

Federal Requirements for BEAD Subgrantees



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Note

This document is intended solely to assist attendees in better understanding the Broadband Equity, Access, and Deployment (BEAD) Program and the requirements set forth in the Infrastructure Investment and Jobs Act, [Notice of Funding Opportunity \(NOFO\)](#), as modified by the [BEAD Restructuring Policy Notice \(RPN\)](#). This document does not and is not intended to supersede, modify, or otherwise alter applicable statutory or regulatory requirements, the terms and conditions of the award, or the specific application requirements set forth in the NOFO not modified by the RPN. In all cases, statutory and regulatory mandates, the terms and conditions of the award, and follow-on policies and guidance, shall prevail over any inconsistencies contained in this document.



Period of Performance

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When does the Period of Performance begin for a BEAD subgrant?

See **FAQ 7.1** in the [BEAD FAQs V17](#) on the order of operations for subgrantees to receive their subgrant agreement and begin the period of performance.



Letter of Credit and Performance Bonds

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What does the value of the Letter of Credit or Performance Bond need to be?

See the [BEAD Restructuring Policy Notice, FAQ 2.39](#) in the [BEAD FAQs V17](#), and [BEAD LOC Programmatic Waiver](#) for the latest information on Letter of Credit and Performance Bond requirements.

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What if a BEAD subgrantee cannot secure a Letter of Credit or Performance Bond before signing a subgrant agreement?

See the [BEAD LOC Programmatic Waiver](#) for the latest information on Letter of Credit and Performance Bond requirements.



Performance Measures Testing

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When and how often does a performance test need to be completed?

See the [Performance Measures Policy Notice, Primer, and Testing Process Flow](#) and **FAQ 8.4** in the [BEAD FAQs V17](#) for information on when subgrantees must first conduct performance tests of BEAD-funded networks.

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What if the result of a speed performance test is less than 100/20?

See **part 3.14** in the [Performance Measures Policy Notice](#) for information on how to proceed with result submission.

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Are there any additional NTIA requirements to confirm a BSL is served?

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Are the performance measures requirements the same for all types of technologies?

See the [Performance Measures Policy Notice, Primer, and Testing Process Flow](#) for information on how to address different technology types.

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How does a BEAD subgrantee conduct performance measures testing if they have projects across multiple states?

See the [Performance Measures Policy Notice, Primer, and Testing Process Flow](#) for information on performance measures testing across multiple projects.

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Will performance measures testing results be submitted directly to NTIA? Will they be published?

See **FAQ 8.5** in the [BEAD FAQs V17](#) for which testing results Eligible Entities must submit to NTIA.



BABA

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Is BABA required for fiber enclosures?

See the [Build America, Buy America Act FAQs Related to the BEAD Program](#) for more information on BABA requirements.



Audit

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Are BEAD subgrantees required to submit an audit annually to the Eligible Entity? Can a BEAD subgrantee submit a parent company audit?

See [2 CFR 200](#) Part F, the [BEAD NOFO](#), the [BEAD General Terms & Conditions](#), and **FAQ 1.23** in the [BEAD FAQs V17](#) for information on audit requirements and submitting parent-company level audited financial statements.

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How long must a BEAD subgrantee maintain its records?



NEPA/Permitting

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Does each BEAD project need to receive NEPA clearance before ground-disturbing activities can occur?

See [BEAD General Terms & Conditions 13a-e](#), [NEPA for BEAD: Milestone Schedule & NEPA Timeline](#), [FAQ 8.3](#) in the [BEAD FAQs V17](#), and the [Dividing BEAD Subgrant Awards into Multiple ESAPTT NEPA Project Areas](#).

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When can a BEAD subgrantee begin ground-disturbing construction?

See [NEPA for BEAD: Milestone Schedule & NEPA Timeline](#), [Smart Start II](#), and **FAQ 8.3** in the [BEAD FAQs V17](#) for information and resources on preparing for NEPA and permitting activities.



What's Next?

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What should a BEAD subgrantee prioritize over the next 12 months?

See **FAQ 8.3** in the [BEAD FAQs V17](#) and the [What's Next after Final Proposal Approval?](#) resource for information on next steps to prioritize.