

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.

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## 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

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## 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.—

1           “(i) IN GENERAL.—An Indian Tribe  
2           that is eligible for support under section  
3           261 of the Library Services and Tech-  
4           nology Act (20 U.S.C. 9161) may des-  
5           ignate a Tribal library or Tribal library  
6           consortium, including a public-serving li-  
7           brary of a Tribal College or University  
8           (notwithstanding section 54.501(b)(2) of  
9           title 47, Code of Federal Regulations, or  
10          any successor regulation), as a library or  
11          library consortium that is eligible for E-  
12          rate support, without regard to whether  
13          the library or library consortium is eligible  
14          for assistance from a State library admin-  
15          istrative agency under the Library Services  
16          and Technology Act (20 U.S.C. 9121 et  
17          seq.) (notwithstanding the requirement re-  
18          lating to such eligibility in subsection  
19          (h)(4) of this section and section  
20          54.501(b)(1) of title 47, Code of Federal  
21          Regulations, or any successor regulation),  
22          if the library or library consortium is eligi-  
23          ble for support from such Indian Tribe  
24          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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