

**DEPARTMENT OF COMMERCE****National Telecommunications and Information Administration**

[Docket Number: 970103002-7002-01]

RIN 0660-ZA02

**CFDA: 11.552; Telecommunications and Information Infrastructure Assistance Program****AGENCY:** National Telecommunications and Information Administration, Commerce.**ACTION:** Notice of availability of grant funds.

**SUMMARY:** The National Telecommunications and Information Administration (NTIA) issues this Notice describing the conditions under which applications will be received under the Telecommunications and Information Infrastructure Assistance Program (TIAP) and how NTIA will determine which applications it will fund. TIAP assists eligible organizations by promoting the widespread use of advanced telecommunications and information technologies in the public and non-profit sectors. By providing matching grants for information infrastructure projects, this program will help develop a nationwide, interactive, multimedia information infrastructure that is accessible to all citizens, in rural as well as urban areas.

**DATES:** Complete applications for the Fiscal Year 1997 TIAP grant program must be mailed or hand-carried to the address indicated below and received by NTIA no later than 5 P.M. EST, March 27, 1997.

**ADDRESSES:** Telecommunications and Information Infrastructure Assistance Program, National Telecommunications and Information Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, HCHB, Room 4092, Washington, DC 20230.

**FOR FURTHER INFORMATION, CONTACT:** Stephen J. Downs, Acting Director of the Telecommunications and Information Infrastructure Assistance Program, Telephone: 202/482-2048. Fax: 202/501-5136. E-mail: tiap@ntia.doc.gov.

**SUPPLEMENTARY INFORMATION:****Program Purposes**

NTIA announces the fourth annual round of a competitive matching grant program, TIAP. TIAP was created to promote the development and widespread availability and use of advanced telecommunications and information technologies to serve the public interest.

To accomplish this objective, TIAP will provide matching grants to state, local, and tribal governments, non-profit health care providers and public health institutions, school districts, libraries, museums, colleges, universities, public safety providers, non-profit community-based organizations, and other non-profit entities. TIAP will support projects that improve the quality of, and the public's access to, education and lifelong learning; reduce the cost, improve the quality, and/or increase the accessibility of health care and public health services; promote responsive public safety services; improve the effectiveness and efficiency of government services; and foster communication, resource-sharing, and economic development within communities, both rural and urban.

**Authority**

Title III of the Department of Commerce, Justice and State, the Judiciary and Related Agencies Appropriations Act (set out in Division A, Title I of the Omnibus Consolidated Appropriations Act of 1997, Pub. L. 104-208).

**Funding Availability**

Approximately \$18.5 million is available for federal assistance. A small amount of additional funds that have been deobligated from grants awarded in previous fiscal years may also be available for Fiscal Year 1997 grants. Based on past experience, NTIA expects this year's grant round to be highly competitive. In fiscal year 1996, NTIA received 809 applications, collectively requesting \$260 million in grant funds. From these 809 applications, the Department of Commerce announced 67 TIAP awards totaling \$18.6 million in federal funds.

Based on past grant rounds, the average size of each grant award will be approximately \$300,000, although an applicant may request up to \$750,000 in federal support.

**Eligible Organizations**

State, local, and Indian tribal governments, colleges and universities, and non-profit entities are eligible to apply. However, individuals and for-profit organizations are not eligible.

**Matching Funds Requirements**

Grant recipients under this program will be required to provide matching funds toward the total project cost. Applicants must document the capacity to supply matching funds. Matching funds may be in the form of cash or in-kind contributions. Grant funds under this program will be released in direct proportion to local matching funds

utilized and documented as having been expended. NTIA will supply up to 50% of the total project cost, unless the applicant can document extraordinary circumstances warranting a grant of up to 75%. Federal funds (such as grants) generally may not be used as matching funds, except as provided by federal statute. For information about whether particular federal funds may be used as matching funds, the applicant should contact the federal agency that administers the funds in question.

**Policy on Sectarian Activities**

Applicants are advised that on December 22, 1995, NTIA issued a notice in the Federal Register on its policy with regard to sectarian activities. Under NTIA's prior policy, NTIA funds could not be used for any sectarian purposes. Under the new policy, while religious activities cannot be the essential thrust of a grant, an application will not be ineligible where sectarian activities are only incidental or attenuated to the overall project purpose for which funding is requested. Applicants for whom this policy may be relevant should read the policy that was published at 60 FR 66491, Dec. 22, 1995.

