subgrantee or its affiliates have submitted or plan to submit, and every broadband deployment project that the subgrantee or its affiliates are undertaking or have committed to undertake at the time of the application using public funds.
- b. At a minimum, the Eligible Entity shall require the disclosure, for each broadband deployment project, of: (a) the speed and latency of the broadband service to be provided (as measured and/or reported under the applicable rules), (b) the geographic area to be covered, (c) 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), (d) the amount of public funding to be used, (e) the cost of service to the consumer, and (f) the matching commitment, if any, provided by the subgrantee or its affiliates.

The BCORD Office shall require each prospective subgrantee to disclose, for itself and for its affiliates<sup>7</sup>, any application the subgrantee or its affiliates have submitted or plan to submit, and every broadband deployment project that the subgrantee or its affiliates are undertaking or have committed to undertake at the time of the application using public funds, including but not limited to funds provided under: the Families First Coronavirus Response Act (Public Law 116-127; 134 Stat. 178); the CARES Act (Public Law 116-136; 134 Stat. 281), the Consolidated Appropriations Act, 2021 (Public Law 116-260; 134 Stat. 1182); or the American Rescue Plan of 2021 (Public Law 117-2; 135 Stat. 4), any federal Universal Service Fund high-cost program (e.g., RDOF, CAF), or any Eligible Entity or local universal service or broadband deployment funding program. At a minimum, the Eligible Entity shall require the disclosure, for each broadband deployment project, of: (a) the speed and latency of the broadband service to be provided (as measured and/or reported under the applicable rules), (b) the geographic area to be covered, (c) 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)<sup>8</sup>, (d) the amount of public funding to be used, (e) the cost of service to the

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<sup>7</sup> The term “affiliate” shall be defined consistent with 47 U.S.C. § 153(2) (“The term ‘affiliate’ means a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term “own” means to own an equity interest (or the equivalent thereof) of more than 10 percent.”).

<sup>8</sup> See, e.g., 47 C.F.R. § 54.802.





consumer, and (f) the matching commitment, if any, provided by the subgrantee or its affiliates.

As part of the application process and submitted via application portal, potential subgrantees will also be required to submit the following information:

- The speed and latency of the broadband service to be provided, as measured and/or reported according to applicable rules.
- The geographic area intended to be covered.
- The number of unserved and underserved locations committed to being served. If the commitment involves serving a percentage of locations within the specified geographic area, the relevant percentage should be provided.
- The amount of public funding designated for the project.
- The cost of service to the consumer.
- Any matching commitment, if applicable, provided by the prospective subgrantee or its affiliates.

### ***Non-Deployment Subgrantee Selection (Requirement 9)***

**2.5.1 Text Box:** Describe a fair, open, and competitive subgrantee selection process for eligible non-deployment activities.

If there are residual BEAD funds post deployment and community anchor institutions, the BCORD Office intends to use those for digital equity and non-deployment activities. The BCORD will select non-deployment activities using fair, open, and competitive subgrantee selection processes for eligible activities. The non-deployment subgrantee selection process will parallel the open and competitive grant processes used in currently active grant programs administered by the American Samoa Department of Commerce at large, like the Community Services Block Grant programs.

In alignment with the 2021-2026 ASTBS, BROADBANDiNEI plans, the BCORD Office prioritizes broadband affordability and adoption in local communities through efforts including promoting broadband subsidies, computer skills training, enhancing digital literacy, and helping train users on best practices concerning online privacy and security. The also includes activities to promote stakeholder engagement efforts, including conducting outreach to local communities. The BCORD Office will continue to collaborate with local organizations and entities to identify and apply for funding to address digital literacy, workforce development, telehealth, public safety, and broadcast communications. The BCORD Office will put out a call out for proposals for potential projects that may be funded that address strategic areas of the American Samoa Territorial Broadband Strategic plan, the BEAD 5-Year Action Plan and the American Samoa Territorial Digital Equity plan.

An outline of example potential non-deployment projects include but are not limited to:

- Technology centric workforce development;
- Complimentary funding toward U.S. Treasury Capital Funds Project in American Samoa for the development of a Technology Park in technology centric economic development or technology centric education/workforce development;
- Development of a government centralized broadband network;
- Additional funding toward physical addressing initiatives in the territory - to provide





resources for the deployment of telecommunications, broadband, electrical utilities, e911 and emergency services, etc;

- Expansion and improvement of government public services; to provide a backbone or improvements to existing infrastructure or technology solutions to improve accessibility of these resources to the public;
- Small business programs to encourage the incorporation of technology and broadband into businesses, by providing grant funds for the implementation of ERP/POS systems that would enable more wide-spread use of electronic transmissions and more efficient internal business processes and internet adoption within businesses;
- Hazard mitigation of existing broadband infrastructure that may be at risk due to climate changes or other impacts;
- User training with respect to cybersecurity, privacy and other digital safety matters.
- Remote learning or telehealth services/facilities.
- Digital literacy/upskilling (from beginner level to advanced).
- Computer science, coding and cybersecurity education programs.
- Implementation of Eligible Entity digital equity plans (to supplement, but not to duplicate or supplant, planning grant funds received by the Eligible Entity in connection with the Digital Equity Act of 2021).
- Broadband sign-up assistance and programs that provide technology support.
- Multi-lingual outreach to support adoption and digital literacy.
- Prisoner education to promote pre-release digital literacy, job skills, online job acquisition skills, etc.
- Digital navigators.
- Direct subsidies for use toward broadband subscription, where the Eligible Entity shows the subsidies will improve affordability for the end user population (and to supplement, but not to duplicate or supplant, the subsidies provided by the Affordable Connectivity Program).
- Costs associated with stakeholder engagement, including travel, capacity-building or contract support.
- Other allowable costs necessary to carrying out programmatic activities of an award, not to include ineligible costs described in Section V.H.2 of the NOFO.
- Activities related to the incorporation of “smart” technologies and capabilities into farming and fishing practices, due to American Samoa’s being reliant on these economic activities.

#### **2.5.2 Text Box:** Describe the Eligible Entity’s plan for the following:

- a. How the Eligible Entity will employ preferences in selecting the type of non-deployment initiatives it intends to support using BEAD Program funds;

**Public Notice:** The BCORD will release a request for proposals for non-deployment activities. All funding and project oversight will be through the American Samoa Government DOC BCORD office. BCORD will provide oversight for reporting, certifications, training and compliance. RFPs will detail the types of projects that will be funded as well as the project’s range of likely minimum and maximum costs for an award. RFPs will highlight that potential subgrantees must meet the minimum qualifications detailed in the BEAD NOFO for all potential subgrantees, and show appropriate proof of the following:



1. Capability of carrying out activities funded by the subgrant in a competent manner in compliance with all applicable federal and territorial laws;
2. Financial and managerial capacity to meet the commitments of the subgrantee under the subgrant, the requirements of the BEAD Program, and such other requirements as have been prescribed by the Assistant Secretary or the BCORD; and
3. Technical and operational capability to provide the services promised in the subgrant in the manner contemplated by the subgrant award.

The call for proposals will be released on the BCORD website, social media, local newspaper and other appropriate forms of local communications.

**Technical Assistance:** The BCORD will hold at least one webinar prior to the application deadline to respond to questions from potential applicants and to provide guidance on how to use the application portal.

**Evaluation Criteria:** Potential subgrantees will have their applications evaluated using the non-deployment evaluation rubric.

Criteria	Scoring	Points
Primary		
Project Merit:  Purpose -  Potential subgrantees must describe the project purpose, anticipated outcomes, and its alignment with the RFP's goals and the strategies and priorities described in the NTIA approved State of American Samoa DEq Plan and the ASTBS 2021-2026 in a specified project area. Potential subgrantees must explain how and why they selected their proposed project area. Applications will need to provide any community statistics that demonstrate the need in the community for the proposed program, including but not limited to the estimated number of households or residents that may benefit from the project and the demographics of the impacted community (social, education, age, financial, any covered populations as identified in the Digital Equity Act.)	Reviewers will assess the extent to which the proposed project aligns with the RFP's goals and the strategies and priorities described in the American Samoa DEq Plan. Reviewers will assess how proposed projects will meet the needs of the community and the quality of the proposed project outcomes.	30
Feasibility -	Proposals will be scored	10



Potential subgrantees must demonstrate the feasibility of the proposed project within the RFP's timeframe and describe a plan to carry out the project.	on the comprehensiveness and appropriateness of the project plan, including the clarity, level of detail, project timeline, and measures of success of the proposed project.	
<b>Qualifications and Expertise</b>  Potential subgrantees will need to provide proof of past work in deploying related project(s), or at minimum, demonstrate the capability of operating the proposed project with an appropriately skilled workforce. This includes resumes of key personnel for the proposed project and/or any certifications.	Reviewers will assess the extent to which the potential subgrantee has demonstrated the technical understanding and the operational capabilities necessary to execute the proposed project successfully in an effective and timely manner.	10
<b>Secondary</b>		
<b>Project Sustainability - Potential subgrantees must provide a project sustainability plan to sustain the proposed project efforts after the end of the BEAD funding term</b>	Points will be awarded based on a succinct and detailed plan for project continuity past 2027 and how the funded project will be maintained financially and operationally.	5
<b>Budget - Potential subgrantees must provide a budget detailing the costs or expected costs of the proposed project in the proposed project area to the best of their ability.</b>	Maximum points will be awarded to the lowest-priced budget. The points allocated to higher-priced bidders should be equal to the lowest bidder's price divided by the higher proposal price multiplied by the maximum points available.  Maximum points = 10 points Offeror A Total: \$100,000 = Awarded 10 points Offeror B Total: \$150,000	10



	(higher budget) = $10 \times (100/150)$ = Awarded 6.66 points Offeror C Total: \$200,000 (higher budget) = $10 \times (100/200)$ = Awarded 5 points	
Additional Criteria		
Community Engagement - Points will be awarded for projects that demonstrate a prospective subgrantee's support from the local community or have engaged the community in a meaningful way when the proposal is developed, engagement in projects with government with oversight over the location or locations to be served. Points also awarded with projects tied to broadband territorial goals and plans.	Potential subgrantees who can provide proof of working with communities in the past five (5) years in the proposed project areas or documentation of meaningful community engagement when developing the proposal in the proposed project areas will receive full points. Potential subgrantees who do not provide proof of engagement will receive no points in the category.	25

**Review Panel:** Since the BCORD office functions as both the overarching governing body for the Territory and also as the local governing body, in the absence of distinct local governing bodies for localities within the Territory, to promote a transparent, evidence-based, fair, and expeditious challenge process, the BCORD Office will identify a committee responsible for reviewing all proposals received. The review committee will consist of members qualified to review the project proposals. If there is a perceived or potential conflict of interest with any committee member, that member must recuse him/herself from the review process. This will ensure that all reviewers apply unbiased standards of review to all project proposals, and avoid even the appearance of a conflict of interest, especially when evaluating proposals. An audit log must be kept for all challenges received by the BCORD. This ensures that staff and/or contractors responsible for intake, processing, and adjudication of proposals will maintain operational autonomy from staff and/or contractors who may be submitting proposals.

