



**FINLEY**

# TRIBAL BROADBAND FUNDING IN A TIME OF OPPORTUNITY

HOW TO FIND FUNDING AND BUILD SUCCESSFUL PARTNERSHIPS



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SUMMARY





# I.

## CONNECTIVITY CHALLENGES AND FUNDING OPPORTUNITIES

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Indigenous communities continue to face some of the greatest broadband deficiencies in the United States. A 2021 [study](#) showed that only 67% of Tribal Lands and Reservations in the U.S. have access to broadband, and many people living in those communities do not have what the FCC calls a “minimally acceptable” connection. Further, the fact that many Tribal lands are in remote rural areas makes bringing broadband to these communities a unique challenge.

### The Tribal Broadband Connectivity Program

When the Infrastructure Investment and Jobs Act of 2021 (IIJA)—informally known as the Bipartisan Infrastructure Law—was passed, it established the [Tribal Broadband Connectivity Program](#). Administered by the National Telecommunications and Information Administration (NTIA), the Tribal Broadband Connectivity Program has set aside \$3 billion “to be used for broadband deployment on Tribal lands, as well as for telehealth, distance learning, broadband affordability, and digital inclusion.” Since the establishment of the Tribal Broadband Connectivity Program, funds have been allocated to various Native American communities around the country (see, for example, the August 2022 [announcement](#) of \$105 million in grants to various Tribal Nations).



## CONNECTIVITY CHALLENGES AND FUNDING OPPORTUNITIES

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Funding is still being announced today—NTIA announced \$8.39 million in grants in June 2023, about \$9.5 million in May, \$5.8 million in April, and so on. To date, the Tribal Broadband Connectivity Program has given out almost \$2 billion to more than 160 Tribal Nations. The majority of these funds—\$1.66 billion as of July 2023, according to the NTIA's [grant map](#)—were awarded for infrastructure deployment. In other words, the NTIA is investing significantly in the work of expanding and deploying broadband networks in Tribal areas.

The [Notice of Funding Opportunity](#) for round two of the Tribal Broadband Connectivity Program was just released at the end of July. The second round will make roughly \$980 million available on Tribal lands for “deployment of Internet infrastructure, affordability programs, telehealth and distance learning initiatives.” Applications for round two funding are due January 23, 2024.

### **The Broadband Equity, Access, and Deployment (BEAD) Program**

The IJA also established the BEAD Program, which—as initially conceived—would offer a minimum of \$100 million to each state and \$25 million to each U.S. territory for the creation of broadband networks. The BEAD Program recently announced its [allocation](#) for each U.S. state, and grant applications will be due in the coming months. Entities that wish to expand broadband networks—including Tribal entities, broadband service providers (BSPs), electric utility companies, local municipalities, nonprofit organizations, and others—are encouraged to work with underserved communities, including Tribal Nations.

The BEAD Program [Notice of Funding Opportunity](#) specifically calls out Tribal areas as needing broadband: “[The] digital divide is particularly acute for communities of color, Tribal nations, and lower-income areas and spans both urban and rural areas of the country.” There’s also an expectation that any grantee that constructs a Tribal broadband network through BEAD funding “must communicate well with... Tribal partners to ensure that deployments proceed as expected.”

## II.

### BECOMING A GRANTEE, BECOMING A BSP

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Tribal Nations, entities, and leaders may want to apply for funding directly and create their own broadband networks that they construct, manage, and maintain. The primary advantage of being a network operator is autonomy, which is historically important for Indigenous Nations. BEAD Program funding and other federal and state funds require that grant applicants demonstrate their ability to create networks successfully, which can be difficult for first-time entrants.

The learning curve for operating a broadband network varies based on the experience of the Tribal Nation. Sometimes, this is a numbers problem—smaller Tribal entities may not have the technical expertise needed to establish their own network, while larger Tribal entities may have the people and the resources required to be successful. That said, there is funding available through the NTIA for training for Tribal Nations hoping to construct networks on their own.

Recently, a collaborative group of industry professionals supporting the National Tribal Telecommunications Association (NTTA) began developing an eBook titled, “Pathways to Success: An NTTA Tribal Reference Guide.” This guide will help Tribal entities navigate the process of identifying and applying for funding, becoming a broadband service provider (BSP), designing and constructing a broadband network, and successfully operating and maintaining a broadband network. For Tribal leaders interested in pursuing this path, this new guide will be a useful resource. Look for the guide to become available in late August. A link will be provided on the Finley website and the NTTA site.