**Completeness of Application**

TIAP will initially review all proposals to determine whether all required elements are present and clearly identifiable. The required elements are listed and described in the Guidelines for Preparing Applications—Fiscal Year 1997. Each of the required elements must be present and clearly identified. Failure to do so may result in rejection of the application.

**Closing Date**

As noted above, complete applications for the Fiscal Year 1997 TIAP grant program must be received by NTIA no later than 5 P.M. EST, March 27, 1997. (Postmark date is not sufficient.) Applications received after that time and date will not be accepted. But see Waiver Authority, ante. Applications will not be accepted via facsimile machine transmission or electronic mail. NTIA anticipates that it will take between 4 and 6 months to process applications and make final funding decisions.

**Scope of Proposed Project**

Funded projects must meet the funding priorities described in this Notice. Projects must involve the delivery of useful, practical services in real-world environments within the grant award period. In Fiscal Year 1997,

TIAP will not fund the following kinds of projects:

**One-Way Networks.** TIAP will not support the construction or augmentation of one-way networks; all services and networks proposed under the program must be interactive.<sup>1</sup>

**Content Development<sup>2</sup> Projects.** TIAP will not support projects whose primary focus is to develop or produce information content, rather than to apply information infrastructure<sup>3</sup> to practical problems. For example, TIAP will not consider projects whose primary purpose is the creation of databases or other information resources by converting paper-based information, nor will TIAP consider projects that aim primarily to digitize existing graphics collections. Similarly, TIAP will not consider projects that aim primarily to create new information resources, such as World Wide Web sites.

**Hardware or Software Development Projects.** While some hardware or software development may be required to integrate existing systems or components, it may not be a major emphasis of any TIAP project.

**Single-Organization Projects.** TIAP will not support projects whose primary emphasis is on the internal communications needs of a single organization. Projects must include appropriate partnerships,<sup>4</sup> with plans for inter-organizational communications among the partners.

**Training Projects.** TIAP will generally not support projects whose sole activity is to provide training in the use of information infrastructure technology. Although a training component is essential to most implementation projects, it must not be the exclusive focus of the project.

**Replacement or Upgrade of Existing Facilities.** TIAP will not support any projects whose primary emphasis is the upgrade or replacement of existing facilities.

<sup>1</sup> Interactivity is defined as the capacity of a communications system to allow end users to communicate directly with other users, either in real time (as in a video teleconference) or on a store-and-forward basis (as with electronic mail), or to seek and gain access to information on an on-demand basis, as opposed to a broadcast basis.

<sup>2</sup> "Content development" refers to the creation of information resources, such as databases or World Wide Web sites, for the purpose of dissemination through one or more on-line services.

<sup>3</sup> The telecommunication networks, computers, other end-user devices, software, standards, and skills that collectively enable people to connect to each other and to a vast array of services and information resources.

<sup>4</sup> A partner is defined as an organization that supplies cash or in kind resources and plays an active role in the planning and implementation of the product.

#### Program Funding Priorities

NTIA has significantly changed the structure of the funding categories for TIAP and applicants who have previously applied to the program should carefully note this change. For the 1997 fiscal year, the TIAP review process will not distinguish among access, demonstration and planning projects. All applications will be judged according to a single set of evaluation criteria, described later in this Notice, and all rules set forth in this Notice will apply to all applications. This change does not imply a change in the scope of projects that will be considered for support; the change only reflects NTIA's decision not to differentiate among different categories of projects.

NTIA will support model projects that contribute to the development of an advanced national information infrastructure (NII)<sup>5</sup> by providing innovative examples of how telecommunications and information technologies can be used to provide valuable services to communities and by extending these opportunities to underserved<sup>6</sup> Americans. NTIA seeks to fund exemplary projects that identify specific problems or needs in a community, use information infrastructure services and technologies to offer concrete solutions, and target measurable outcomes. The emphasis is on the application of the technology, not the technology itself. Each project should include a rigorous evaluation and add to our national understanding of how the NII can be used to benefit the public. Each project is expected to reach out to all members of a community and thus help to bridge the gaps between information "haves" and "have-nots."