**Evaluation Process:** Applications will go through an initial screening process to verify that applications are complete before they are forwarded to the review team. The review team will review and evaluate each application based on the established criteria. A score with justification will need to be provided for each of the evaluation categories. After all applications have been reviewed, all reviewers will convene to review outcomes. A scoring rubric or qualitative assessment may be used to ensure consistency and objectivity in the evaluation process. The evaluation process will be documented through a variety of methods and reviewed by the BCORD leadership before the awards are announced. The BCORD will



take the necessary steps to prevent bias, collusion, arbitrary decisions, and any other factors that could undermine the evaluation process. If any misconduct is identified, the WSBO will work with the assigned legal counsel to ensure appropriate actions are taken, issues are mitigated, and any awarded funds are rescinded

**Transparency and Public Input:** The subgrantee selection process will include clear communication throughout to applicants and the public. The BCORD will publish a list of selected subgrantees on its BROADBANDiNEI website, along with a summary of the evaluation process and any relevant artifacts such as a copy of any application questions and answers, a recording of the technical assistance webinar, and any related presentations. Unsuccessful applicants can request a debriefing conference. The debriefing conference request must be received within five business days after applicants are notified that their application was not selected. Adjustments will be made to the subgrantee selection process as necessary to meet National Telecommunications and Information Administration (NTIA) requirements for a fair, open, and competitive subgrantee selection process for non-deployment activities under the BEAD program. The BCORD will review previous grant program application processes and apply lessons learned to finalize evaluation criteria and refine the evaluation process. The BCORD will encourage participation from a wide variety of applicants by working with community anchor institutions, tribal and state agency partners, and other stakeholder groups to publicize the availability of funding across the territory.

**b. How the non-deployment initiatives will address the needs of residents within the jurisdiction;**

The BCORD Office wishes to outline the allocation of Deployment and Non-Deployment Projects, based on the Initial Proposal Funding Request (IPFR) Budget Form, as submitted to the NTIA for review.

- 1) **Deployment Projects:** The American Samoa Government Broadband Office has used the NBAM tool to make a determination of \$11,500,000 in total deployment costs associated with the Territory. It cautions that this is just an estimate leveraging the use of the NBAM tool. Due to prior broadband projects in the Territory, the primary carrier in the Territory of terrestrial middle mile infrastructure has a fiber optic backbone network that spans the entire territory and the outer islands of American Samoa (the outer island submarine fiber optic cable is presently slated for being repaired). This enabled this carrier to provide fiber to the home to most locations in American Samoa. The carrier requires significant upgrades to its middle mile network infrastructure to both provide enforceable commitments to other carriers or entities (such as the American Samoa Government, Federal agencies, Education and research entities, etc) as well as expansion of capacity. In addition to these middle mile network improvements, which are required to ensure access can be provided to the customer within the last mile - there are additional last mile deployments that must be completed to broadband serviceable locations which are new from the original fiber to the home deployment. The American Samoa Government has identified a 25% match for \$11,500,000 at an estimated total of \$2,875,000 which must be made up by the last mile providers in these specific project areas. These costs also include service to the CAI's identified within the IPV1 document and CAI's to be identified (if any) during the challenge process. Capacity should be increased within all areas of the Territory to ensure the network can maximize the use of both the existing fiber optic off-island connectivity as well as the forthcoming Pacific Connect Initiative system (Google). All areas of American Samoa are considered underserved, with a maximum bandwidth availability of 100/10mbps. The outer islands of American Samoa are presently



considered unserved due to the aforementioned break in the domestic undersea fiber optic cable servicing those areas, however fiber to the home infrastructure remains within the outer islands. The goal and intent of this deployment fund is to ensure American Samoa can research "served" to all BSLs. American Samoa intends on requesting a matching waiver for the deployment funds, however will include a placeholder of 25% of \$11,500,000 and inform its service providers as such, if the high cost waiver is not granted. Until the Subgrantee Selection Process has begun, American Samoa has yet to identify exactly what these projects will be - as there are significant infrastructure differences between the local eligible providers, who must propose the best method to make unserved areas served in compliance with the BEAD program requirements. At this time it is too difficult to determine exactly what these projects may be.

The American Samoa Broadband Office used the NBAM model tool for the Territory to determine the costs associated with deployment in American Samoa. It has determined the cost to be \$11,500,000 on current projections for deployment related activities, including terrestrial middle mile network improvements to target bandwidth capacity to last mile users along with adjustments to the middle mile network to allow for better cohabitation of enforceable commitments (shared connectivity by multiple providers or entities) to the middle mile infrastructure network to focus effort on improving accessibility and affordability to high speed broadband services. The matching costs associated with \$11,500,000 is \$2,875,000. As noted in the prior section, American Samoa intends on requesting a waiver for this match, however it will be included as a place holder and information will be provided to the carriers to encourage them to prepare for a scenario in which a match is required.

- 2) Non-Deployment Projects: As identified in the IPFR Budget Form and IPFR Narrative, the outline of Non-Deployment Projects is not yet determined, but will fall within the scope outlined in the NOFO and mentioned in the lower section of this document "In outline of example potential non-deployment projects includes but are not limited to"

The American Samoa Broadband Office is setting aside \$17,300,000 for other non-deployment activities allowed under the BEAD program, to be determined once Priority 1 and Priority 2 are addressed. The American Samoa Broadband Office used the NBAM model available to the Territory to determine the entire cost associated with the estimated non-deployment cost. This cost per the model is estimated to be \$17,300,000.00 and is the anticipated amount allocated.

In addition to these projects, other initiatives funded under the IPFR include:

- Workforce Development Activities (\$2,000,000) – these activities will be essential as a precursor to necessary workforce development training for BCORD Office employees, subgrantees, and future potential/current telecommunications/broadband/networking/information technology laborers. The funding for workforce development activities is included in the IPFR as pre-Final Proposal funding. This funding request will enable the BCORD office to immediately start planning and implementing workforce development activities that will help facilitate the implementation of BEAD Deployment projects. Workforce Development Activities will be administered and monitored by BCORD. As appropriate and within procurement rules and regulations, the BCORD may enter into interagency or intergovernmental agreements with the local community college, human resources development to support workforce development training initiatives. Intergovernmental



agreements are not subject to competition, as provided for under the §12.0204 American Samoa Code Annotated (ASCA) states that “This chapter applies to every expenditures of public funds irrespective of source, including federal assistance moneys except as otherwise specified by law, acting through a governmental body as defined in this chapter, under any contract, except that this chapter does not apply to either grants by the government or contracts between the government and its political subdivisions or other governments.”

The BCORD is challenged with not having adequate technical support and expertise available to effectively assist in upcoming BEAD initiatives and this funding aims to provide opportunities to train and obtain the necessary qualified workforce to do so. Not receiving this funding pre-Final Proposal would be detrimental to the progress of the BCORD office to support BEAD subgrantees, and future potential/current telecommunications/broadband/networking/information technology laborers.

- Google Pacific Connect Initiative (\$2,500,000) – Google has invested significantly in bridging the digital divide in the Pacific Region through its Pacific Connect Initiative as they lay subsea cables that will greatly enhance connectivity from east-to-west Pacific. The Google Pacific Connect Initiative would contribute to American Samoa’s initiatives to foster economic expansion, access to quality educational and healthcare opportunities, disaster resilience and economic and national security. This investment not only improves our reliability and resilience locally but extends their benefits throughout our isolated communities. For American Samoa to participate in the Google Pacific Connect Initiative – it must purchase a Branching Unit to connect the cable infrastructure as it is deployed within the region. The timing of this purchase to be included within the initial deployment of branching units requires that this request come up front to the non-deployment costs, with a request to the Assistant Secretary as allowed within the BEAD NOFO. The anticipated timeline is estimated to be Q4 2024. Funding for this initiative is requested pre-Final Proposal. As identified within the IPFR, this project will run parallel to BEAD deployment, in providing expanded connectivity to the mainland United States broadband and internet infrastructure. Connecting to this cable will greatly diversify broadband options in American Samoa and is anticipated to significantly lower consumer cost. The branching unit purchase will be the first step in American Samoa’s commitment to the PCI – as additional funding is sought for the remainder of the cost (\$36m in immediate capital expenses) and additional expenses thereafter for maintenance and operation of the PCI cable in American Samoa. If this funding award is approved, it will be administered and monitored by the BCORD in conjunction with other appropriate partners (TBC). Not receiving this initial funding to support broadband diversification for American Samoa, would mean a single-point of failure for off-island broadband connectivity as American Samoa’s only off-island submarine connection is through the Hawaiiki cable.
- American Samoa Physical Addressing (\$400,000) – a continuation of funding from the BEAD Planning funds, this amount will go toward the Physical Addressing Initiative – which has been formalized by Governor Lemanu under Executive Order 003-2024. Physical addressing, something lacking in American Samoa, is an essential tool for the planning, development, and deployment of broadband infrastructure. Initial funding for the physical addressing project is available through other funding sources, however this request supplements the needed funds. This project will be administered and monitored through the BCORD office in coordination with the American Samoa Technology Office (Office of the Governor) and the American Samoa Department of Commerce (GIS Division). Post-Final Proposal funding is requested to support the





technical needs and requirements for the implementation of this initiative.

- c. The ways in which engagement with localities and stakeholders will inform the selection of eligible non-deployment activities;

As mentioned in section 2.5.1, if there are remaining BEAD funds after deployment and CAI awards, the BCORD Office intends to use those for digital equity and non-deployment activities with a focus on broadband affordability and adoption activities. The BCORD Office will also identify activities within the 2021-2026 ASTBS that are eligible non-deployment activities as other priorities to be funded.

- d. How the Eligible Entity will determine whether other uses of the funds might be more effective in achieving the BEAD Program's equity, access, and deployment goals.

The BCORD Office will apply non-deployment funds to the activities identified in the BEAD NOFO as applicable. Our priority is to ensure implementation and execution activities in the American Samoa Digital Equity Plan. We will review and evaluate the success of these activities based on key performance indicators and any required federal reporting criteria. With that approach, we can continue to refine and prioritize the use of non-deployment funds, understand where key gaps exist islandwide and local resources and offer more specificity to NTIA if implementation plans adjust or change.

**2.5.3 Text Box:** Describe the Eligible Entity's plan to ensure coverage to all unserved and underserved locations prior to allocating funding to non-deployment activities.

The BCORD Office's primary focus is the fund deployment activities to ensure that all unserved and underserved locations are served prior to allocating funding to other activities. Refer to section 2.5.2.

- a. Non-Deployment and Broadband Coverage. In order to demonstrate that the Eligible Entity has funds available for non-deployment activities, the Eligible Entity should detail the total number of unserved locations and underserved locations, and the approximate projected cost of reaching universal service and compare/contrast this amount with the BEAD Allocation.

American Samoa has been allocated \$37 million in BEAD funds. As of the latest BDC data presently being used to administer the Challenge Process, American Samoa has 9,535 unserved BSLs. Upon applying pre-challenge modifications there are 1,176 served, 8,359 underserved locations, and 0 unserved locations. For historical context, American Samoa, through ARRA funds in the late 2000s and early 2010s, was able to deploy a fiber optic network, known as "BLAST" with a grant/loan from the USDA. This grant/loan project deployed fiber to the premise for the majority of American Samoa, including the outer islands in Manu'a.

Due to the existence of this network, the first priority use of BEAD funding will be enabling connectivity to those households that do not have fiber connectivity to it currently, presently we estimate this number to be below 5%, if not lower. The second priority will be upgrading internal support networks to ensure that American Samoans may receive connectivity of 100/20mbps, presently on island capacity cannot support



every BSL simultaneously having that level of connectivity as a baseline. The third priority will be ensuring that the revised internal connectivity enables our CAI entities to have access to 1Gbps/1Gbps connectivity at those locations. American Samoa geographically is distant from the mainland United States, due to physical limitations our connectivity generally speaking is right around 80ms between the demarcation point exiting American Samoa to the mainland United States, compounding this latency with on-island latency (local to American Samoa) and latency to the end user's destination, American Samoa's latency clocks in just around 95-120ms to any given United States based internet content. Improving on-island infrastructure will help lower the on island infrastructure, however physical limitations will continue to be a latency barrier for the Territory, but within the bounds of the BEAD program funding (less than 100ms).

Given the context above and the understanding of the planned use of BEAD funding for deployment purposes, American Samoa anticipates using at least \$11.5m for deployment to assist with new and improvements to broadband infrastructure in the Territory. Setting aside the estimated BEAD administrative costs, there will be approximately \$22.55m available for non-deployment uses for American Samoa. Of the \$22.55m, American Samoa proposes using \$2.0m for workforce development needs in relation to the BEAD program deployment, \$2.5m for a branching unit to enable American Samoa to connect to the Google Pacific Connect Initiative (PCI), \$400k toward American Samoa's Physical Addressing Initiative (extension of funding provided under BEAD Planning), and \$17.15m set aside for additional non-deployment projects which have yet to be identified.

