

## **PUBLIC WIRELESS SUPPLY CHAIN INNOVATION FUND**

### **Frequently Asked Questions (FAQs)**

The Public Wireless Supply Chain Innovation Fund was authorized under Section 9202(a)(1) of the *William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021*, and Pub. L. No. 116-283, 134 Stat. 3388 (Jan. 1, 2021) (FY21 NDAA) appropriated under Div. A., Section 106 of the *CHIPS and Science Act of 2022*, Pub. L. No. 117-167, 136 Stat. 1392 (Aug. 9, 2022). This federal funding aims to foster competition, lower costs for consumers and network operators, support innovation across the global telecommunications ecosystem, and strengthen the 5G supply chain.

The following document contains the first in a series of Frequently Asked Questions (FAQs) intended to clarify and provide guidance on information set forth in the Notice of Funding Opportunity (NOFO) on April 12, 2023. Following the release of this document, further questions may be submitted to [InnovationFund@ntia.gov](mailto:InnovationFund@ntia.gov) for consideration to include in future FAQ documents.

*The below FAQs are for informational purposes only and are intended solely to assist potential applicants in better understanding the National Telecommunications and Information Administration (NTIA) Public Wireless Supply Chain Innovation Fund and the application requirements set forth in the Notice of Funding Opportunity (NOFO) for this program. The FAQs do not and are not intended to supersede, modify, or otherwise alter applicable statutory or regulatory requirements, or the specific application requirements set forth in the NOFO. In all cases, statutory and regulatory mandates, and the requirements set forth in the NOFO, shall prevail over any inconsistencies contained in the below FAQs.*

# 1 Overview

## 2 Eligibility and Program Details

### **2.1 We would like to confirm that foreign researchers may participate in this funding opportunity (while clearly adhering to the requirements in section 2.2).**

Except where otherwise prohibited by statute and/or the NOFO, personnel costs for those residing outside the U.S. associated with this program are allowable, as they meet the general criteria defined in 2 C.F.R Part 200.403-405. Allowable costs for Federal awards are determined in accordance with the Federal Cost Principles identified in 2 C.F.R. Part 200, Subpart E, which are applicable to this award program. Costs associated with a federal award must be allowable, reasonable, necessary, and allocable and conform to generally accepted accounting principles defined in 2 C.F.R. Part 200, Subpart E.

All testing and R&D activities must originate from within the United States or its territories, even when a testing entity has research locations outside the United States. Anything adjacent to those activities, such as writing test scripts and software development, may be performed outside the United States. Federal funds may be allocated to work occurring overseas, including T&E activities and R&D projects, unless this work constitutes the actual testing or research activity itself (i.e., an activity that must take place within the United States and its territories). Costs associated with these adjacent activities are allowable as defined in 2 C.F.R. Part 200, Subpart E.

Components of R&D projects occurring abroad can be submitted as proposals to this NOFO, but only the work taking place within the United States and its territories is eligible for federal funding. However, components of an R&D project that are adjacent and/or are necessary to the overall operation and performance of the project may have eligible allowable costs for participants outside the United States. For example, testing participants may access virtual testing from outside of the United States, provided that the testing participants have been determined to be eligible entities. See Section 2 of the NOFO for more information on eligible and ineligible participation. Costs associated with those remote, eligible participants may be allowable.

### **2.2 Are all China-based companies presumed to be a “foreign entity of concern” and therefore ineligible to be an applicant for or participant in WIF grant activities?**

Please consult NOFO section 2: Eligibility Information and Program Details for details. Ineligible applicants include, but are not limited to, any company that is a foreign entity of concern or included in the following resources:

1. Identified on the People’s Republic of China (PRC) Military Companies List established in accordance with Section 1260H of FY21 NDAA;
2. Included on the System for Award Management (SAM) Exclusion List.
3. Included on the Bureau of Industry and Security's Entity List (15 CFR part 744, supplement no. 4);
4. Included on the Department of the Treasury's list of Non-SDN Chinese Military-Industrial Complex Companies (NS-CMIC List); or

5. Identified in the Federal Communications Commission's list of Equipment and Services Covered By section 2(a) of the Secure and Trusted Communications Networks Act of 2019 as providing covered equipment or services.