NTIA seeks to fund projects that are innovative, not necessarily in terms of

<sup>5</sup> The National Information Infrastructure (NII) is a federal policy initiative to facilitate and accelerate the development and utilization of the nation's information infrastructure. The Administration envisions the NII as a seamless web of communications networks, computers, databases, and consumer electronics that will put vast amounts of information at users' fingertips. For more information on various aspects of the NII initiative, see The National Information Infrastructure: Agenda for Action, 58 Fed. Reg. 49,025 (September 21, 1993).

<sup>6</sup> "Underserved" refers to individuals and communities that are subject to barriers that limit or prevent their access to the benefits of information infrastructure technologies and services. In terms of information infrastructure, these barriers may be technological, geographic, economic, physical, linguistic, or cultural. For example, a rural community may be physically isolated from circuits adequate to allow for data access; inner city neighborhoods may contain large numbers of potential end users for whom ownership of computer hardware is unlikely; individuals with disabilities may have the need for different types of interfaces when manipulating hardware and software.

the technology to be used, but in the application of technology in a particular setting, to serve a particular population, or to solve a particular problem. Innovations often take the form of imaginative partnerships or organizational models, new applications of proven technologies, or creative strategies for overcoming traditional barriers to access. Projects must be exemplary in the sense that they can serve as models that can be emulated, replicated, or adapted to local conditions by other organizations and communities facing similar challenges. NTIA seeks to fund a wide variety of model projects across different application areas, geographic regions, and underserved populations.

In past fiscal years, TIAP has supported planning projects whose primary goal was to develop strategies for the enhanced application of the NII, rather than deploy or use information infrastructure. Due to the limited amount of funds available to the program, the emphasis for Fiscal Year 1997 is on projects that deploy, use, and evaluate the use of information infrastructure applications. NTIA will, however, also consider allocating a limited amount of funds to support outstanding projects in which planning is the sole activity. Applications for such projects will be evaluated against the same criteria applied to all other proposals.

In Fiscal Year 1997, TIAP will support projects in five application areas: Community-Wide Networking; Education, Culture, and Lifelong Learning; Health; Public and Community Services; and Public Safety. Each application in a particular application area will be compared against other applications in that same area:

#### *Community-Wide Networking*

This area focuses on multi-purpose projects that help a broad range of community residents and organizations to communicate, share information, and participate in civic activities, and that promote economic development. Community-Wide Networking projects typically link services or provide information across multiple application areas.

Examples may include, but would not be limited to: Community-wide information and communication services available to residents of a local community; projects enabling a diverse array of organizations to share information infrastructure and resources; and networks or information services that promote community or regional economic development.

### *Education, Culture, and Lifelong Learning*

Projects in this area seek to improve education and training for learners of all ages and provide cultural enrichment through the use of information infrastructure in both traditional and non-traditional settings.

Examples may include, but would not be limited to: Projects that explore creative approaches to integrating computer-based learning and network resources in K-12 classrooms; projects providing children, youth, and adult learners with educational and training opportunities in community centers and other non-traditional settings; projects that forge stronger links among educators, students, parents, and others in the community; projects linking workplaces and job-training sites to educational institutions; distance learning networks providing continuing education for professionals in remote areas; projects that enrich communities by providing broad access to arts, science, and cultural resources; delivery of on-line informational, educational, and cultural services from public libraries, museums, and other cultural centers; and projects that support the teaching of literacy to adult learners.

### *Health*

Projects in this area involve the use of information infrastructure in the delivery of health and mental health services, public health, home health care and the provision of health information to the public.

Examples of projects may include, but would not be limited to: Telemedicine systems that offer new approaches to extending medical expertise to rural or underserved urban areas; community health information networks for sharing clinical, financial, and/or administrative information among hospitals, clinics, public health departments, and other organizations; home health care systems that improve the care and treatment of patients in the home environment; and networks or information services aimed at disease prevention and health promotion.

### *Public and Community Services*

Projects in this area aim to empower individuals and communities and to improve the delivery of services to people with a range of social service needs. This area includes social services such as housing, child welfare, food assistance, employment counseling, and others, typically delivered by state and local governments or by community-based non-profit organizations.

Examples of projects may include but would not be limited to: Projects that

use information technology creatively to promote self-sufficiency among individuals and families; networks that facilitate coordination and collaboration among public and/or community-based agencies; electronic information and referral services that provide information on a variety of community-based or government services; projects that make public agencies more accessible and responsive to community residents; electronic benefits transfer projects; and projects that employ community or geographic information systems to study demographic or environmental trends and target community interventions.