As identified in the IPFR Budget Form and IPFR Narrative, the outline of Non-Deployment Projects is not yet determined, but will fall within the scope outlined in the NOFO and mentioned in the lower section of this document "In outline of example potential non-deployment projects includes but are not limited to"

The American Samoa Broadband Office is setting aside \$17,300,000 for other non-deployment activities allowed under the BEAD program, to be determined once Priority 1 and Priority 2 are addressed. The American Samoa Broadband Office used the NBAM model available to the Territory to determine the entire cost associated with the estimated non-deployment cost. This cost per the model is estimated to be \$17,300,000.00 and is the anticipated amount allocated.

In addition to these projects, other initiatives funded under the IPFR include:

- Workforce Development Activities (\$2,000,000) – these activities will be essential as a precursor to necessary workforce development training for BCORD Office employees, subgrantees, and future potential/current telecommunications/broadband/networking/information technology laborers. The funding for workforce development activities is included in the IPFR as pre-Final Proposal funding. This funding request will enable the BCORD office to immediately start planning and implementing workforce development activities that will help facilitate the implementation of BEAD Deployment projects. Workforce Development Activities will be administered and monitored by BCORD. As appropriate and within procurement rules and regulations, the BCORD may enter into interagency or intergovernmental agreements with the local community college, human resources development to support workforce development training initiatives. Intergovernmental agreements are not subject to competition, as provided for under the §12.0204



American Samoa Code Annotated (ASCA) states that “This chapter applies to every expenditures of public funds irrespective of source, including federal assistance moneys except as otherwise specified by law, acting through a governmental body as defined in this chapter, under any contract, except that this chapter does not apply to either grants by the government or contracts between the government and its political subdivisions or other governments.”

The BCORD is challenged with not having adequate technical support and expertise available to effectively assist in upcoming BEAD initiatives and this funding aims to provide opportunities to train and obtain the necessary qualified workforce to do so. Not receiving this funding pre-Final Proposal would be detrimental to the progress of the BCORD office to support BEAD subgrantees, and future potential/current telecommunications/broadband/networking/information technology laborers.

- Google Pacific Connect Initiative (\$2,500,000) – Google has invested significantly in bridging the digital divide in the Pacific Region through its Pacific Connect Initiative as they lay subsea cables that will greatly enhance connectivity from east-to-west Pacific. The Google Pacific Connect Initiative would contribute to American Samoa’s initiatives to foster economic expansion, access to quality educational and healthcare opportunities, disaster resilience and economic and national security. This investment not only improves our reliability and resilience locally but extends their benefits throughout our isolated communities. For American Samoa to participate in the Google Pacific Connect Initiative – it must purchase a Branching Unit to connect the cable infrastructure as it is deployed within the region. The timing of this purchase to be included within the initial deployment of branching units requires that this request come up front to the non-deployment costs, with a request to the Assistant Secretary as allowed within the BEAD NOFO. The anticipated timeline is estimated to be Q4 2024. Funding for this initiative is requested pre-Final Proposal. As identified within the IPFR, this project will run parallel to BEAD deployment, in providing expanded connectivity to the mainland United States broadband and internet infrastructure. Connecting to this cable will greatly diversify broadband options in American Samoa and is anticipated to significantly lower consumer cost. The branching unit purchase will be the first step in American Samoa’s commitment to the PCI – as additional funding is sought for the remainder of the cost (\$36m in immediate capital expenses) and additional expenses thereafter for maintenance and operation of the PCI cable in American Samoa. If this funding award is approved, it will be administered and monitored by the BCORD in conjunction with other appropriate partners (TBC). Not receiving this initial funding to support broadband diversification for American Samoa, would mean a single-point of failure for off-island broadband connectivity as American Samoa’s only off-island submarine connection is through the Hawaiiki cable.
- American Samoa Physical Addressing (\$400,000) – a continuation of funding from the BEAD Planning funds, this amount will go toward the Physical Addressing Initiative – which has been formalized by Governor Lemanu under Executive Order 003-2024. Physical addressing, something lacking in American Samoa, is an essential tool for the planning, development, and deployment of broadband infrastructure. Initial funding for the physical addressing project is available through other funding sources, however this request supplements the needed funds. This project will be administered and monitored through the BCORD office in coordination with the American Samoa Technology Office (Office of the Governor) and the American Samoa Department of Commerce (GIS Division). Post-Final Proposal funding is requested to support the technical needs and requirements for the implementation of this initiative.



**2.5.4 Text Box:** Describe how the Eligible Entity will ensure prospective subgrantees meet the general qualifications outlined on pages 71 – 72 of the NOFO.

- a. Non-Deployment Subgrantee Qualifications--Compliance with Laws. The Eligible Entity should detail how the Eligible Entity will ensure prospective subgrantees can carry out activities funded by the subgrant in a competent manner in compliance with all applicable federal, Eligible Entity, and local laws. The Eligible Entity may not simply reference documentation contained elsewhere in Section 02.04.01.
- b. Non-Deployment Subgrantee Qualifications--Financial and Managerial Capacity. The Eligible Entity will detail how the Eligible Entity will ensure prospective subgrantees have the financial and managerial capacity to meet the commitments of the subgrantee under the subgrant, the requirements of the Program, and such other requirements as have been prescribed by the Assistant Secretary or the Eligible Entity. The Eligible Entity may not simply reference documentation contained elsewhere in Section 02.04.01.
- c. Non-Deployment Subgrantee Qualifications--Technical and Operational Capacity. The Eligible Entity will detail how the Eligible Entity will ensure any prospective subgrantee has the technical and operational capability to provide the services promised in the subgrant in the manner contemplated by the subgrant award. The Eligible Entity may not simply reference documentation contained elsewhere in section 02.04.01.

The BCORD Office will review proposals for non-deployment activities to determine their applicability and feasibility. The BCORD will follow a similar process as outlined in the Subgrantee Selection Process. Potential subgrantee must demonstrate that it:

- Is capable of carrying out activities funded by the subgrant in a competent manner in compliance with all applicable federal, Eligible Entity, and local laws;
- Has the financial and managerial capacity to meet the commitments of the subgrantee under the subgrant, the requirements of the Program and such other requirements as have been prescribed by the Assistant Secretary or the Eligible Entity; and
- Has the technical and operational capability to provide the services promised in the subgrant in the manner contemplated by the subgrant award.
  - Provide Provide two (2) years of acceptable historical performance in similar projects
  - Certify their operational and technical capabilities to hit service milestones, compete and operate the project in a competent manner, and use an appropriately skilled and credentialed workforce
  - Provide a verifiable plan to cure any shortfall to the proposed project plan
  - Certify enough funds are available to cover the entire grant amount or the eligible reimbursable costs for the project, whichever is greater
  - Acquire a letter of credit or other acceptable for of creditworthiness approved by the NTIA
  - Submit resumes for key management personnel for the project
  - Provide a narrative of the entity's readiness to manage the proposed project and any ongoing services provided
  - Submit two (2) years of audited financial statements



- Submit a business plan, and related financial analyses, to substantiate the long term sustainability of the proposed project

### ***Eligible Entity Implementation Activities (Requirement 10)***

**2.6.1 Text Box:** Describe any initiatives the Eligible Entity proposes to implement as the recipient without making a subgrant, and why it proposes that approach.

The BCORD Office key activities and initiatives without issuing a subgrant include grant administration, monitoring and oversight of the BEAD subgrant application and implementation process; supporting transparency and accountability efforts; third-party technical expertise where appropriate to support grant administration efforts; ongoing stakeholder engagement; supporting the design and implementation of job training and apprenticeship programs, including convening the workforce development working group and networking with employers (especially BEAD subgrantees); and ensuring alignment and coordination with the Digital Equity Program.

As listed in the IPFR and Section 02.05.1, the following are identified non-deployment projects to date:

- Workforce Development Activities (\$2,000,000) – these activities will be essential as a precursor to necessary workforce development training for BCORD Office employees, subgrantees, and future potential/current telecommunications/broadband/networking/information technology laborers. The funding for workforce development activities is included in the IPFR as pre-Final Proposal funding. This funding request will enable the BCORD office to immediately start planning and implementing workforce development activities that will help facilitate the implementation of BEAD Deployment projects. Workforce Development Activities will be administered and monitored by BCORD. As appropriate and within procurement rules and regulations, the BCORD may enter into interagency or intergovernmental agreements with the local community college, human resources development to support workforce development training initiatives. Intergovernmental agreements are not subject to competition, as provided for under the §12.0204 American Samoa Code Annotated (ASCA) states that “This chapter applies to every expenditures of public funds irrespective of source, including federal assistance moneys except as otherwise specified by law, acting through a governmental body as defined in this chapter, under any contract, except that this chapter does not apply to either grants by the government or contracts between the government and its political subdivisions or other governments.”

The BCORD is challenged with not having adequate technical support and expertise available to effectively assist in upcoming BEAD initiatives and this funding aims to provide opportunities to train and obtain the necessary qualified workforce to do so. Not receiving this funding pre-Final Proposal would be detrimental to the progress of the BCORD office to support BEAD subgrantees, and future potential/current telecommunications/broadband/networking/information technology laborers.

- Google Pacific Connect Initiative (\$2,500,000) – Google has invested significantly in bridging the digital divide in the Pacific Region through its Pacific Connect Initiative as they lay subsea cables that will greatly enhance connectivity from east-to-west Pacific.



The Google Pacific Connect Initiative would contribute to American Samoa's initiatives to foster economic expansion, access to quality educational and healthcare opportunities, disaster resilience and economic and national security. This investment not only improves our reliability and resilience locally but extends their benefits throughout our isolated communities. For American Samoa to participate in the Google Pacific Connect Initiative – it must purchase a Branching Unit to connect the cable infrastructure as it is deployed within the region. The timing of this purchase to be included within the initial deployment of branching units requires that this request come up front to the non-deployment costs, with a request to the Assistant Secretary as allowed within the BEAD NOFO. The anticipated timeline is estimated to be Q4 2024. Funding for this initiative is requested pre-Final Proposal. As identified within the IPFR, this project will run parallel to BEAD deployment, in providing expanded connectivity to the mainland United States broadband and internet infrastructure. Connecting to this cable will greatly diversify broadband options in American Samoa and is anticipated to significantly lower consumer cost. The branching unit purchase will be the first step in American Samoa's commitment to the PCI – as additional funding is sought for the remainder of the cost (\$36m in immediate capital expenses) and additional expenses thereafter for maintenance and operation of the PCI cable in American Samoa. If this funding award is approved, it will be administered and monitored by the BCORD in conjunction with other appropriate partners (TBC). Not receiving this initial funding to support broadband diversification for American Samoa, would mean a single-point of failure for off-island broadband connectivity as American Samoa's only off-island submarine connection is through the Hawaiiki cable.

- American Samoa Physical Addressing (\$400,000) – a continuation of funding from the BEAD Planning funds, this amount will go toward the Physical Addressing Initiative – which has been formalized by Governor Lemanu under Executive Order 003-2024. Physical addressing, something lacking in American Samoa, is an essential tool for the planning, development, and deployment of broadband infrastructure. Initial funding for the physical addressing project is available through other funding sources, however this request supplements the needed funds. This project will be administered and monitored through the BCORD office in coordination with the American Samoa Technology Office (Office of the Governor) and the American Samoa Department of Commerce (GIS Division). Post-Final Proposal funding is requested to support the technical needs and requirements for the implementation of this initiative.

