



## Office of Broadband Initiatives

### Reporting Program Fraud, Waste, and Abuse

This guidance will provide procedures for reporting and investigating allegations of wrongdoing or misconduct to include allegations of suspected fraud, waste, abuse, and gross mismanagement involving federal grant program funds administered by the National Telecommunications and Information Administration (NTIA) such as the Broadband Equity, Access, and Deployment (BEAD) Program and Digital Equity Act Programs. The Department of Business and Economic Affairs (BEA), Office of Broadband Initiatives is the administering entity for NTIA BEAD and Digital Capacity funds for the State of New Hampshire.

The National Telecommunications and Information Administration (NTIA), located within the U.S. Department of Commerce (DOC), is the Executive Branch agency that is principally responsible by law for advising the President on telecommunications and information policy issues. NTIA's programs and policymaking focus largely on expanding broadband Internet access and adoption in America, expanding the use of spectrum by all users, and ensuring that the Internet remains an engine for continued innovation and economic growth. These goals are critical to America's competitiveness in the 21st century global economy and to addressing many of the nation's most pressing needs, such as improving education, health care, and public safety.

The Office of Inspector General (OIG) Hotline accepts allegations of fraud, waste, abuse, and gross mismanagement in U.S. Department of Commerce programs or operations, including any organization or entity receiving Commerce funds.

**Prohibition of Reprisals:** Recipients, sub-recipients, and employees working on NTIA grant awards will be subject to the whistleblower rights and remedies established under 41 U.S.C. § 4712. An employee of a recipient or sub-recipient may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing information that the employee reasonably believes is evidence of: gross mismanagement of a federal contract or award; a gross waste of federal funds; an abuse of authority (i.e., an arbitrary and capricious exercise of authority that is inconsistent with the mission of NTIA or the U.S. Department of Commerce or the successful performance of a contract or grant awarded by NTIA or the Department) relating to a federal contract or award; a substantial and specific danger to public health or safety; or a violation of a law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.

Recipients, sub-recipients, and employees working on NTIA grant awards will be subject to the whistleblower rights and remedies established under 41 U.S.C. § 4712, as described above and at [Office of Inspector General \(doc.gov\)](https://www.doc.gov/office-of-inspector-general). Complainants may remain anonymous. If a complainant considers that his/her position will be compromised by reporting information, s/he may send the report directly to the OIG.

**Reporting:** Allegations may be reported 24 hours a day, seven days a week by state employees, subgrantees, contractors, or the public.

Please provide relevant and specific details of your complaint, including the identity of the person, company, or organization alleged to have engaged in wrongdoing; a description of the alleged impropriety; the DOC facility and program affected by the alleged misconduct; contract numbers (if available); date(s) of alleged wrongdoing; how you are aware of the alleged impropriety; the identity of potential witnesses; and the identity and location of supporting documentation.

Submit allegations to:

Matthew Conserva, Program Manager  
Office of Broadband Initiatives  
100 North Main Street, Suite 100  
Concord, NH 03301  
[Matthew.E.Conserva1@livefree.nh.gov](mailto:Matthew.E.Conserva1@livefree.nh.gov)

Or to:

New Hampshire Department of Justice  
1 Granite Place South  
Concord, NH 03301  
603-271-3658  
[Attorney.General@doj.nh.gov](mailto:Attorney.General@doj.nh.gov)

And to the OIG at their website [Office of Inspector General \(doc.gov\)](https://www.doc.gov), by telephone at 1-800-424-5197, or by mail to:

US Department of Commerce  
Office of Inspector General  
1401 Constitution Avenue, N.W.  
Washington, DC 20230

The Office of Broadband Initiatives will record any allegations it receives and forward the allegations to Department of Commerce OIG within one working day of receipt. However, the Office of Broadband Initiatives may have to contact the reporting entity for clarification or additional details prior to forwarding it to OIG. Concurrently with its transmittal of the incident report to OIG, the Office of Broadband Initiatives will, when applicable, notify the reporting entity to take appropriate action to recover misspent funds, or to contain its financial liability.

The OIG will evaluate any received complaints and determine an appropriate course of action. Options include opening an OIG review (audit, evaluation or investigation); referring the matter to DOC management for review and corrective action, if warranted; referring the matter to another Federal agency; or taking no action (allegations that do not involve a potential violation of law, rule, regulation, or policy as well as allegations with limited specificity or merit may be closed with no further action). In addition, Section 7(b) of the IG Act requires the OIG to protect the identity of a federal employee who files a complaint or provides information unless (a) the employee consents to disclosure or (b) the Inspector General determines that disclosure of the employee's identity is unavoidable during the course of an investigation.

If OIG decides to investigate the incident, the Office of Broadband Initiatives will wait for OIG's results before commencing the state level formal resolution. If OIG decides not to investigate the incident, Office of Broadband Initiatives will request, when appropriate, a special monitoring review of involved subrecipients or an investigation by the appropriate state entities.

DOC and NTIA shall take enforcement action against Eligible Entities and, if necessary, subgrantees, and Eligible Entities shall take enforcement action against subgrantees, as necessary and appropriate.

NTIA and Eligible Entities may also enforce applicable rules and laws by imposing penalties for nonperformance, failure to meet statutory obligations, or wasteful, fraudulent, or abusive expenditure of grant funds. Such penalties include, but are not limited to, imposition of additional award conditions, payment suspension, award suspension, grant termination, de-obligation/clawback of funds, and debarment of organizations and/or personnel.