**2.3 Does cost share count towards the cost ceiling? I.E., could we propose a \$3M project for Testing Methods R&D with 1M of it being cost share?**

The \$2M cap for Testing Methods R&D is for the Federal portion of funding that may be provided. In this case, the proposal of a total \$3M project where \$2M would be Federal share and \$1M would be non-Federal share would be allowable.

**2.4 Does all equipment that will be purchased using grant funding under this program have to be sourced from the United States of America?**

Equipment can be sourced from a foreign nation, as long as the equipment or its vendor do not fall under NOFO section 3.8.2.4 Equipment, Supplies, and Services from Untrusted Vendors. Award recipients should be prepared to provide documentation that allows NTIA to verify that its vendors or equipment or services do not pose an undue risk to promoting a more secure, diverse, sustainable, and competitive wireless technology supply chain.

**2.5 If an applicant elects to use an indirect cost rate greater than the 10% de minimis rate and does not have an indirect cost rate agreement with a cognizant Federal audit agency, then would the applicant be allowed to establish this rate after submitting an application?**

Per the Department of Commerce (DOC) standard terms and conditions, an applicant can use a provisional rate (greater than 10% de minimis) on their application and then submit documentation to NIST within 90 calendar days of the award start date to negotiate an indirect cost rate agreement. The applicant would need to determine who their cognizant Federal Agency would be. Per the DOC standard terms, with respect to for-profit organizations, the term cognizant Federal agency generally is defined as the agency that provides the largest dollar amount of negotiated contracts, including options. See 48 C.F.R. § 42.003. If the only Federal funds received by a commercial organization are DOC award funds, then DOC becomes the cognizant Federal agency for indirect cost negotiations.

If DOC is not the cognizant agency and the applicant is using a F&A rate greater than the 10% de minimis, the applicant must provide a copy of a negotiated rate agreement, or a copy of the transmittal letter submitted to the cognizant agency requesting a negotiated rate agreement within 30 calendar days of receipt of a negotiated rate agreement or submission of a negotiated rate proposal.

If the recipient fails to submit required documentation to NIST within 90 calendar days of the award start date, the NIST Grants Office may amend the award to preclude the recovery of any indirect costs under the award. In addition, the NIST Grants Office will include an Indirect Cost Special Award Condition (SAC) in all the awards providing submission guidance if NIST is the cognizant agency.

Note that Technical Assistance will be provided to grantees post-award on how to handle very specific allowable costs, budgets, and other questions specific to their grant.

### 3 Funding & Period of Performance

### 4 Review and Scoring Process

### 5 Application Components and Process

**5.1 We would like to request a copy of the Individual PDF forms in Workspace but have not been able to download them. Could you please share the Individual PDF form with us?**

All forms can be downloaded directly from grants.gov: [SF-424 Family | GRANTS.GOV](#). In addition, attached is SF-328, along with instructions.

**5.2 The NOFO states we need a Letter of Commitment if they are going to have an “active role”. How should we define what “active role” constitutes as we are trying to manage how many Letters we need to procure?**

Participants who play an “active role” are material to the project; this means either the project cannot be completed without them OR it would be difficult to replace their contribution. The purpose of the Letters of Commitment is to have some assurances that the applicant has the capability to accomplish what they have stated in their technical proposal. The applicant can either demonstrate that they have the technical capabilities with their own staff or by relying on a subgrantee or through a consortium arrangement. The Letters of Commitment show that the external partners are fully on board with the project being proposed. Contractors, especially ones already under contract, could be considered part of your “current technical capabilities” and will only be working on activities that you direct and manage. In that case, a Letter of Commitment may be less necessary.

To be clear, as a part of the application process, NTIA requires a Letter of Commitment from all participating consultants, subrecipients, or subcontractors including any entities that will have an active role in executing the activities outlined in the proposal. See NOFO 3.3.1(h) for more details.