The remaining non-deployment projects have yet to be determined, as we are awaiting the award of Digital Equity Capacity Grant funding along with the subgrantee process for the BEAD deployment projects. The timeline for the non-deployment projects will be determined after further input from all broadband stakeholders. Some initiatives identified in the IPFR Budget Form, will be started, with approval from the Assistant Secretary, ahead of the Final Proposal approval, those projects are outlined in other sections, but are related to workforce development initiatives, American Samoa Physical Addressing Initiative and Pacific Connect Initiative. Some projects may be self-administered by the eligible entity and some projects may be awarded to other government agencies with memorandum of understandings being in place. In alignment with the Digital Equity Capacity grants, some grant awards may also be given to eligible sub-grantees through multiple rounds of grant awards.

02.06.02 B) The Eligible Entity will be required to fully detail its non-deployment subgrantee selection process in its Final Proposal. In the Initial Proposal, the Eligible Entity will be subject





to a Specific Award Condition (SAC) stating that the subgrantee selection process for non-deployment projects described in the Initial Proposal lacked sufficient detail for NTIA to approve the process. The Eligible Entity shall not initiate the subgrantee selection process for non-deployment projects prior to the submission and approval of detailed selection procedures in the Final Proposal.

The BCORD will provide additional details of the non-deployment subgrantee selection process in the Final Proposal. Adjustments will be made to the subgrantee selection process as necessary to meet NTIA requirements for a fair, open, and competitive subgrantee selection process for non-deployment activities under the BEAD program. The BCORD will not initiate the subgrantee selection process for non-deployment projects prior to the submission and approval of detailed selection procedures in the Final Proposal.

### ***Labor Standards and Protection (Requirement 11)***

**2.7.1 Text Box:** Describe the specific information that prospective subgrantees will be required to provide in their applications and how the Eligible Entity will weigh that information in its competitive subgrantee selection processes.

- a. Labor Standards and Protection--Subgrantees Compliance with Federal Labor and Employment Laws. The Eligible Entity should describe specific information the Eligible Entity will require from prospective subgrantees, including documentation of past compliance with federal labor and employment laws and their plans for ensuring compliance with federal labor and employment laws, and how these will be weighted in the competitive subgrantee selection process.
- b. Labor Standards and Protection--Additional Measures. The Eligible Entity will describe in detail whether the Eligible Entity will make mandatory for all subgrantees (including contractors and subcontractors) the labor standards and protections outlined on page 57 of the BEAD NOFO and, if required, how it will incorporate them into binding legal commitments in the subgrants it makes.

The BCORD Office will require prospective subgrantees to submit the following information during the application period (maximum 3 points):

- a. Applicants' record of past compliance with federal labor and employment laws, which:
  - i. Must address information on these entities' compliance with federal labor and employment laws on broadband deployment projects in the last three years;
  - ii. Should include a certification from an Officer/Director-level employee (or equivalent) of the applicant evidencing consistent past compliance with federal labor and employment laws by the applicant, as well as all contractors and subcontractors; and
  - iii. Should include written confirmation that the applicant discloses any instances in which it or its contractors or subcontractors have been found to have violated laws such as the Occupational Safety and Health Act, the Fair Labor Standards Act, or any other applicable labor and employment laws for the preceding three years.

Any applicant certifying and demonstrating full compliance with all applicable fair labor and





employment laws, boasting an exemplary record of consistency with no violations within the last three years, will receive the maximum score for the corresponding components of scoring rubric.

- b. Applicants' plans for ensuring compliance with federal labor and employment laws, which must address the following:
  - i. How the applicant will ensure compliance in its own labor and employment practices, as well as that of its contractors and subcontractors, including:
    1. Information on applicable wage scales and wage and overtime payment practices for each class of employees expected to be involved directly in the physical construction of the broadband network; and
    2. How the applicant will ensure the implementation of workplace safety committees that are authorized to raise health and safety concerns in connection with the delivery of deployment projects.

**2.7.2 Text Box:** Describe in detail whether the Eligible Entity will make mandatory for all subgrantees (including contractors and subcontractors) the labor standards and protections outlined on page 57 of the BEAD NOFO and, if required, how it will incorporate them into binding legal commitments in the subgrants it makes.

The statutory federal minimum wage has not applied in American Samoa for many years. In 2007, Congress approved increasing the territory's minimum wages, but later delayed or reduced the increases. Minimum wages are now scheduled to rise to the current federal level by 2036.<sup>9</sup>

The BCORD Office does not plan to incorporate any of the following items into legally binding commitments for subgrantees (including contractors and subcontractors) outside of what is explicitly required in the BEAD NOFO:

- Using a directly employed workforce, as opposed to a subcontracted workforce;
- Due to limitation of resources and long-term employment sustainability, existing employees of an eligible subawardee that can be retained or promoted through the acquisition of industry certifications are highly encouraged to be considered employee candidates.
- Paying prevailing wages and benefits to workers is encouraged as defined in the Davis-Bacon and Service Contract Act, however prevailing wage definitions do not exist for American Samoa, thus the BCORD Office will be enforcing other requirements;
- For any payroll funds used via BEAD, the BCORD Office will require documentation and certification of payroll records and must follow standards as laid out in the Fair Labor Standards Act (FLSA).
- The BCORD Office will require, at minimum, that all positions funded through BEAD, be paid at the current Federal minimum wage, of \$7.25 per hour.
- The BCORD Office will identify and set encouraged hourly rates for key personnel based upon completion of professional industry certifications in relation to specific key jobs to the deployment of broadband infrastructure. These hourly rates will be set to encourage recruitment into these key positions as broadband deployment is completed throughout the Territory.
- Use of local hire provisions;
- Use of an appropriately skilled workforce (e.g., through Registered Apprenticeships or

<sup>9</sup> <https://www.gao.gov/assets/gao-20-467.pdf>



other joint labor-management training programs that serve all workers, particularly those underrepresented or historically excluded);

- Use of an appropriately credentialed workforce (i.e., satisfying requirements for appropriate and relevant pre-existing occupational training, certification, and licensure); and
- Taking steps to prevent the misclassification of workers.

The BCORD Office has incorporated these criteria as part of the selection process. We expect potential subgrantees to incorporate these items into their applications as dictated by the BEAD NOFO and as directed in this Initial Proposal. The BCORD Office will make it abundantly clear where to elaborate on each item and how subgrantees descriptions are weighted in the scoring process.

### ***Workforce Readiness (Requirement 12)***

**2.8.1 Text Box:** Describe how the Eligible Entity and their subgrantees will advance equitable workforce development and job quality objectives to develop a skilled, diverse workforce. At a minimum, this response should clearly provide each of the following, as outlined on page 59 of the BEAD NOFO.

Broadband connectivity carries the unprecedented potential to bridge education divides, transform learning and improve skills for the globalized economy. Governments make broadband accessible, empower teachers and students to use technology, support local language content production, and promote open educational resources. The BCORD Office recognizes that participation in the global economy is increasingly dependent on skills in navigating the digital world but warns that traditional school curriculums still tend to prioritize the accumulation of knowledge above its application and fail to train students in the ICT literacy skills they will need to ensure their employability in the knowledge economy. An excellent and well-rounded education is the basis on which future livelihoods and families are founded, and education opens up minds, as well as job prospects. The ability of broadband to improve and enhance teaching and students' experience of education is undisputed.

- a. A description of how the Eligible Entity will ensure that subgrantees support the development and use of a highly skilled workforce capable of carrying out work in a manner that is safe and effective;

Subgrantees will be required to incorporate telecommunications and broadband specific focus into existing workforce development initiatives in order to build a skilled, diverse and resilient workforce through partnerships with public and private entities and quasi-governmental institutions including academic institutions. Subgrantees will also be required to collaborate with local organizations, industry experts, educational institutions, and professional organizations to create and foster workforce training, opportunities that equip workers with skills to excel in the broadband sector. The BCORD Office will monitor subgrantee workforce and safety practices as part of their project reports.

To ensure we meet the workforce needs subgrantees will require applicants develop a plan for a highly skilled workforce which will include the following:



- The ways in which the applicant will ensure the use of an appropriately skilled workforce, e.g., through required 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.
  - Job Fairs in partnership with local community college, organizations, government every year as appropriate
  - Marketing and Engagement plan to inform, communicate and reach out to covered populations as prioritized in the state's Digital Equity Plan.
- b. A description of how the Eligible Entity will develop and promote sector-based partnerships among employers, education and training providers, the public workforce system, unions and worker organizations, and community-based organizations that provide relevant training and wrap-around services to support workers to access and complete training (such as child care, transportation, mentorship, etc.), to attract, train, retain, or transition to meet local workforce needs and increase high-quality job opportunities;

The BCORD Office will promote sector-based partnerships among employers, education and training providers, the public workforce system, and community-based organizations to meet local workforce needs and increase high-quality job opportunities.

The American Samoa Government WIOA State Plan which addresses the needs of industry by anticipating the needs of current and future workforce requirements, we plan to initiate career pathway programs that provide relevant training and wrap-around services such as childcare, transportation, and mentorship. These programs are designed to attract, train, retain, or transition workers to meet local workforce needs and increase high-quality job opportunities. The BCORD will work closely with local public, private sectors, non-profit and community organizations, and relevant stakeholders to support the American Samoa's vision. This collaboration includes supporting and expanding existing technical training at the American Samoa Community College, technical training provided by non-profit and for-profit organizations, as well as developing IT professional workforce training and development career pathways with the Department of Education, as identified within our ASTBS.

The BCORD Office will work with local public, private sectors, non-profit and community organizations and relevant stakeholders to further American Samoa's vision to support the development of:

- The Innovation & Technology Campus (ASTBS P.5.3)<sup>10</sup>
- IT Professional Workforce Training and Development (P.5.4)<sup>11</sup>

<sup>10</sup> 2021-2026 ASTBS P.5.3 -American Samoa Innovation & Technology Campus: Officially designate Tafuna/Lion's Park Government Housing land as a future site of the American Samoa Innovation & Technology Campus. Doing so clears a path for development plans, including the identification of development financing resources or investors. This development project shall be coordinated with the Department of Education's current effort to expand and improve its Career & Technical Education (CTE) program. The Innovation & Technology Campus shall act as the catalyst for the growth of the ICT and related industries, prioritize workforce development opportunities in CTE; and set the standard in our region for connected communities.

<sup>11</sup> 2021-2026 ASTBS P.5.4 IT Professional Workforce Training and Development: Communities that



- Developing and Expanding Career Technical Education (CTE) Curricula - Gainful Employment (P.6.2)<sup>12</sup>

Our approach is centered on collaboration, aiming to meet the needs of the local community and the broadband sector. The BCORD is committed to creating equitable on-ramps into broadband-related careers.

- c. A description of how the Eligible Entity will plan to create equitable on-ramps into broadband-related jobs, maintain job quality for new and incumbent workers engaged in the sector; and continually engage with labor organizations and community-based organizations to maintain worker voice throughout the planning and implementation process; and

The BCORD Office will continue to engage with ISPs and our local community to understand their hiring and staffing needs and challenges to align employer needs with workforce preparedness and development initiatives. This engagement and coordination will continue to inform the instructional design of the broadband training programs, leading to continued development and expansion of a skilled workforce. The BCORD is committed to creating equitable on-ramps into broadband-related jobs. We plan to maintain job quality for new and incumbent workers engaged in the sector through targeted training and continuous skill development programs. As American Samoa does not have any labor organizations or unions, regular engagement with human resources departments and community-based organizations will be a cornerstone of our strategy, allowing us to maintain worker voice throughout the planning and implementation process. The BCORD will engage in initiatives and activities that maintain job qualified including but not limited to:

- Collaborations to create jobs that meet the basic needs and offer conditions that promote equity, inclusiveness, and opportunities for career advance;
- Highlighting the of significance of broadband and technology career opportunities in the American Samoa Comprehensive Economic Strategies currently under development;

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*have been successful in attracting and developing ICT industries tend to have large educated workforce, favorable tax structures that encourage investment and risk capital. This promotes entrepreneurship education at all levels, supports business incubators, and reduces regulations that impede new business formation and strong institutions of higher education. The ASTBS recommends the immediate implementation of an IT/ICT Workforce Development Program for all ASG dedicated IT/ICT staff or personnel. Further, the ASTBS encourages ASG to extend these workforce development opportunities to those considering a change in career paths to build greater capacity in these fields.*

<sup>12</sup> 2021-2026 P.6.2 Developing and Expanding Career Technical Education (CTE) Curricula – Gainful Employment: The ASTBS also identified the need for Career Technical Education and continued advancements

*– professional training in the technical and trade areas workforce development needs. Contributing factors include limited curriculum available to the community, lack of experts in the technical/trade areas, geographical location, and costs to travel for education/professional development. Current plans include the development of career technical education pathways and certification programs that will contribute to gainful employment to increase the numbers of certified personnel, as needed in today's workforce.*

- *Establish American Samoa Territorial-Set Standards and Expectations for the Workforce – Career Technical Education. To develop Territorial Standards for American Samoa in Career Technical Education to meet the needs of the workforce.*
- *Improve and Expand Career Technical Education Pathways and Access to Learning Resources: To design curriculum pathways conducive to the workforce needs.*



- Coordinate the development of local laws that promote creating of jobs in broadband and telecommunications.

