

## Exhibit N: CNMI BPD BEAD Program Anti-Collusion and Prohibited Communication Policy

### CNMI Broadband Equity, Access, and Deployment (BEAD) Program Subgrant Agreement between CNMI BPD and Micronesia Telecommunications Corp. dba IT&E

Field	Detail
Project Name(s)/Identifier(s)	All 20 Project Funding Areas (CNMI-S1 through CNMI-S17, CNMI-R1, CNMI-T1, and CNMI-T2 as individually detailed in the attached Exhibits A)
Subgrantee	Micronesia Telecommunications Corp. dba IT&E
BPD Subgrant Award Identifier	CNMI Broadband Equity, Access, and Deployment (BEAD) Program Subgrant Agreement (Covering all 20 PFA Awards)
Agreement Effective Date	May 13, 2026

#### 1. Purpose and Policy Statement

The CNMI Broadband Policy and Development Office (BPD) is committed to ensuring a **fair, open, and competitive process** for the award and administration of subgrants under the Broadband Equity, Access, and Deployment (BEAD) Program. This policy prohibits collusion and improper communications among Applicants, Subgrantees, and related parties to prevent anti-competitive practices and **maintain the integrity of the BEAD Program**, particularly during the Subgrantee Selection Process (SGS), including the **Benefit of the Bargain (BOTB) Round**. All Participants are expected to conduct themselves ethically and avoid any actions that could undermine fair competition.

#### 2. Applicability

This policy applies to all potential Applicants, Applicants, Subgrantees, their employees, agents, consultants, subcontractors, partners, affiliates, and any other parties acting on their behalf in connection with the CNMI BEAD Program application, award, or administration process. It also applies to BPD personnel involved in the process.

### 3. Definitions (As Used in this Policy)

- **Applicant:** Any entity submitting or intending to submit an application for funding under the CNMI BEAD Program.
- **Collusion:** A secret agreement or cooperation, especially for an illegal or deceitful purpose such as defrauding another, fixing prices, or limiting competition. This includes agreements between Competitors regarding bids, proposals, prices, terms, or strategies designed to **restrain competition**.
- **Competitor:** Any Applicant or potential Applicant seeking funding for the same or overlapping Project Funding Areas (PFAs) or project types within a single CNMI BEAD Program funding round or solicitation.
- **Prohibited Communication:** Any communication between Competitors regarding the substance of their applications, **Minimal BEAD Program Outlay** (pricing), or competitive strategy during prohibited periods, or any communication between an Applicant/Subgrantee and BPD personnel outside designated official channels intended to improperly influence the process or outcome.

### 4. Prohibited Conduct (Collusion)

All Applicants and Subgrantees are strictly prohibited from engaging in collusive activities, including but not limited to:

- Entering into any agreement, understanding, or planned common course of action with any Competitor to fix or control prices, bids, or proposal terms.
- Submitting coordinated or sham bids/proposals designed to create a false appearance of competition.
- Agreeing with a Competitor to refrain from submitting an application or to withdraw a submitted application.
- **Sharing non-public pricing information, technical approaches, or competitive strategies** with a Competitor related to a pending BEAD application.
- Allocating geographic areas, customers, or project components among Competitors.

### 5. Prohibited Communications (Quiet Period)

- During the period from the issuance of a BEAD Program funding notice or Request for Proposals until the **final award announcement** (or other period designated by BPD as a "quiet period"), Applicants shall not communicate with any Competitor regarding the content, pricing, strategy, or status of their

respective applications, except for communications related to legitimate pre-existing teaming or subcontracting relationships disclosed to BPD.

- All communications between Applicants/Subgrantees and BPD regarding a pending application or active subgrant must occur through official designated channels and points of contact specified by BPD (see Exhibit H). Attempts to **improperly influence BPD personnel** outside these channels are prohibited.

## 6. Applicant/Subgrantee Certification

Applicants shall be required to certify, as part of their application submission, that they have not engaged in and will not engage in any activity prohibited by this policy. Subgrantees, by executing the Subgrant Agreement, affirm their **ongoing compliance** with this policy.

## 7. Duty to Report Waste, Fraud, and Abuse

Any Applicant, Subgrantee, or BPD employee who suspects or becomes aware of any violation of this policy, including **waste, fraud, or abuse** of BEAD Program funds, must promptly report the matter. Confidentiality will be maintained to the extent possible.

- **CNMI Office of the Attorney General (OAG) Hotline:** Reports may be directed to the OAG Hotline at **670-237-7630** or via the official website.
- **Subgrantee Internal Ethics Office:** Reports may also be directed to the Subgrantee's internal ethics/compliance office (if applicable).

## 8. Consequences of Violation (Accountability)

Violation of this Anti-Collusion and Prohibited Communication Policy is a serious matter and may result in one or more of the following sanctions, consistent with BPD's mandatory accountability procedures and NTIA guidance on **recovery of funds**:

- Rejection or **disqualification of the Applicant's application.**
- **Suspension or Termination of the Subgrant Agreement.**
- Inclusion and enforcement of **clawback provisions** allowing for the **recoupment of disbursed Award Funds.**
- Suspension or debarment from participation in future CNMI BPD funding opportunities.
- Referral of the matter to appropriate CNMI or federal authorities (e.g., Department of Commerce Office of Inspector General) for potential civil or criminal investigation and prosecution.