**5.3 Is there a way to revise an application submitted before the deadline or does an applicant have to completely resubmit the application in order to make changes?**

The applicant must submit a changed/correction application to Grants.gov.

#### **Steps to submit a changed/corrected application to Grants.gov:**

2. Access completed application forms and make any needed corrections. Workspace users: Your Workspace AOR or Workspace Owner must Reopen the Workspace in order to edit forms.
3. Check the "Changed/Corrected Application" box in item #1 of the SF 424 form.
4. Provide the Grants.gov tracking number (e.g., GRANT12345678) in 5b. Federal Award Identifier field.
5. Save the changed/corrected application once you have made all of your corrections.
6. Submit the changed/corrected application to Grants.gov (done by Authorized Organization Representative – AOR). **Note: On Sign and Submit** pop-up window, applicants will be asked the question, “Is this a changed/corrected application?” and have

an option to select "Yes" or "No". If an application is being re-submitted using the same workspace, the "Yes" option will be selected by default and the **Grant Tracking Number** from the previous submission will be listed.

7. Track the changed/corrected application through Grants.gov.

More information can also be found at [grants.gov](https://grants.gov)

**5.4 What is the Federal Entity Identifier required by question 5a in Form SF-424? Is that number assigned through the Workspace or does this not apply to this program?**

The Federal Entity Identifier field 5a does not apply to this program.

**5.5 Is this program subject to Executive Order 12372 as asked by question 19? This is not specified in the NOFO or FAQs.**

The Innovation Fund is not subject to EO 12372.

**5.6 Under other previous programs we used an external lobbyist; however, they are not engaged in this grant program. Please confirm that we must complete CD 511 in that we have lobbying activity, but NOT the SF-LLL since there is no individual lobbying on our behalf on this program.**

Yes, that is a correct interpretation.

**5.7 Does Question 14 on Form SF-424 apply to this program? If so, are there more specific instructions on which sort of areas should be included in response to Question 14?**

This data element is intended to indicate the project's place(s) of performance. If your proposal will affect other areas than the place of performance reported, then please attach a Project/Performance Site Location(s) Form available on [grants.gov](https://grants.gov).

**5.8 Absent Cybersecurity & Cybersecurity Supply Chain Risk Management (C-SCRM) formal policies, is it sufficient to describe current practices, standards used, etc. and show an understanding of the needs and requirements accompanied by an attestation to develop and operationalize the full formal compliant plans prior to an award period?**

Absent formal policies from the applicant, it is allowable to detail existing standards and best practices employed by the applicant and how the applicant will employ cybersecurity and C-SCRM policies in the context of the proposed scope of work, including policies in development. Note that the government reserves the right to delay the start of work funded by a grant award until such policies are in place.

## **6 Technical FAQs**

**6.1 We are considering a proposal to develop a DU product, and to possibly fit within the scope of the T&E activity we would branch the design to include a T&E Test-Mode DU. This activity will exceed \$5M in development costs. Is this type of activity within scope of the first NOFO T&E?**

The focus of this first NOFO is on finding creative ways to: (1) expand industry-accepted testing and evaluation to effectively facilitate and assess the interoperability, performance, and/or security of open and interoperable, standards-based 5G radio access networks; and (2) develop new and/or materially improve existing testing methodologies to test, evaluate, and validate the interoperability, performance, and/or security of these networks, including their component parts,

in order to address needs not currently met by industry-accepted tests and best practices. Please see NOFO section 2.4: Funding Opportunity Detailed Description for details.

The primary objective of grant proposals needs to be aligned with these two goals. While product development that is incidental to the development of new testing methods or as a result of T&E activities is allowable, the primary goal of the program is not to develop commercial products to be used in a T&E environment. Also, please note that the expected range of individual awards for T&E activities is \$10,000,000 to \$50,000,000, while testing methods R&D are expected to range between \$250,000 and \$2,000,000. Please consult NOFO sections 1.5 Award Amount and 1.6 Limitation on Grant Awards for details.