Training and education play a significant role in recruiting diverse populations using educational promotions, apprenticeships, classroom environment (diverse instructors) and flexibility in training for adult learners with jobs, childcare demands, or elderly care responsibilities. Providing access to these support services is critical to providing access to training programs that serve as a bridge into broadband careers.

The BCORD will continue to use its steering committee to convene and facilitate the engagement between relevant stakeholders to ensure validation of the skills required for employment now and into the future.

- d. A description of how the Eligible Entity will ensure that the job opportunities created by the BEAD Program and other broadband funding programs are available to a diverse pool of workers.

It is the overall goal of the BCORD Office for implementation of BEAD locally to:

- Create pipelines from high-school and college to workforce through training opportunities;
- Provide support for networking and exposure opportunities so that diverse candidates may have access to professional networks;
- Encourage employers to create inclusive recruiting that consider diverse needs or alternative pathways to jobs;
- Create partnerships with local stakeholders;

The BCORD Office will require subgrantees to make intentional efforts to recruit from diverse populations and local training and apprenticeship programs. Through the award process, the BCORD will prioritize applicants that hire local workers, implement robust and specific plans to recruit historically underrepresented populations facing labor market barriers, and are committed to ensuring reasonable access to job opportunities created by the applicant. The BCORD will actively encourage applicants who actively recruit communities of color, women, persons with disabilities, LGBTQI+ people, disconnected youth, individuals in recovery, individuals with past criminal records, justice impacted and reentry participants and trainees participating receiving public assistance, and veterans and military spouses. To verify the hiring of underrepresented populations, the BCORD may require applicants to provide detailed plans on specific locations of where they will hire that affects underrepresented populations, or to provide statistics on where such hiring events were held, how many prospective job seekers attended, and how many were hired. This would maintain job seekers privacy, while also fulfilling the goal of measuring population data.

**2.8.2 Text Box:** Describe the information that will be required of prospective subgrantees to demonstrate a plan for ensuring that the project workforce will be an appropriately skilled and credentialed workforce.

- a. 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 BCORD Office will require prospective subgrantee to submit a workforce readiness narrative. Applicants will be required to describe approaches they intend to use to demonstrate deployment of proficient workforce. This may encompass collaborations with Registered Apprenticeship programs or other joint labor-management training endeavors designed to benefit all workers. The application should include information regarding specific training programs, partnerships, or initiatives that will be implemented to guarantee a skilled workforce. The plan should indicate how these strategies align with the project's requirements and industry norms.

- b. 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;

Applicants will be required to elaborate on the measures they will implement to guarantee that all members of the project workforce hold the requisite qualifications. This may encompass existing occupational training, certifications, and licenses that are pertinent to the project. If the project mandates particular certifications or licenses, the plan should delineate how support will be provided to workers in obtaining these credentials. Any collaborations with training providers or institutions offering relevant certifications should be emphasized.

- c. Whether the workforce is unionized;

Not Applicable. Workforce in American Samoa is not unionized.

- d. Whether the workforce will be directly employed or whether work will be performed by a subcontracted workforce; and

The applicant must include whether the workforce will be directly employed or whether the work will be performed by a subcontracted workforce.

- e. e. The entities that the proposed subgrantee plans to contract and subcontract with in carrying out the proposed work.

The applicant must state in the application the names and business license information of the entities or any contractors and/or subcontractors performing the work.

If the project workforce or any subgrantees, contractor's, or subcontractor's workforce is not unionized, the subgrantee must also provide with respect to the non-union workforce:

The BCORD does not require applicants to have a unionized workforce, however subgrantees are required to provide a non-unionized workforce plan in their application.

- a. 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;

The BCORD will require the applicant to provide information about job titles and sizes of the





workforce (including contractors and subcontractors) required to carry out the project work. This can include full-time equivalent (FTE) positions and the employing entity for each portion of the workforce.

- b. For each job title required to carry out the proposed work (including contractors and subcontractors), a description of:
  - i. 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;

The BCORD will require that each applicant presents a safety plan. This plan should provide comprehensive information on the safety training, certification, and/or licensure prerequisites for every job title essential to the project. These prerequisites may encompass certifications such as OSHA 10, OSHA 30, confined space, traffic control, or other pertinent training. Furthermore, the plan should explicitly state whether there are in-house training programs with well-defined criteria in operation.

- ii. and Information on the professional certifications and/or in-house training in place to ensure that deployment is done at a high standard.

For each job title, the applicant should outline details concerning professional certifications and internal training programs aimed at upholding top-tier deployment standards. This guarantees that workers not only meet industry benchmarks but also align with project requisites. By incorporating these aspects into their plan, applicants will demonstrate their dedication to forging a proficient, credentialed, and secure project workforce while providing a clear roadmap for the execution of their workforce strategies.

The BCORD will ensure that applicants are well-informed about these regulations both before and during the selection process. This will be accomplished through the facilitation of regulatory webinars, the publication of a set of regulations pertaining to grant applications and guidelines on the BCORD website, as well as the grant agreement terms, conditions, and subrecipient grant monitoring program details. BEAD funding will not be granted to applications that fail to meet the minimum requirements essential to establish a skilled, diverse and accredited workforce.

***Minority Business Enterprises (MBEs/ Women's Business Enterprises (WBEs)/ Labor Surplus Area Firms Inclusion (Requirement 13)***

**2.9.1 Text Box:** Describe the process, strategy, and the data tracking method(s) the Eligible Entity will implement to ensure that minority businesses, women-owned business enterprises (WBEs), and labor surplus area firms are recruited, used, and retained when possible.

The BCORD will cultivate an environment within the broadband deployment initiative that ensures minority-owned business enterprises (MBE), women-owned business enterprises (WBE), and firms located in labor surplus areas (LSA) have equal opportunities to pursue





contracted work. This commitment will align with federal guidelines, including 2 C.F.R. §200.32115, and any appropriate local policies. American Samoa does not have any labor laws pertinent to the BEAD requirements.

The BCORD Office will strategize to ensure minority and women-owned business enterprises and labor surplus area firms are engaged, recruited, used and retrained by:

- Consulting with local agencies and associations for business like the SBA' Small Business Development Center and Chamber of Commerce for inventory of business contacts, outreach needs, technical assistance and guidance
- Conducting outreach to local businesses including minority and women-led owned
- Shaping scopes of work to make it feasible for smaller firms to successfully apply
- Resources will be available on our website for potential subgrantees to facilitate their MBE/WBE and labor surplus area firms for subcontracts

During the application review process, the BCORD includes the evaluation criteria for - ***Fair Labor Practices***. The BCORD Office will give priority to projects based on a prospective subgrantee's demonstrated record of and plans to be in compliance with federal labor and employment laws. New entrants without a record of labor and employment law compliance must be permitted to mitigate this fact by making specific, forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects.

The BCORD Office will require subgrantees to make intentional efforts to recruit from diverse populations and local training and apprenticeship programs. Through the award process, the BCORD will prioritize applicants that hire local workers, implement robust and specific plans to recruit historically underrepresented populations facing labor market barriers, and are committed to ensuring reasonable access to job opportunities created by the applicant. The BCORD will actively encourage applicants who actively recruit communities of color, women, persons with disabilities, LGBTQI+ people, disconnected youth, individuals in recovery, individuals with past criminal records, justice impacted and reentry participants and trainees participating receiving public assistance, and veterans and military spouses. To verify the hiring of underrepresented populations, the BCORD may require applicants to provide detailed plans on specific locations of where they will hire that affects underrepresented populations, or to provide statistics on where such hiring events were held, how many prospective job seekers attended, and how many were hired. This would maintain job seekers privacy, while also fulfilling the goal of measuring population data.

**2.9.2 Check Box:** [Certify that the Eligible Entity will take all necessary affirmative steps to ensure minority businesses, women's business enterprises, and labor surplus area firms are used when possible, including the following outlined on pages 88 – 89 of the BEAD NOFO.](#)

The BCORD Office affirms that it will do and required the same of subgrantees:

- Place qualified small and minority businesses and women's business enterprises on solicitation lists;
- Assure that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- Divide total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business



- enterprises;
- Establish delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- Use the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- Require subgrantees to take the affirmative steps listed above as it relates to its subcontractors.

### ***Cost and Barrier Reduction (Requirement 14)***

**2.10.1 Text Box:** Identify steps that the Eligible Entity will take to reduce costs and barriers to deployment.

**a. Promoting the use of existing infrastructure;**

The BCORD Office, through the Working Group has actively engaged in various ways to streamlined regulatory and culturally appropriate approaches to broadband deployment. This includes working with Office of Samoan Affairs and Department of Commerce to ensure that as villages are aware incase of any required permitting; Rights-of-Way, Pole Attachments, Conduits Access and Environmental/Historic Preservation.

To avoid unnecessary expenditures, we are identifying and cataloging available infrastructure assets, engaging in dialogue with entities such as the American Samoa Telecommunications Authority, American Samoa Power Authority, the Department of Public Works (DPW), and other agencies to chart out a comprehensive utilization plan. Through these partnerships, we can utilize shared use that will maximize existing assets and eliminate the need for new construction.

**b. Promoting and adopting dig-once policies;**

American Samoa does not have a dig-once policy. The BCORD Office is proactively working towards a Locate Policy, a notification system for utilities to provide 3-days notice for a dig and immediate notices for emergency digs. This ensures that future construction is efficient and non-disruptive.

**c. Streamlining permitting processes;**

**d. Streamlining cost-effective access to poles, conduits, easements; and**

**e. Streamlining rights of way, including the imposition of reasonable access requirements.**

The American Samoa Department of Commerce, of which the BCORD office is under, oversees the Project Notification Review System (PNRS) for land use permitting in which the American Samoa Historic Preservation is a member of this Board. Thus, compliance will be a priority via the land use permitting process. This relationship is key to streamlining processes and reduces burden for permits and project deployment. American Samoa does not have a Public Utilities Commission and will lean on authorities outlined in Section IV EO 007-2023 (Islandwide Territorial Coordination). The American Samoa Power Authority owns all the poles in American Samoa. Critical to streamlining applications is partnerships between agencies who



own and manage these assets. The BCORD will tap into resources within the DOC, as overseer of PNRS, to assist with permitting, access and rights of way.

