## The FCC Updated Its Rules to Make It Easier For Tribal Libraries to Get E-Rate Support

Recognizing the urgent need to expand Internet access throughout Indian Country, and the significant role libraries play in providing digital access, the Federal Communications Commission (FCC) unanimously approved an Order (FCC 22-8) on January 27, 2022, to update its E-Rate rules and make it easier for Tribal libraries to apply for E-Rate support. The Order added "Tribal library" to the definition of a "library" in the E-Rate rules and clarified that Tribal libraries are eligible to receive E-Rate funding.

On July 20, 2023, the FCC adopted a second Order (FCC 23-56), making further changes to the E-Rate rules to make it easier for Tribal libraries to apply and expanding eligibility to include Tribal College and University (TCU) libraries that also serve as a public library for their communities.

We invite you to learn more about the E-Rate program and consider whether it makes sense for your Tribal library to apply.

### What is the E-Rate program?

The E-Rate program makes telecommunications and information services more affordable for schools and libraries, including Tribal libraries. With funding from the Universal Service Fund, the E-Rate program provides discounts of up to 90 percent of the costs for broadband connections to schools or libraries and internal connections (e.g., Wi-Fi networks) within eligible schools and libraries.

### What constitutes a Tribal library eligible for E-Rate support?

Tribal government entities can designate a Tribal library (for example, through a Tribal Resolution). Tribal libraries may also work with the state library administrative agency where they are located. Tribal libraries should also be able to demonstrate that they have three basic components of a library:

1.     Regularly scheduled hours;

2.     Staff; and

3.     Materials available for library users.

In July 2023, the Commission expanded eligibility to make TCU libraries eligible for E-Rate support when they act as the public library by having dedicated library staff, regular hours, and a collection available for public use in its community.

### What does my Tribal library need to do to apply?

After registering with the FCC and the entity that administers the program, the Universal Service Administrative Co. (USAC), the process starts with competitive bidding and requesting bids for the eligible services (and equipment) you need. You then select the most cost-effective provider. After you sign a contract or establish a service agreement, and USAC issues you a funding commitment, you can start to receive E-Rate support for the services and equipment USAC has approved. You must file an application requesting E-Rate funds each year.

### When does a Tribal library apply each year?

Applicants should start thinking now about what services and equipment they need for the next funding year (FY). The E-Rate program has an annual funding cycle. Applicants may start their competitive bidding process after July 1st of each year. They then request E-Rate funding during the E-Rate application filing window, which opens in mid-January and closes in mid-March, in advance of the start of the funding year that runs from July 1st to June 30th.

## When does FY 2024 start?

The next funding year, FY 2024, will run from July 1, 2024 through June 30, 2025.  The FY 2024 FCC Form 470 is available after July 1, 2023, which is when applicants can begin their competitive bid process for FY 2024.  Applicants will request funds during the FY 2024 application filing window, which will open in mid-January of 2024, and close in mid-March of 2024.

## How do we begin the application process?

(1) Obtain an FCC Registration Number.

- ❖ All entities must have an FCC Registration Number issued through the FCC's Commission Registration System (CORES), to participate in the E-Rate program.  Call (877) 480-3201 with questions.

(2) Obtain a Billed Entity Number (BEN) and create a user profile in the E-Rate Productivity Center (EPC) Portal.

- ❖ To obtain a BEN, contact USAC's Customer Service Center (CSC) at (888) 203-8100. USAC assigns a BEN, or unique identifying number, to each entity that participates in the E-Rate program.

- ❖ If a Tribal government wishes to create a consortium for its Tribally controlled schools and libraries, the following information is needed before calling CSC:

  i. Contact information of the consortium leader;

  ii. Contact information of the account administrator for each library that will join the consortium; and

  iii. A Letter of Agency, establishing that applicant entities have authorized the person identified in the letter to act on their behalf.  See a sample Letter of Agency.

(3) Designate your entity's Tribal status in EPC.

(4) File the FCC Form 470 in EPC to start the competitive bidding process and solicit bids for eligible services and equipment, and wait at least 28 days before selecting your service provider(s).

(5) File the FCC Form 471 in EPC during the E-Rate application filing window to request funding.

(6) Retain documentation.

## The FCC and USAC want to help!

To learn more or apply, please visit https://www.usac.org/e-rate/learn/tribal-training/ or call the USAC CSC at (888) 203-8100, Monday through Friday, 8:00 a.m. to 8:00 p.m. ET.  You can also email USAC at TribalLiaison@usac.org for help figuring out where to start.