# III.

## MUTUALLY BENEFICIAL PARTNERSHIPS

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Another option for Tribal leaders is to partner with a private company to bring broadband to Tribal areas. This is often either the only way or the simplest way for Tribal Nations to have access to broadband. Here are five things to consider—for both Tribal leaders and leaders of private companies—as you think about a partnership:

- 1. Trust is paramount.** Forming a foundation of trust is vital for a Tribal/private partnership. Given the history of Indigenous Peoples in what is now the United States, there may be mistrust from Tribal leaders about whether or not private companies are truly working toward the benefit of Native American communities, or whether those companies merely want to take advantage of a financial opportunity. The onus is on private companies to build relationships by spending time in Tribal communities, demonstrating expertise and capability, having clearly defined goals and timelines, being culturally aware and sensitive, and ensuring clear and open communication. Trust can make or break partnerships with Tribal leaders and communities.
- 2. Find the partnership arrangement that works.** Not all partnerships among Native American communities and private companies look the same. In some cases, the private company is providing broadband to a Tribal area as they would to any other community, and the revenue they make is what they receive from the partnership. In other cases, the Tribe or Nation and the private company have an income-sharing agreement, so the two entities split any income generated from the broadband service provided in the Tribal Territory. The terms of the partnership you need—whether you are a Tribal leader or work with a private company—will likely depend on how complex it is to expand a network to your area and your financial model.

“ PARTNERSHIPS BETWEEN TRIBAL NATIONS AND PRIVATE COMPANIES OFTEN HAVE ADDED BENEFITS BEYOND DELIVERING BROADBAND TO A POPULATION THAT NEEDS IT. ”

## MUTUALLY BENEFICIAL PARTNERSHIPS

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**3. Know the side benefits of partnership.** Partnerships between Tribal Nations and private companies often have added benefits beyond delivering broadband to a population that needs it. Often, private companies will employ Tribal members as the network is being built and after it is established. Many private companies are putting training into their federal and state grant applications, so Native American community members have the opportunity to develop into knowledgeable, expert technicians who are already embedded within the community and can help maintain the network. Job and training opportunities are important extra (and often unconsidered) benefits of successful Tribal/private partnerships.

**4. For Tribal leaders: partnership may be your best path to compliance.** The staggering dollar amounts being granted by the federal government can tempt entities of all kinds into seeking grant funding without being certain that they can execute the proposed project. Greg Jaramillo, Director of Operations for Sacred Wind Communications, puts it simply: “If you get clouded by dollars and don’t focus on compliance, you won’t get the service you need.” Sometimes, finding a partner experienced in the broadband industry can be the difference between a project that is successful or not, the difference between bringing broadband to your underserved community or failing to do so.

**5. For private companies: Ensure that the partnership is viable.** For broadband providers, a necessary first step before entering into a partnership is to take a careful look at whether the challenges of bringing broadband to a Tribal area fit within your financial model. As stated above, some Tribal communities are extremely remote. If bringing broadband to a community involves hundreds of miles of middle-mile infrastructure and transport issues to overcome, and if the number of people who will be served as a result is not enough to justify the investment, the partnership may not make sense. Your company may want to serve Tribal Nations—and nearly all of us who serve the rural broadband industry are committed to bringing high-speed connections to the underserved—but the time may still come when you decide a project isn’t feasible.



## IV. SUMMARY

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There has never been a better moment for Tribal Nations to bring broadband to their members. The federal and state funds earmarked for broadband expansion are at truly historic levels, as the United States government seeks to make access to broadband a reality for even the most remote rural communities (as it did for electricity in the 20th century). For Tribal Nations to take advantage of this time of opportunity, it's important to be aware of the available funding options, consider whether you have the resources to be an autonomous broadband provider, and think through potential partnerships that may bring more resources and expertise to the table than you can access on your own.

Tribal Nations and their members deserve equitable access to broadband that communities throughout the United States have. This is the time to seize the available opportunities and bring this necessary, life-changing technology to your community.



# DAN CARTER

## VICE PRESIDENT, CLIENT SERVICES

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Dan Carter serves as Vice President, Client Services for Finley Engineering. Dan is a seasoned executive who has experience in the communications sector, including executive management and corporate board service.

Dan's experience relative to Finley includes engineering and business consulting to assist clients with planning, financing, designing, and constructing broadband networks. Mr. Carter has notable experience with State and Federal broadband grant programs and private funding solutions.

Prior to Finley, Dan served as SVP for Midland Group and before that Dan founded a broadband access equipment company, Infinitec Networks, which he sold to TelStrat where he served as SVP of Corporate Development & GM over the Access Business Unit. Earlier in his career Dan founded Valiant Communications in India, founded and sold 2 other businesses in the US, and worked in management and engineering capacities for Seiscor Technologies (a Raytheon Company) and Transok (American Electric Power).

Dan has authored patents in the U.S. and Europe. He holds a degree in Electrical Engineering from the University of Tulsa with a minor in Mathematics and is a Registered Professional Engineer licensed in several states. Dan has studied Strategic Marketing Management at Harvard Business School and advanced studies in Business Management and Accounting.