### ***Climate Assessment (Requirement 15)***

**2.11.1 Text Box:** Describe the Eligible Entity’s assessment of climate threats and proposed mitigation methods. If an Eligible Entity chooses to reference reports conducted within the past five years to meet this requirement, it may attach this report and must provide a crosswalk narrative, with reference to page numbers, to demonstrate that the report meets the five requirements below. If the report does not specifically address broadband infrastructure, provide additional narrative to address how the report relates to broadband infrastructure. At a minimum, this response must clearly do each of the following, as outlined on pages 62 – 63 of the BEAD NOFO:

- a. Identify the geographic areas that should be subject to an initial hazard screening for current and projected future weather and climate-related risks and the time scales for performing such screenings;

American Samoa is prone to disasters such as hurricanes, droughts, tsunamis, coastal erosion, sea level rise and floods. American Samoa values climate resilience and will ensure that local plans and projects incorporate aspects and principles of resilience. In 2021, Governor Lemanu established the American Samoa Resilience Commission & Governor’s Resilience Office. American Samoa recognizes the urgency of climate impacts with grave concern and the need to respond quickly and strategically to ensure the protection, adaptive capacity, resilience, and well-being of the islands and residents of American Samoa.

Due to Sea Level Rise (SLR), our communities are at a much higher risk of coastal erosion, coastal flooding and flooding-related threats across the whole island. Majority of American Samoa’s critical infrastructures are located along the coastline. In 2021, the American Samoa Coastal Resilience Assessment was updated<sup>13</sup> including the Community Exposure Index (Map 1) and the Coast Resilience Evaluation and Siting Tool (CREST)<sup>14</sup> was released to further understand threats and exposures to our coastal communities. More recently, American Samoa Sea Level Rise Viewer<sup>15</sup> was also released as a tool for the prediction of potential future conditions from flooding due to SLR. The BCORD Office will continue to use these as a screening tool to identify high risk areas for climate and coastal-related flooding and threats. The American Samoa Hazard Mitigation Plan will be used as a tool to determine which areas may need a particular hazard screening.

The BCORD Office will focus on projects that leverage existing resources and assets to avoid further emissions and pollution. Subgrantees will be encouraged to use energy efficient technologies and renewable energy sources wherever possible. Majority of broadband infrastructure on Tutuila, Aunuu and Manua Islands is underground, only last mile connectivity is above ground. The BCORD Office recognizes the need for ongoing assessments and will work collaboratively with other agencies such as the American

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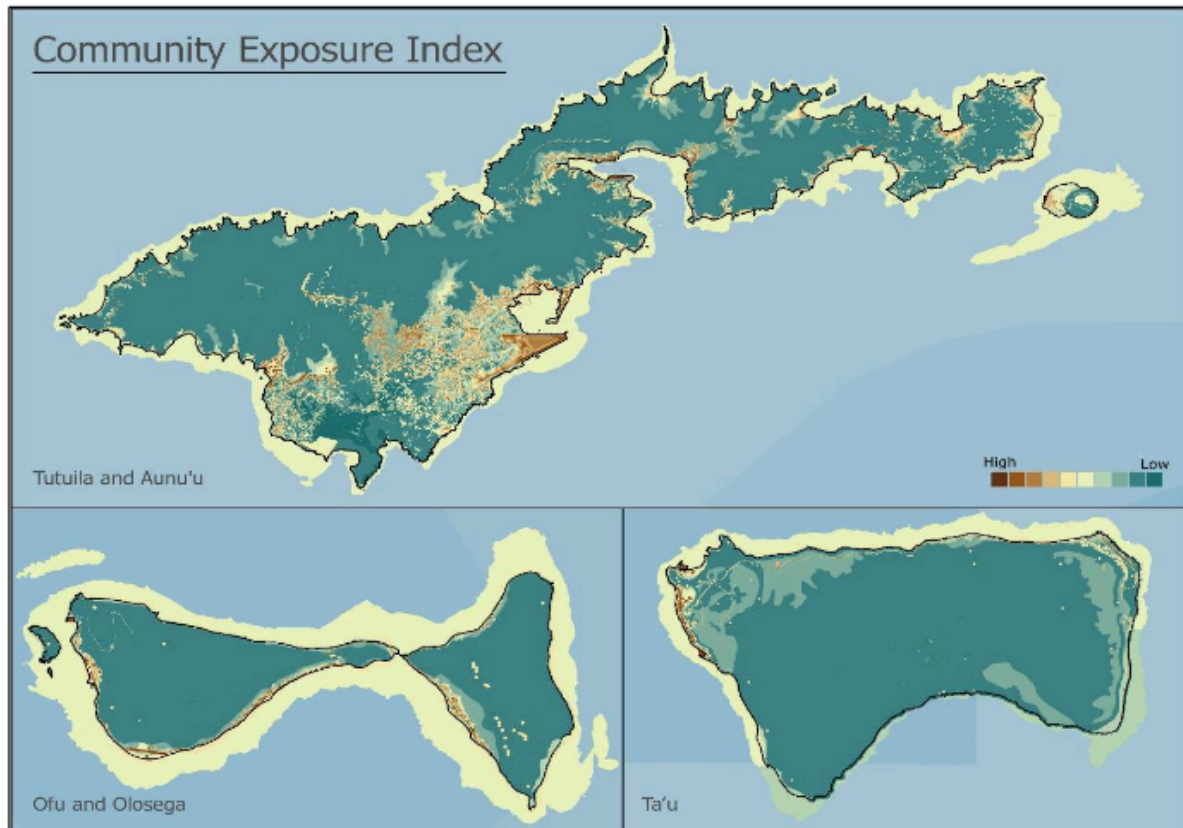
<sup>13</sup> <http://npshistory.com/publications/npsa/coastal-resilience-assessment-2021.pdf>

<sup>14</sup> <https://resilientcoasts.org/#AnalyzeProjectSites>

<sup>15</sup> <https://www.pacioos.hawaii.edu/shoreline/slr-amsam/>



Samoa Environmental Protection Agency, the American Samoa Power Authority, American Samoa Department of Homeland Security and other relevant agencies on monitoring, evaluating and responding to threats, impacts and emergencies. According to the BEAD NOFO, each funded network's outage should not exceed, on average 48-hours over any 365-day period except in the case of natural disasters or other force majeure occurrence. The BCORD Office will coordinate with partners due to disasters and will assist in ways possible to restore service as quickly as possible.



*Community Exposure Index for the American Samoa Coastal Resilience Assessment. Higher values represent areas where a higher concentration of community assets are exposed to flooding threats.*

- b. Characterize which projected weather and climate hazards may be most important to account for and respond to in these areas and over the relevant time horizons;
- c. Characterize any weather and climate risks to new infrastructure deployed using BEAD Program funds for the 20 years following deployment;

American Samoa has characterized the weather and climate risks to new infrastructure deployments using BEAD program funds for the 20 years following deployment.

As described in the American Samoa Hazard Mitigation Plan, the below are lists of hazards to any infrastructure development on island:

**Hazard****Justification for Inclusion**

Coastal Erosion	Much of the development is located in the relatively narrow coastal plain making this a hazard of major concern. The reef flat, which extends up to 200 feet on the south shore of Tutuila, provides some shoreline protection, although steep volcanic cliffs generally characterize the north shore coasts. Shoreline analysis identified about 10% of critical facilities within critical erosion areas, potentially many of these structures at risk to future erosion. <sup>34</sup>
Drought	Drought occurs in American Samoa and has resulted in economic impacts and water shortages. There is evidence that severe drought events may follow a strong El Niño period. Drought can result in water shortage and impact economic activities on the island.
Earthquake	The primary earthquake source for American Samoa is the northernmost section of the Tonga Trench (or Tonga-Kermadec Trench), more than 100 miles southwest of the Samoan island chain. The Tonga Trench is a seafloor geographic and tectonic feature created by the collision of the Pacific Plate that subducts westward beneath the Australian Plate. The Pacific-Australian subduction zone is considered an area of high seismic activity, and the collision of these two plates is a source of large but distant earthquakes felt in American Samoa. Earthquakes over 7.0 magnitude have been recorded. Further, earthquakes can be a precursor for a tsunami.
Extreme Heat	American Samoa's equatorial location generally keeps temperature consistent year-round with highs in the upper 80s. Recent years have resulted in more extreme temperatures including 3 records broken in 2020. Climate change impacts may exacerbate this trend.
Flood	Flooding is a regular occurrence in American Samoa due to rainfall, thunderstorm rain, tropical cyclones, and tsunami. Several disaster declarations resulted from flood impacts. Floods have resulted in substantial damages and often is a precursor for landslides.
Hazardous Materials	American Samoa stores extensive hazardous materials on the island. Further, many extremely dangerous (and illegal) hazardous materials, such as fertilizer, are being imported. Often times, the most dangerous hazardous materials are being abandoned or not stored properly, creating a safety and health



	issue to nearby dwellings and to the environment. <sup>35</sup>
High Surf	This hazard has resulted in road damage and debris, and it may impact economic activity.
Landslides	Previous landslides have resulted in substantial damage and even death on the island. Given the natural topography and history of landslides on Tutuila, future landslides are a certain occurrence. Landslides are less frequent on the Manu'a islands but still possible given the steep slopes in some areas.
Lightning Strike	Lightning strikes are not frequent occurrences but have reportedly caused a death, an injury, and electronic damage in American Samoa. Future events can result in death, injury, power outage, wildfire, or structure fires.
Public Health Risks (including infectious disease)	This a new hazard for the 2020 plan update. American Samoa is subject to numerous public health risks such as measles, dengue, and chikungunya which can impact the population health, the economy, and overall resiliency. There was a measles outbreak in 2019-2020, and COVID-19 resulted in a major disaster declaration in 2020.
Sea Level Rise	This hazard, formerly part of the Climate Change profile, was made a separate hazard in the 2020 plan update. Data indicates rising sea levels in American Samoa which will threaten areas further inland with flood impacts from storm surge.
Soil Hazards (including expansion and sinkholes)	These are low probability hazards. They were included because they are possible on the islands. Each of these hazards may result in property damage
Subsidence	Made a stand-alone hazard for the 2020 plan. Subsidence is thought to be rapidly increasing as a result of the 2009 earthquake and tsunami.





Tropical Cyclones and High Windstorms	All the major tropical cyclones affecting American Samoa during the past 50+ years have been classified between Categories 1 and 3 on the Saffir-Simpson Hurricane Scale. Historical records give no indication of any Category 4 or 5 hurricanes impacting this area though it is possible. It appears that due to the relatively close proximity to the equator, 840 miles south of the 0-degree latitude line, the most intense tropical cyclones in the vicinity of American Samoa are rare. However, even less severe storms can wreak havoc on the islands including death and damage due to flooding, high wind, and high surf.
Tsunami	The entire coastline of American Samoa is at risk to tsunamis. Wave heights along the shoreline would be directly related to the energy of the wave and direction in which it was generated. The pocket coves and bays of the island are at higher risk of damage due to shallow bathymetry and the amplifying effect of the wave energy as it nears the shore. Tsunamis range from relatively weak, just generating larger than normal waves, to catastrophic, similar to the 2009 tsunami event that severely impacted the territory.
Volcano	American Samoa formed as a result of volcanic activity over a hot spot in the Pacific Plate. Tectonic uplifts and volcanic activity during the early formation period of the islands have led to steep inclines and sharp cliffs being the dominant geographical features of the main islands. The most recent volcanic eruptions were in 1866 and an active hotspot remains. In addition, volcanoes are active on the neighboring islands of Samoa in Apia. An associated hazard to volcano and possible impact to American Samoa is vog, a type of air pollution. It is the haze caused by a combination of volcanic activity and weather which becomes thicker or lighter depending upon the amount of emissions from the volcano, the direction and amount of wind, and other weather conditions. Other respiratory illnesses may also rise during a volcano eruption.
Wildfire	Wildfire is possible and does occur in American Samoa. However, the fires are rarely large enough to cause significant damage. A fire suppression plan does exist for the islands.

d. Identify how the proposed plan will avoid and/or mitigate weather and climate risks identified; and

Mitigating weather and climate risks requires collective efforts and activities including:

- Leveraging Data for Informed Decisions: Relying on data from the hazard





mitigation plan and federal tools such as FEMA's National Risk Index and NOAA's Sea Level Rise tool, Community Exposure Index (Map 1) and the Coast Resilience Evaluation and Siting Tool (CREST), American Samoa will employ strategies designed to avoid, minimize or mitigate the climate risks to broadband infrastructure deployment. The state will also rely on its disaster management and recovery experience to ensure that broadband service operability is integrated into community and electric utility resilience, response and recovery plans.