### *Public Safety*

Projects in this area will seek to increase the effectiveness of law enforcement agencies, emergency, rescue, and fire departments, or other entities involved in providing safety services.

Examples may include, but would not be limited to, projects that facilitate information exchange among public safety agencies located in a single geographic area to increase efficiency and share resources, or those that provide information in a timely manner to "first-response officials," such as police officers, emergency medical technicians, and firefighters. Other examples could include projects that help public safety agencies provide community outreach services, projects that develop innovative ways to share scarce spectrum resources, and projects that aim to increase the safety and security of children.

TIAP will support projects that promote the accessibility and usability of the NII for persons with disabilities. Such projects are expected to fall under one of the five application areas described above.

The Guidelines booklet provides more information on selecting an application area for your application.

### *Evaluation Criteria*

Reviewers will evaluate each application using the following equally weighted criteria:

#### *1. Project Purpose*

Each application will be rated on the purpose of the project and its potential contribution to our national understanding of how the NII can be used to benefit the public. The proposal must: (1) Clearly define a specific problem (or problems) within the community; (2) propose a credible solution that employs information infrastructure services and technologies; and (3) identify realistic, measurable

outcomes that are expected as a result of the project. These three elements—problem, solution, and outcome must be clearly described and the connections among them must be convincing. Reviewers will examine the degree to which the proposed project supports NTIA's funding priorities as outlined earlier in this Notice and will verify that the scope of the project meets TIAP's eligibility criteria. Reviewers will assess the overall significance of the proposed project—the degree to which it is innovative and has the potential to serve as a national model that other communities could follow.

#### *2. Project Feasibility*

Each application will be rated on the overall feasibility of the proposed project and its plan of implementation. In assessing project feasibility, reviewers will focus on the following issues: The technical approach; the qualifications of the applicant team; the proposed budget and implementation schedule; and the applicant's plan for sustaining the project beyond the grant period.

The technical approach should be consistent with the vision of a nationwide, seamless, interactive network of networks and must therefore address issues of interoperability<sup>7</sup> and scalability.<sup>8</sup> Proposals must specify in detail how the proposed system would work, how it would operate with other systems, the technological alternatives that have been examined, and the plans for the maintenance and/or upgrading of the system. Applicants are expected to make use of existing infrastructure and commercially available telecommunications services, unless extraordinary circumstances require the construction of new network facilities.

Applicants must describe the qualifications of the project team, including the applicant and its partners, to show that they have the resources, expertise, and experience necessary to undertake the project and complete it within the proposed period.

Reviewers will analyze the budget in terms of clarity and cost-effectiveness. The proposed budget must be appropriate to the tasks proposed and sufficiently detailed so that reviewers

<sup>7</sup>The condition achieved among information and communication systems when information (i.e., data, voice, image, audio, or video) can be easily and cost-effectively shared across acquisition, transmission, and presentation technologies, equipment, and services.

<sup>8</sup>"Scalability" refers to the ability of a system to accommodate a significant growth in the size of the system (i.e., services provided, end users served) without the need for substantial redesign. A scalable approach that is demonstrated on a small scale can also be applied on a larger scale.

can easily understand the relationship of items in the budget to the project narrative. In addition to a clear and well-justified budget proposal, each application should contain a proposed implementation schedule that identifies major project tasks and milestones.

Reviewers will also examine the potential viability of the proposed project beyond the grant period. Applicants should therefore present a credible plan, including a discussion of anticipated ongoing expenses and potential sources of non-federal funds, to sustain the project after completion of the grant. In evaluating the plan, reviewers will consider the economic circumstances of the community or communities to be served by the proposed project.

### 3. Community Involvement

Each application will be rated on the overall level of community involvement in the development of the project and the implementation of the proposed project. Reviewers will pay particular attention to the partnerships involved, the strength and diversity of support for the project within the community, and the support for the project's end users.<sup>9</sup>

Community involvement must include the development of partnerships among unaffiliated organizations, from the public, non-profit, or private sectors, as an integral part of each project. Partnerships must be clearly defined, mutually beneficial, and the commitments well documented in the application.

Reviewers will examine the steps the applicant has taken in involving a wide variety of community stakeholders in the planning of the project and the plans for ongoing community involvement in the project's implementation. Each application should contain evidence of demand, from the community, the end users, and the potential beneficiaries, for the services that the proposed project would provide.

