

116TH CONGRESS
2D SESSION

H. R. 7973

To amend the Communications Act of 1934 to improve access by Indian Tribes to support from the Schools and Libraries Universal Service Support program (E-rate) of the Federal Communications Commission, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 7, 2020

Mr. LUJÁN (for himself and Mr. MULLIN) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Communications Act of 1934 to improve access by Indian Tribes to support from the Schools and Libraries Universal Service Support program (E-rate) of the Federal Communications Commission, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Tribal Connect Act
5 of 2020”.

1 **SEC. 2. ELIGIBILITY OF TRIBAL LIBRARIES AND QUALI-**
2 **FYING ESSENTIAL COMMUNITY-SERVING IN-**
3 **STITUTIONS FOR E-RATE SUPPORT.**

4 Section 254 of the Communications Act of 1934 (47
5 U.S.C. 254) is amended—

6 (1) in subsection (h)(4), by inserting “, except
7 as provided in subsection (m),” before “is a library
8 or library consortium”; and

9 (2) by adding at the end the following:

10 “(m) **ELIGIBILITY OF TRIBAL LIBRARIES AND**
11 **QUALIFYING ESSENTIAL COMMUNITY-SERVING INSTITU-**
12 **TIONS FOR E-RATE SUPPORT.—**

13 “(1) **DEFINITIONS.—**In this subsection—

14 “(A) the term ‘broadband internet access
15 service’ has the meaning given the term in sec-
16 tion 8.1(b) of title 47, Code of Federal Regula-
17 tions, or any successor regulation;

18 “(B) the term ‘E-rate program’ means the
19 Federal universal service support program for
20 schools and libraries authorized under sub-
21 section (h)(1)(B), the rules of which are set
22 forth under subpart F of part 54 of title 47,
23 Code of Federal Regulations (or any successor
24 regulation);

25 “(C) the term ‘E-rate support’ means uni-
26 versal service discounts on eligible services in

1 accordance with subpart F of part 54 of title
2 47, Code of Federal Regulations (or any suc-
3 cessor regulation);

4 “(D) the term ‘Indian Tribe’ has the
5 meaning given the term ‘Indian tribe’ in section
6 20.100 of title 25, Code of Federal Regulations,
7 or any successor regulation;

8 “(E) the term ‘qualifying essential commu-
9 nity-serving institution’ means a facility exclu-
10 sively owned by an Indian Tribe and designated
11 by such Indian Tribe for purposes of paragraph
12 (2)(B), including a Tribal Government building,
13 chapter house, longhouse, community center,
14 senior center, or other similar public building;
15 and

16 “(F) the term ‘Tribal College or Univer-
17 sity’ has the meaning given the term in section
18 316(b) of the Higher Education Act of 1965
19 (20 U.S.C. 1059c(b)).

20 “(2) ELIGIBILITY OF TRIBAL LIBRARIES FOR E-
21 RATE SUPPORT.—

22 “(A) DESIGNATION OF TRIBAL LIBRARIES
23 AS LIBRARIES ELIGIBLE FOR E-RATE SUP-
24 PORT.—

“(i) IN GENERAL.—An Indian Tribe that is eligible for support under section 261 of the Library Services and Technology Act (20 U.S.C. 9161) may designate a Tribal library or Tribal library consortium, including a public-serving library of a Tribal College or University (notwithstanding section 54.501(b)(2) of title 47, Code of Federal Regulations, or any successor regulation), as a library or library consortium that is eligible for E-rate support, without regard to whether the library or library consortium is eligible for assistance from a State library administrative agency under the Library Services and Technology Act (20 U.S.C. 9121 et seq.) (notwithstanding the requirement relating to such eligibility in subsection (h)(4) of this section and section 54.501(b)(1) of title 47, Code of Federal Regulations, or any successor regulation), if the library or library consortium is eligible for support from such Indian Tribe under such section 261.

1 “(ii) RULE OF CONSTRUCTION.—

2 Nothing in clause (i) shall be construed to
3 exempt a Tribal library or Tribal library
4 consortium from any requirement under
5 the E-rate program not described in that
6 clause, including the other requirements
7 relating to eligible recipients under section
8 54.501 of title 47, Code of Federal Regula-
9 tions (or any successor regulation).