- **Hardening of existing infrastructure:** For example, install hurricane clips, provide shutters for windows, and anchor roofs; Harden or strengthen infrastructure with anchor utility poles, use steel or concrete poles, install underground wires and cables, harden bridges, and identify bypass roads; Harden bridges and roads and allow proper drainage; Relocate facilities and houses out of the designated VE zones or away from eroding shorelines; Public education to anchor loose outdoor items and properly store hazardous chemicals; Regularly maintenance generators at critical facilities and test prior to major events;
- **Continual Monitoring and Adaptation:** Establish a monitoring system to track changes in sea level rise projections, cyclone patterns, and wildfire risks.; Establish a plan for testing and maintenance of early warning and monitoring systems; Regularly update risk mitigation strategies based on evolving environmental conditions and technological advancements.
- **Coordination with Local Agencies:** After hurricanes and other severe weather events aerial broadband lines that survived the storm can be cut to expedite the restoration of electrical service or the removal of trees and other debris. Coordination with ASPA and other core infrastructure agencies at the local level is of paramount importance.
- Continued mapping and study of potential events and impacts locally;
- Enforcement of Shoreline Setback Rules
- Improvements in Land Use and Flood Plain Management and Regulation; Relocation of Existing Structures; Elevation of Existing Structures; Structural and Non-structural Flood Mitigation Projects.
- Construction of barrier to prevent debris from washing onto roadways; Construction of structures to ease wave impacts and prevent road washout; Purchase of additional equipment to aid in swift sand and road removal; Development of a traffic management plan or protocol when roads are blocked by debris

e. [Describe plans for periodically repeating this process over the life of the Program to ensure that evolving risks are understood, characterized, and addressed, and that the most up-to-date tools and information resources are utilized.](#)

The Governor's Authorized Representative (GAR) appoints the Hazard Mitigation Council and the State Hazard Mitigation Officer the responsibility of maintaining and updating the Hazard Mitigation Plan. American Samoa's Hazard Mitigation Plan is a living document. As a living document the plan is designed to be changed throughout the five-years before an official update is required. The American Samoa Government understands the value of this plan and its positive mitigation impact and intends to continue updating this plan and implementing the plan's mitigation strategy.



**2.11.1.1 Optional Attachment:** As an optional attachment, submit any relevant reports conducted within the past five years that may be relevant for this requirement and will be referenced in the text narrative above.

The BCORD Office is committed to aligning various climate related plans and/or components including but not limited to:

- [2021-2026 ASTBS](#)
- Territorial Emergency Operations Plan
- [American Samoa Hazard Mitigation Plan](#)
- Territory of American Samoa Cybersecurity Plan 2023

### ***Low-Cost Broadband Service Option (Requirement 16)***

**2.12.1 Text Box:** Describe the low-cost broadband service option(s) that must be offered by subgrantees as selected by the Eligible Entity, including why the outlined option(s) best services the needs of residents within the Eligible Entity’s jurisdiction. At a minimum, this response must include a definition of low-cost broadband service option that clearly addresses the following, as outlined on page 67 of the BEAD NOFO:

The BCORD Office will require BROADBANDiNEI subgrantees to offer, at a minimum, a low-cost broadband option for low-income residents of American Samoa. In evaluating the price structure of qualifying (fiber or fixed licensed wireless) local residential broadband services in American Samoa (as of 2024); the BCORD Office has determined that the average price of the minimum broadband package to be approximately \$52/month. In agreement with the affordability criteria laid out under Section 02.04.02.a, the BCORD Office has determined that the target price that best effectuates affordability of broadband services in American Samoa is \$55/month. The BCORD Office intends to treat as eligible those subscribers that meet the definition of “Eligible Subscribers” contained in the NOFO (NOFO at 12).

In addition, the ACP subsidy provides for a \$30 discount to consumers for all States and Territories, however tribal lands which have similar challenges to American Samoa receive a \$75 subsidy. If American Samoa, through federal subsidy, was able to match tribal lands, it could ensure the low-cost plan offered as part of the BEAD program requirements was \$0.

Elements of a low-cost service option include participation in the Affordable Connectivity Program (ACP); cost to consumers after application of available subsidies, performance characteristics (speed, latency, data caps, reliability commitments); and opportunities to upgrade to low-cost service plans with improved technical specifications.

The low-cost service plan for American Samoa:

- For full scoring credit as noted in Section 02.04.02.a, no more than \$55/month before ACP.
- Subgrantees will be required to accept the ACP subsidy to cover a portion of the cost of the low-cost option (eg: Low-Cost Option is \$55 per month, minus ACP subsidy of \$30, final cost is \$25/month to consumers).
- The consumer must be able to apply an ACP subsidy to cover the cost of any plan provided by the Subgrantee, in addition to the low-cost plan.



- Provide access to broadband service to each customer served by the project that desires broadband service on terms and conditions that are reasonable and non-discriminatory.
- Provide consumers with services that adhere to values that have been identified by the BCORD Office, like net neutrality, transparent pricing, and data privacy. Provide broadband service that complies with the consumer protection and net neutrality standards.
- The low-cost broadband option must remain available for the useful life of the funded network assets.
- The low-cost broadband option must be at the defined speeds of 100mbps down and 20mbps up.

In the absence of the ACP program, if it fails to be reauthorized/extended/funded, the BCORD Office, to ensure compliance with BEAD funding requirements, will still require internet service providers receiving BEAD funding to provide a low-cost plan option, meeting the technical specifications outlined above of a minimum connection of 100mbps/20mbps. To qualify for this plan, the eligible subscribers would need the same qualifying proof of eligibility as applicable to the ACP program.

The BCORD office acknowledges this may be a hardship for local internet service providers. The BCORD office also acknowledges that it is unable to provide a reasonable local-subsidy replacement program at this time. In acknowledging the hardship to internet providers, if the internet provider is unable to provide a low-cost plan, they may submit a waiver to offer a price above the low cost plan target price of \$55/month. This waiver must detail why the internet provider cannot meet this price target and must be renewed with the BCORD office on an annual basis during the useful life of the funded network assets.

While American Samoa has one of the highest rates of low-income households in the United States, it must be acknowledged that providing internet services to the Territory comes at a cost to the internet providers, prior to that connectivity reaching the customer. This is a combination of the cost of infrastructure to reach the Territory, the infrastructure on the Territory and the cost of transfer/broadband that must be purchased from higher tier providers via the Hawaiiki cable. American Samoa by default (exception being the outer-Manu'a Islands) is not considered a "high cost area" by the Federal Communications Commission, despite the challenges outlined above.

Given that the lowest cost options for internet in American Samoa (on average) for residential customers is \$52/month for 18.5mbps/4mbps, reaching affordability in the Territory for low income households without a subsidy option at the required technical specifications that define broadband service, will remain a challenge and without a federal subsidy in place of even \$30, the ability for the Territory to require a \$0 low-cost plan is not possible.

- In no case may the offered rate exceed the \$55 average rate for comparable service plans in American Samoa.
- Modifications to offered rates to a level between \$55 and the \$75 Not to Exceed (NTE) level may be granted based on evidence supporting the newly proposed rate: (1) Per-subscriber costs in an area indicating that the target effective rate above would be financially unsustainable; and/or (2) The impact on average revenue per user (ARPU) and total project revenue of the target effective rate above would be financially unsustainable given actual or projected subscriber adoption patterns.
- If a modification request is granted, the new modified level shall remain the maximum Not to Exceed offered rate for the provider for the duration of the federal interest.



**A. Service Initiation Cost - All recurring charges to the subscriber, as well as any non-recurring costs or fees to the subscriber (e.g., service initiation costs)**

Installation fees or any other non-recurring charge may not be assessed for households adopting the low-cost service option.

**B. Basic Service Characteristics**

The low-cost service plan developed for American Samoa and required from all prospective subgrantees will require:

- Cost to consumers: affordable rate
- Speed: 100/20 Mbps
- Latency: 100 milliseconds
- Data usage caps: not permitted
- Additional service characteristics:
  - Provide access to broadband service to each customer served by the project that desire broadband service on terms and conditions that are reasonable and nondiscriminatory
  - Subgrantees will be required to accept the ACP subsidy to cover a portion of the costs of low-cost option (as well as allowing this for all plans offered by the subgrantee)

**C. Affordable Connectivity Subsidy**

As outlined in the NOFO, there are elements that must be in the low-cost service option. Those include participation in ACP; cost to consumers after application of available subsidies; performance characteristics; and opportunities to upgrade to low-cost service plans with improved technical specification. Subscribers using the low-cost broadband service option must be ACP eligible or eligible for a successor program enacted by Congress, and must also be permitted to apply the prevailing ACP subsidy amount toward the plan's rate.

**D. Ability to Upgrade to New Low-Cost Option**

- The rate specified, as well as the other provisions identified in this section, for this service option will be a contractual requirement of awardees for the duration of the federal interest, as specified by NTIA. In the event that the FCC during the period of this obligation revises the federal definition of broadband to a performance level that is higher than the 100/20 standard required currently for BEAD, that new federal definition shall be the required performance standard.
- In the event the provider later offers a low-cost plan with higher speeds downstream and/or upstream, permits Eligible Subscribers that are subscribed to a low-cost broadband service option to upgrade to the new low-cost offering at no cost.
- If the provider voluntarily offers other low-cost plans elsewhere in American Samoa, the provider must make the same offer(s) available on identical terms to households associated with all eligible locations included in the BEAD subgrant award.

**2.12.2 Checkbox:** Certify that all subgrantees will be required to participate in the Affordable Connectivity Program or any successor program.



The BCORD Office certifies that all subgrantees will be required to participate in the Affordable Connectivity Program (ACP).

### ***Middle Class Affordability Plans (Requirement 20)***

**2.13.1 Text Box:** Describe a middle-class affordability plan that details how high-quality broadband services will be made available to all middle-class families in the BEAD-funded network's service area at reasonable prices. This response must clearly provide a reasonable explanation of how high-quality broadband services will be made available to all middle-class families in the BEAD-funded network's service area at reasonable prices.

Designing affordable broadband service does not just relate to monthly fees but also the cost to initiate service. American Samoa faces a few specific affordability challenges due to its geography, low population density, and legacy network deployments. The remaining unserved and underserved addresses are in areas where infrastructure has not been built by market forces alone, and are predominantly very rural. This drives up operating costs for ISPs, which can result in higher monthly customer prices.

American Samoa intends for providers who are using BEAD funds to keep their commitment to ensure middle class affordability over the life of the network. The BCORD will require that each prospective subgrantee provide a certification that it will continue to provide a range of service offerings, including a low cost option during the useful life of the network, as required by the NOFO. This is in addition to the reporting obligation noted above. Prospective subgrantees should also outline their plans for reinvesting network revenues into the networks to help reduce customer rates. The affordability of internet service plans for middle class households is addressed by the following program elements:

**BEAD Proposal Scoring Criteria** - The primary means of ensuring affordability for the middle class is the weight of affordability in the scoring criteria established in this proposal. Affordability will comprise 20% of the scoring criteria the Office will use to evaluate proposals to serve a location under the BEAD program. In addition to these requirements, the BCORD adopts the following recommendations and requirements below to promote affordability for the middle class.

**Low-Cost Service Option** - Providers participating in the BEAD program are required to offer to eligible customers the Low-Cost Service Option defined in this Proposal. Broadband service providers are encouraged to ensure that broadband services offered to prospective customers in the BEAD-awarded area are affordable and reasonably accessible to middle class households.