Reviewers will consider the degree of attention paid to the needs, skills, working conditions, and living environments of the targeted end users. Plans for training end users, upgrading their skills, and building community awareness and knowledge of the project must be clearly delineated and the application should include evidence of a significant degree of end-user

<sup>9</sup>An end user is one who customarily employs or seeks access to, rather than provides, information infrastructure. An end user may be a consumer of information (e.g., a member of the public employing a touch-screen public access terminal); may be involved in an interactive communication with other end users; or may use information infrastructure to provide services to the public.

involvement in the design and planning of projects. NTIA expects applicants to safeguard the privacy of the end users and beneficiaries<sup>10</sup> of the project. Where relevant, proposals must address the privacy and confidentiality of user data. For example, an applicant proposing a project dealing with individually identifiable information (e.g., student grades, medical records) will be required to describe the technical and policy mechanisms to be used for protecting the confidentiality of such information and the privacy of the individuals involved.

### 4. Reducing Disparities

Every project proposed to TIIAP should target underserved communities specifically and/or reach out to underserved groups within a broader community. Each application will be rated according to the degree to which the proposed project will serve to reduce disparities in access to information infrastructure technologies and services. Reviewers will assess each application by examining evidence of community need and the applicant's proposed strategies for overcoming traditional barriers to access. Disparities in access must be clearly described and supported by specific quantitative data. Beyond providing service to underserved communities, each application should also propose strategies for reaching out to targeted groups and for tailoring any services to their specific needs and circumstances. These strategies should reflect an understanding of why the barriers currently exist and a sensitivity to the learning mechanisms, attitudes, and customs of the community. In assessing community need, reviewers will also consider the degree to which TIIAP support is vital to success of the project.

### 5. Evaluation and Dissemination

Each proposal must include a plan for evaluating the project and a dissemination plan for sharing knowledge gained from the project. Each application will be rated on the quality of its evaluation design and its potential to measure both the outcomes of the project and the effectiveness and efficiency of the proposed solutions in achieving intended outcomes. The design should include both quantitative and qualitative indicators and must identify specific evaluation methods and instruments. The evaluation design should also capture the lessons learned

<sup>10</sup>Project beneficiaries are those individuals or organizations deriving benefits from a project's outcome(s). A project beneficiary may also, but not necessarily, be a project end user.

during the project that will serve as pragmatic how-tos for others interested in replicating or adapting the project in other communities.

Applications must include the qualifications of any proposed evaluators and sufficient funds in the budget to perform a thorough and useful evaluation of the project.

Reviewers will also examine the applicant's plan for disseminating the knowledge gained as a result of implementing the project. Applicants must demonstrate a willingness to share information about their projects with interested projects, to host site visits, and to participate in demonstrations. The project budget should also include adequate funds to support proposed dissemination activities.

### Selection Process

NTIA will publish a notice in the Federal Register listing all applications received by TIIAP. Listing an application in such a notice merely acknowledges receipt of an application that will compete for funding with other applications. Publication does not preclude subsequent return or disapproval of the application, nor does it ensure that the application will be funded.

(a) Each eligible application will first be reviewed by a panel of outside readers, who have demonstrated expertise in both the programmatic and technological aspects of the application. The review panels will evaluate applications according to the evaluation criteria provided in this Notice and make non-binding recommendations to the program staff. Working with the staff, the TIIAP Director prepares and presents a slate of recommended grant awards to the Office of Telecommunications and Information Applications' (OTIA)<sup>11</sup> Associate Administrator for review and approval.

The Director's recommendations and the Associate Administrator's review and approval will take into account the following selection factors:

1. The evaluations of the outside reviewers;
2. The geographic distribution of the proposed grant awards;
3. The variety of technologies and strategies employed by the proposed grant awards;
4. The extent to which the proposed grant awards represent a reasonable

<sup>11</sup>The Office of Telecommunication and Information Applications is the division of the National Telecommunications and Information Administration that supervises NTIA's grant awards programs, the Telecommunications and Information Infrastructure Assistance Program and the Public Telecommunications Facilities Program.

distribution of funds across application areas;

5. The promotion of access to and use of the information infrastructure by rural communities and other underserved groups;

6. Avoidance of redundancy and conflicts with the initiatives of other federal agencies; and

7. The availability of funds.

(b) Upon approval by the OTIA Associate Administrator, the Director's recommendations will then be presented to the Selecting Official, the NTIA Administrator. The NTIA Administrator selects the applications to be negotiated for possible grant award taking into consideration the Director's recommendations and the degree to which the slate of applications, taken as a whole, satisfies the selection factors described above and the program's stated purposes as set forth in the section entitled "Program Purposes."

