

DECLARATION OF EMERGENCY

Division of Administration Office of Broadband Development and Connectivity

Granting Unserved Municipalities Broadband Opportunities 2.0 (GUMBO 2.0) (LAC 4:XXI.Chapter 18)

In accordance with the emergency provisions of the Administrative Procedure Act, R.S. 49:962 et seq., and pursuant to the authority set forth in R.S. 51:2370.21-2370.35, the executive director of the Office of Broadband Connectivity (ConnectLA) declares an emergency to exist and adopts by emergency process the Emergency Rule relative to the administration of the Granting Unserved Municipalities Broadband Opportunities 2.0 (GUMBO 2.0) grant program.

The Infrastructure Investment and Jobs Act (IIJA) provides funding for robust investment in American infrastructure projects. IIJA established the Broadband Equity, Access, and Deployment (BEAD) Program, which provides \$42.45 billion of funding to achieve high-speed broadband access throughout the United States. See Infrastructure Investment and Jobs Act of 2021, Division F, Title I, Section 60101, Public Law 117-58, 135 Stat. 429 (November 15, 2021) (codified at 47 U.S.C. § 1701 et seq.).

On June 6, 2025, the National Telecommunications and Information Administration (NTIA), as the agency responsible for administering the BEAD Program, published a policy notice (Policy Notice) for Eligible Entities (States, Territories, and the District of Columbia). The Policy Notice modifies and replaces certain requirements outlined in the BEAD Notice of Funding Opportunity (NOFO). Each Eligible Entity must comply with this Policy Notice to gain approval of its Final Proposal from the assistant secretary of Commerce for Communications and Information.

The state of Louisiana must now complete all new actions and redo the entirety of the bidding process within a 90-day timeframe from the release of the Policy Notice, with results due by September 4, 2025.

On June 20, 2025, Governor Jeff Landry issued an Executive Order (JML 25-071) declaring a state emergency exist as a result of the emergency conditions that threaten the safety and property of the citizens in Louisiana. The Executive Order suspends strict compliance with the requirements set forth in R.S. 51:2370.21, et seq., and LAC 4:XXI.Chapter 11-17 that do not permit ConnectLA to complete the entirety of this process by the September 4, 2025 deadline.

This Emergency Rule allows ConnectLA to develop a policy related to the GUMBO 2.0 Benefit of the Bargain grant round in accordance with the National Telecommunications and Information Administration's (NTIA) BEAD Restructuring Policy Notice published on June 6, 2025. It also requires applicants to comply with the requirements outlined in ConnectLA's policy.

This Emergency Rule is adopted and shall have the force and effect of law on June 27, 2025, and will remain in effect for the maximum period allowed by the Administrative Procedure Act, unless renewed by the executive director of ConnectLA or until permanent rules are promulgated in accordance with law.

Title 4

ADMINISTRATION

Part XXI. Granting Unserved Municipalities Broadband Opportunities

Subpart B. Granting Unserved Municipalities Broadband Opportunities (GUMBO)

Chapter 18. Benefit of the Bargain Round

§1801. Policy

A. The Office may develop a policy related to the GUMBO 2.0 Benefit of the Bargain round in accordance with the National Telecommunications and Information Administration's (NTIA) BEAD Restructuring Policy Notice published on June 6, 2025.

B. Applicants shall comply with the requirements outlined in the policy.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 48:1504 (June 2022), amended LR 51:

To view the National Telecommunications and Information Administration's (NTIA) BEAD Restructuring Policy Notice, please visit <https://www.ntia.gov/sites/default/files/2025-06/bead-restructuring-policy-notice.pdf>.

To view the Governor Jeff Landry's Executive Order, please visit: <https://gov.louisiana.gov/index.cfm/newsroom/category/11>.

For more detail on ConnectLA's Benefit of the Bargain Round, please visit: <https://connect.la.gov/>.

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