**Shift Drop Costs** - Subgrant participation rules will make clear that drops and network equipment are eligible BEAD costs and should be built into subgrant proposals to avoid inflated subscriber prices. Subgrantees will not be allowed to shift drop and installation costs to the consumer on a BEAD-funded project.



### ***Use of 20% Percent of Funding (Requirement 17)***

#### **2.14.1 Text Box:** Describe the Eligible Entity's planned use of any funds being requested

Consistent with Section IV.B.8 of the BEAD NOFO, the BCORD Office intends to use the first 20 percent of funding to support (i) administrative costs, (ii) programmatic costs, such as funding the challenge or subgrantee selection processes, funding last-mile broadband deployment projects, and funding non-deployment uses, or (iii) a combination of these uses.

1. Administrative costs may include expenses incurred by the grant recipients or subrecipients in support of the day-to-day operations, not directly tied to a specific programmatic purpose or activity. Approved funding for administrative expenses may be expended prior to the completion of the challenge and subgrantee selection processes.
2. Programmatic costs are costs that are directly tied to the delivery of a particular project, service, or activity undertaken by a grantee to achieve an outcome intended by the funding program. Approved funding for programmatic costs may be expended prior to the completion of the challenge and subgrantee selection processes.
  - 2.1. Funding for the challenge and subgrantee selection processes may include personnel costs specifically to conduct these processes (e.g., a digital equity specialist who will charge a set number of hours to support the subgrantee selection process from a digital equity lens); contractor(s) to carry out these processes; technology costs (e.g., website services to carry out these processes); and costs related to communications or awareness specifically for these processes). Approved funding for programmatic costs may be expended prior to the completion of the challenge and subgrantee selection processes.
  - 2.2. Funding for deployment projects may include any of the eligible costs outlined in Section IV.B.7.a.ii and in line with Section IV.B.8 of the BEAD NOFO. Approved funding for programmatic costs may be expended prior to the completion of the challenge and subgrantee selection processes.
3. Funding for non-deployment projects may include any of the eligible costs outlined in Section IV.B.7.a.iii and in line with Section IV.B.8 of the BEAD NOFO. Approved funding for programmatic costs may be expended after the completion of the challenge and subgrantee selection processes.

American Samoa's total allocation is \$37,570,528, less the State BEAD Planning fund awarded to Territories (\$1,250,000), is \$36,320,528, and 20% of this amount is about \$7,264,105. The BCORD Office is requesting 100% of its allocation (less State Bead Planning funds) of BEAD funding within its IPFR.

#### **2.14.2 Financial Data Entry:** Enter the amount of the Initial Proposal Funding Request. If not requesting initial funds, enter '\$0.00.'

- a. American Samoa will request \$36,320,528

#### **2.14.3 Check Box:** Certify that the Eligible Entity will adhere to BEAD Program requirements regarding Initial Proposal funds usage. If the Eligible Entity is not requesting funds in the Initial Proposal round and will not submit the Initial Funding Request, note "Not applicable."





The BCORD Office certifies it will adhere to BEAD Program requirements regarding Initial Proposal funds usage.

### ***Eligible Entity Regulatory Approach (Requirement 18)***

#### **2.14.4** Text Box

- a. Disclose whether the Eligible Entity will waive all laws of the Eligible Entity concerning broadband, utility services, or similar subjects, whether they predate or postdate enactment of the Infrastructure Act that either (a) preclude certain public sector providers from participation in the subgrant competition or (b) impose specific requirements on public sector entities, such as limitations on the sources of financing, the required imputation of costs not actually incurred by the public sector entity, or restrictions on the service a public sector entity can offer.
- b. If the Eligible Entity will not waive all such laws for BEAD Program project selection purposes, identify those that it will not waive (using the Excel attachment) and their date of enactment and describe how they will be applied in connection with the competition for subgrants. If there are no applicable laws, note such.

The BCORD Office will not waive any laws.

**2.15.1.1 Optional Attachment:** As a required attachment only if the Eligible Entity will not waive laws for BEAD Program project selection purposes, provide a list of the laws that the Eligible Entity will not waive for BEAD Program project selection purposes, using the Eligible Entity Regulatory Approach template provided.

Not applicable.

### ***Certification of Compliance with BEAD Requirements (Requirement 19)***

**2.16.1** Check Box: Certify the Eligible Entity's intent to comply with all applicable requirements of the BEAD Program, including the reporting requirements.

The BCORD Office certifies that it intends to comply with all applicable requirements of the Program, including the reporting requirements. Future reporting requirements for the BEAD Program include those outlined in NOFO Section VII.E. In advance of reporting due dates NTIA will provide additional instructions, including formatting requirements and other information on how to satisfy the reporting requirements.

**2.16.2 Text Box:** Describe subgrantee accountability procedures, including how the Eligible Entity will, at a minimum, employ the following practices outlined on page 51 of the BEAD NOFO.

The BCORD Office will align with BEAD NOFO to ensure accountability of:

- a. Distribution of funding to subgrantees for, at a minimum, all deployment projects on





a reimbursable basis (which would allow the Eligible Entity to withhold funds if the subgrantee fails to take the actions the funds are meant to subsidize);

The BCORD grant agreement will contain clauses that include accountability procedures including but not limited to the distribution of funding to subgrantees for, at a minimum, all deployment projects on a reimbursable basis (which would allow the Eligible Entity to withhold funds if the subgrantee fails to take the actions the funds are meant to subsidize);

b. The inclusion of clawback provisions (i.e., provisions allowing recoupment of funds previously disbursed) in agreements between the Eligible Entity and any subgrantee;

The BCORD grant agreement will include clawback provisions including but not limited to the following list of remedies:

- suspension of performance
- termination for break
- withholding of payment
- denial of payment
- recouping grant funds

c. Timely subgrantee reporting mandates; and

The BCORD grant agreement includes a requirement of quarterly financial and progress reports. Subgrantees must adhere to regular reporting, following a schedule provided by the BCORD, with noncompliance impacting requests processings.

Quarterly financial reports should detail project finances, budget status, ensuring financial compliance and transparency. Progress reports must include project milestones consistent with approved grant project plan, challenges, objectives and accomplishments. Integrating these requirements into the grant agreement enforces diligence in reporting, fostering transparency and accountability for successful project outcomes.

d. Robust subgrantee monitoring practices.

To ensure effective oversight and project execution, the BCORD grant agreement incorporates robust subgrantee monitoring practices, which includes site visits. Site visits are critical to monitoring progress of projects. Other monitoring strategies will include desk review, financial review, remote assessment, scheduled quarterly project reviews with subawardees.

**2.16.3 Check Box:** Certify that the Eligible Entity will account for and satisfy authorities relating to civil rights and nondiscrimination in the selection of subgrantees.

The BCORD Office certified that its selection of subgrantees will account for and satisfy each of the following authorities:

- [Parts II and III of Executive Order 11246, Equal Employment Opportunity](#)
- [Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency](#)



- [Executive Order 13798, Promoting Free Speech and Religious Liberty](#)

Additionally, prior to distributing any BEAD funding to a subgrantee, the BCORD requires the subgrantee to agree, by contract or other binding commitment, to abide by the non-discrimination requirements set forth in the following legal authorities, to the extent applicable, and to acknowledge that failure to do so may result in cancellation of any award and/or recoupment of funds already disbursed:

- [Title VI of the Civil Rights Act](#)
- [Title IX of the Education Amendments of 1972](#)
- [The Americans with Disabilities Act of 1990](#)
- [Section 504 of the Rehabilitation Act of 1973](#)
- [The Age Discrimination Act of 1975](#)
- Any other applicable non-discrimination law(s)

**2.16.4 Check Box:** Certify that the Eligible Entity will ensure subgrantee compliance with the cybersecurity and supply chain risk management requirements on pages 70 - 71 of the BEAD NOFO.

The BCORD Office certifies and will require all subgrantees to certify their compliance with cybersecurity and supply chain risk management requirements.

#### *Cybersecurity*

- 1) The prospective subgrantee has a cybersecurity risk management plan (the plan) in place that is either: (a) operational, if the prospective subgrantee is providing service prior to the award of the grant; or (b) ready to be operationalized upon providing service, if the prospective subgrantee is not yet providing service prior to the grant award;
- 2) 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;
- 3) The plan will be reevaluated and updated on a periodic basis and as events warrant; and
- 4) 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 (SCRM)*

- 1) The prospective subgrantee has a SCRM plan in place that is either: (a) operational, if the prospective subgrantee is already providing service at the time of the grant; or (b) ready to be operationalized, if the prospective subgrantee is not yet providing service at the time of grant award;
- 2) 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;
- 3) The plan will be reevaluated and updated on a periodic basis and as events warrant;



- and
- 4) 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.

## **Volume II Public Comment**

**2.17** Describe the public comment period and provide a high-level summary of the comments received during the Volume II public comment period and how they were addressed by the Eligible Entity. The response must demonstrate:

- a. The public comment period was no less than 30 days; and
- b. Outreach and engagement activities were conducted to encourage feedback during the public comment period.

The BCORD Office released a draft Initial Proposal Volume 2 in early November 3, 2023 for public comment. The public comment period was between November 3, 2023 to December 3, 2023. During this period, the public were asked to submit comments in writing via mail, telephone, or electronically through email or in person. The BCORD Office issued publications in the paper, held ongoing working group meetings, office hours, to inform the public of BEAD and the Initial Proposal comment period, where public comment can also be received. The following is a summary of comments received:

#	Description	Action
1	Concerns for disaster management (response and recovery, cyber disruption, etc.) and how infrastructure and bandwidth can be claimed with FEMA as property.	<p>The BCORD Office acknowledges receipt of comment. This is a critical component and priority of the 2021-2026 ASTBS and is ongoing discussion as we work towards our Digital Equity Plan. There is also a need to gather appropriate stakeholders and discuss with federals on an approach and applicability.</p> <p>Cyber and supply chain management requirements are incorporated in Section 02.16.4.</p>
2	Cyber and supply chain requirements; standard set of guidance on security will simplify EEs' requirements under the BEAD NoFO and promote the construction of secure networks in jurisdictions across the country.	<p>The BCORD Office acknowledges receipt of comment.</p> <p>Cyber and supply chain management requirements are incorporated in Section 02.16.4.</p> <p>Cybersecurity is also Goal 4 of the BROADBANDiNEI 5-Year Action Plan and the BROADBANDiNEI BEAD Plan.</p>



		Proposed projects must have both a Cybersecurity Plan and a Supply Chain Management Plan. Cybersecurity training is also included as an eligible potential project under this funding source.
3	Clarification regarding 2 CFR 200 on subrecipients and contractors	Proposed projects must follow all BEAD NOFO requirements, local procurement requirements and all applicable laws and regulations as included in the BEAD NOFO. These have been incorporated throughout the plan.
4	Matching waiver applicable to subrecipients	The BCORD Office acknowledges receipt of comment. Matching Waiver Pursuant to 48 U.S.C. § 1469a(d) is applied to the first \$250,000 grant to an Eligible Entity. This is not applicable to the BEAD program. This has been incorporated into section 02.04.01.a.
5	Seeking more acknowledgment and detail of the following: emergency communications broadcast communications (TV, Cable, IPTV, Radio) not just the importance but the critical nature of broadcast communications as it relates to broadband when it comes to saving lives and property	<p>The BCORD Office acknowledges and agrees with the importance of emergency communications, broadcast communications (TV, Cable, IPTV, Radio) not just the importance but the critical nature of broadcast communications as it relates to broadband when it comes to saving lives and property. This is a critical component and priority of the 2021-2026 ASTBS. Ongoing discussions are needed as we work towards our Digital Equity Plan.</p> <p>Essential service projects are allowable and incorporated under non-deployment programs.</p>

In summary, each category of comment was carefully reviewed, and where applicable, changes were made to address the concerns and suggestions raised by the public. The Eligible Entity remains committed to transparency and inclusivity.