After applications have been selected in this manner, negotiations will take place between TIIAP staff and the applicant. These negotiations are intended to resolve any differences that exist between the applicant's original request and what TIIAP proposes to fund and, if necessary, to clarify items in the application. Not all applicants who are contacted for negotiation will necessarily receive a TIIAP award. Final selections made by the Administrator will be based upon the recommendations by the Director and the OTIA Associate Administrator and the degree to which the slate of applications, taken as a whole, satisfies the program's stated purposes as set forth in the section entitled "Program Purposes," upon the conclusion of negotiations.

#### Eligible Costs

##### *Eligible Costs*

Allowable costs incurred under approved projects shall be determined in accordance with applicable federal cost principles, i.e., OMB Circular A-21, A-87, A-122, or appendix E of 45 CFR part 74. If included in the approved project budget, TIIAP will allow costs for personnel, fringe benefits, computer hardware and software, other end-user equipment, telecommunication services and related equipment, consultants and other contractual services, travel, rental of office equipment, furniture and space, supplies, etc. that are reasonable and directly related to the project. Costs associated with the construction or major renovation of buildings are not eligible. While costs for the construction of new network facilities are eligible costs, applicants are expected to make

use of existing infrastructure and commercially available telecommunications services. Only under extraordinary circumstances will the construction of new network facilities be approved. Costs of the professional services, such as instruction, counseling, or medical care, provided via a network supported through this program are not eligible.

Note that costs that are ineligible for TIIAP support may not be included as part of the applicant's matching fund contribution.

#### *Indirect Costs*

The total dollar amount of the indirect costs proposed in an application under this program must not exceed the indirect cost rate negotiated and approved by a cognizant federal agency or 100 percent of the total proposed direct costs dollar amount in the application, whichever is less.

#### *Award Period*

Successful applicants will have between 12 and 36 months to complete their projects. While the completion time will vary depending on the complexity of the project, applicants should take special care to justify a project lasting longer than 24 months.

#### *Waiver Authority*

It is the general intent of NTIA not to waive any of the provisions set forth in this Notice. However, under extraordinary circumstances and when it is in the best interest of the federal government, NTIA, upon its own initiative or when requested, may waive the provisions in this Notice. Waivers may only be granted for requirements that are discretionary and not mandated by statute. Any request for a waiver must set forth the extraordinary circumstances for the request and be included in the application or sent to the address provided in the ADDRESSES section above. NTIA will not consider a request to waive the application deadline for an application until the application has been received.

#### *Other Information*

##### *Electronic Information*

Information about NTIA and TIIAP, including this document and the Guidelines, can be retrieved electronically via the Internet using the World Wide Web. To reach the WWW server, use <http://www.ntia.doc.gov> to reach the NTIA Home Page and follow directions to locating information about TIIAP. TIIAP can also be reached via electronic mail at [tiiap@ntia.doc.gov](mailto:tiiap@ntia.doc.gov).

#### *Application Forms*

Standard Forms 424 (OMB Approval Number 0348-0044), Application for Federal Assistance; 424A (OMB Approval Number 0348-0043), Budget Information—Non-Construction Programs; and 424B (OMB Approval Number 0348-0040), Assurances—Non-Construction Programs, (Rev 4-92), and other Department of Commerce forms shall be used in applying for financial assistance. These forms are included in the Guidelines, which can be obtained by contacting NTIA by telephone, fax, or electronic mail, as described in the ADDRESSES section above. TIIAP requests one original and five copies of the application. Applicants for whom the submission of five copies presents financial hardship may submit one original and two copies of the application. Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB control number. In addition, all applicants are required to submit a copy of their application to their state Single Point of Contact (SPOC) offices, if they have one. (For information on contacting state SPOC offices, refer to the Guidelines.)

Because of the high level of public interest in projects supported by TIIAP, the program anticipates receiving requests for copies of successful applications. Applicants are hereby notified that the applications they submit are subject to the Freedom of Information Act. Applicants may identify sensitive information and label it "confidential" to assist NTIA in making disclosure determinations.