10 “(B) TRIBAL ESSENTIAL COMMUNITY-
11 SERVING INSTITUTION PROGRAM.—

12 “(i) IN GENERAL.—The Commission,
13 in consultation with the Director of the In-
14 stitute of Museum and Library Services
15 and the head of any other agency with rel-
16 evant responsibilities, shall establish a pro-
17 gram to be known as the ‘Tribal Essential
18 Community-Serving Institution Program’,
19 under which the Commission shall provide
20 E-rate support to Indian Tribes for quali-
21 fying essential community-serving institu-
22 tions designated by such Indian Tribes.

23 “(ii) ELIGIBILITY.—E-rate support
24 obtained under this subparagraph shall
25 only be available to an Indian Tribe if the

1 proposed qualifying essential community-
2 serving institution intends to deliver pub-
3 licly available internet access and tele-
4 communications services to students,
5 teachers, librarians, and members of the
6 community.

7 “(C) USE OF CONTRIBUTIONS.—Of the
8 amount collected for Federal universal service
9 support programs under subsection (d),
10 \$100,000,000 shall be made available for the 3-
11 fiscal-year period beginning after the date of
12 the enactment of this subsection to the Com-
13 mission to carry out this paragraph.

14 “(3) TRAINING AND TECHNICAL ASSISTANCE
15 FOR TRIBAL SCHOOLS AND LIBRARIES.—

16 “(A) ANNUAL REPORTS.—The Commission
17 shall—

18 “(i) direct the Administrator des-
19 ignated by the Commission to administer
20 the Federal universal service support pro-
21 grams under this section to submit an an-
22 nual report to the Commission regarding
23 the actions of the E-rate program to en-
24 sure that Tribal schools and libraries can

1 participate fully and effectively in the E-
2 rate program, including—

3 “(I) outreach efforts targeted to
4 Tribal schools and libraries to pro-
5 mote awareness of the E-rate pro-
6 gram;

7 “(II) specific E-rate training pro-
8 grams for Tribal schools and libraries;
9 and

10 “(III) other technical assistance
11 initiatives regarding the application
12 process for the E-rate program that
13 are available to Tribal schools and li-
14 braries; and

15 “(ii) submit each annual report de-
16 scribed in clause (i) to—

17 “(I) the Committee on Com-
18 merce, Science, and Transportation of
19 the Senate;

20 “(II) the Committee on Indian
21 Affairs of the Senate;

22 “(III) the Committee on Energy
23 and Commerce of the House of Rep-
24 resentatives; and

1 “(IV) the Committee on Natural
2 Resources of the House of Represent-
3 atives.

4 “(B) REVIEW OF ANNUAL REPORTS.—The
5 Commission shall review each annual report re-
6 quired under subparagraph (A) to determine
7 whether additional steps are necessary to en-
8 sure that Tribal schools and libraries can par-
9 ticipate fully and effectively in the E-rate pro-
10 gram.

11 “(C) UNIVERSAL SERVICE TECHNICAL AS-
12 SISTANCE AND TRAINING.—The Commission, in
13 consultation with the Director of the Institute
14 of Museum and Library Services, shall provide
15 technical assistance and training to Indian
16 Tribes with respect to Federal universal service
17 support programs.

18 “(4) COORDINATION AND PERFORMANCE MEAS-
19 UREMENT.—The Commission shall—

20 “(A) improve the reliability of the data of
21 the Commission relating to institutions that re-
22 ceive E-rate support by defining the term ‘trib-
23 al’ on the application for E-rate support; and

24 “(B)(i) develop performance goals and
25 measures to track progress on achieving the

1 strategic objective of the Commission of ensur-
2 ing that all Indian Tribes have affordable ac-
3 cess to broadband internet access service for
4 educational purposes for students, teachers, li-
5 brarians, and members of the community;

6 “(ii) in coordination with the Director of
7 the Institute of Museum and Library Services,
8 identify Tribal libraries and developing Tribal
9 libraries in the United States; and

10 “(iii) not later than 1 year after the date
11 of the enactment of this subsection, submit to
12 Congress and make public a report on the goals
13 and measures developed under clause (i) and
14 the list of libraries identified under clause (ii).”.

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