#### *Type of Funding Instrument*

The funding instrument for awards under this program shall be a grant.

#### *Federal Policies and Procedures*

Recipients and subrecipients are subject to all applicable federal laws and federal and Department of Commerce policies, regulations, and procedures applicable to federal financial assistance awards.

#### *Pre-Award Activities*

If an applicant incurs any project costs prior to the project start date negotiated at the time the award is made, it does so solely at its own risk of not being reimbursed by the government. Applicants are hereby notified that, notwithstanding any oral or written assurance that they may have

received, there is no obligation on the part of the Department of Commerce to cover pre-award costs.

#### *No Obligation for Future Funding*

If an application is selected for funding, the Department of Commerce has no obligation to provide any additional future funding in connection with that award. Renewal of an award to increase funding or extend the period of performance is at the total discretion of the Department of Commerce.

#### *Past Performance*

Unsatisfactory performance of an applicant under prior federal financial assistance awards may result in that applicant's proposal not being considered for funding.

#### *Delinquent Federal Debts*

No award of federal funds shall be made to an applicant who has an outstanding delinquent federal debt until:

1. The delinquent account is paid in full;
2. A negotiated repayment schedule is established and at least one payment is received; or
3. Other arrangements satisfactory to the Department of Commerce are made.

#### *Purchase of American-Made Products*

Applicants are hereby notified that any equipment or products authorized to be purchased with funding provided under this program must be American-made to the maximum extent feasible.

#### *Name Check Review*

All non-profit applicants are subject to a name check review process. Name checks are intended to reveal if any key individuals associated with the applicant have been convicted of or are

presently facing criminal charges such as fraud, theft, perjury, or other matters that significantly reflect on the applicant's management, honesty, or financial integrity.

#### *Primary Applicant Certifications*

All primary applicants must submit a completed Form CD-511, "Certifications Regarding Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying," and the following explanations are hereby provided:

1. Nonprocurement Debarment and Suspension—Prospective participants (as defined at 15 CFR part 26, Section 105) are subject to 15 CFR part 26, "Nonprocurement Debarment and Suspension" and the related section of the certification form prescribed above applies;
2. Drug-Free Workplace—Grantees (as defined at 15 CFR part 26, Section 605) are subject to 15 CFR part 26, Subpart F, "Government wide Requirements for Drug-Free Workplace (Grants)" and the related section of the certification form prescribed above applies;
3. Anti-Lobbying—Persons (as defined at 15 CFR part 28, Section 105) are subject to the lobbying provisions of 31 U.S.C. 1352, "Limitation on use of appropriated funds to influence certain federal contracting and financial transactions," and the lobbying section of the certification form prescribed above applies to applications/bids for grants, cooperative agreements, and contracts for more than \$100,000, and loans and loan guarantees for more than \$150,000, or the single family maximum mortgage limit for affected programs, whichever is greater; and
4. Anti-Lobbying Disclosure—Any applicant that has paid or will pay for lobbying in connection with a covered federal action, such as the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, or the extension, continuation, renewal,

amendment, or modification of any federal contract, grant, loan, or cooperative agreement using any funds must submit an SF-LLL, "Disclosure of Lobbying Activities" (OMB Control Number 0348-0046), as required under 15 CFR part 28, appendix B.

#### *Lower Tier Certifications*

Recipients shall require applicants/bidders for subgrants, contracts, subcontracts, or other lower tier covered transactions at any tier under the award to submit, if applicable, a completed Form CD-512, "Certifications Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions and Lobbying" and disclosure form SF-LLL, "Disclosure of Lobbying Activities." Form CD-512 is intended for the use of recipients and should not be transmitted to DOC. SF-LLL submitted by any tier recipient or subrecipient should be submitted to DOC in accordance with the instructions contained in the award document.

#### *False Statements*

A false statement on an application is grounds for denial or termination of funds and grounds for possible punishment by a fine or imprisonment as provided in 18 U.S.C. 1001.

#### *Intergovernmental Review*

Applications under this program are subject to Executive Order 12372, "Intergovernmental Review of Federal Programs." It has been determined that this notice is a "not significant" rule under Executive Order 12866.

Larry Irving,

*Assistant Secretary for Communications and Information.*

[FR Doc. 97-1727 Filed 1-26-97; 8:45 am]

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