

Office of Native Affairs and Policy



National Tribal Telecommunications
Association Tribal Broadband Summit

September 20, 2022

Presented by Sayuri Rajapakse*
Acting Chief, Office of Native
Affairs and Policy

**The views expressed in this presentation are those of the author
and may not necessarily represent the views of the Federal
Communications Commission or any of its Commissioners or staff.*

AGENDA

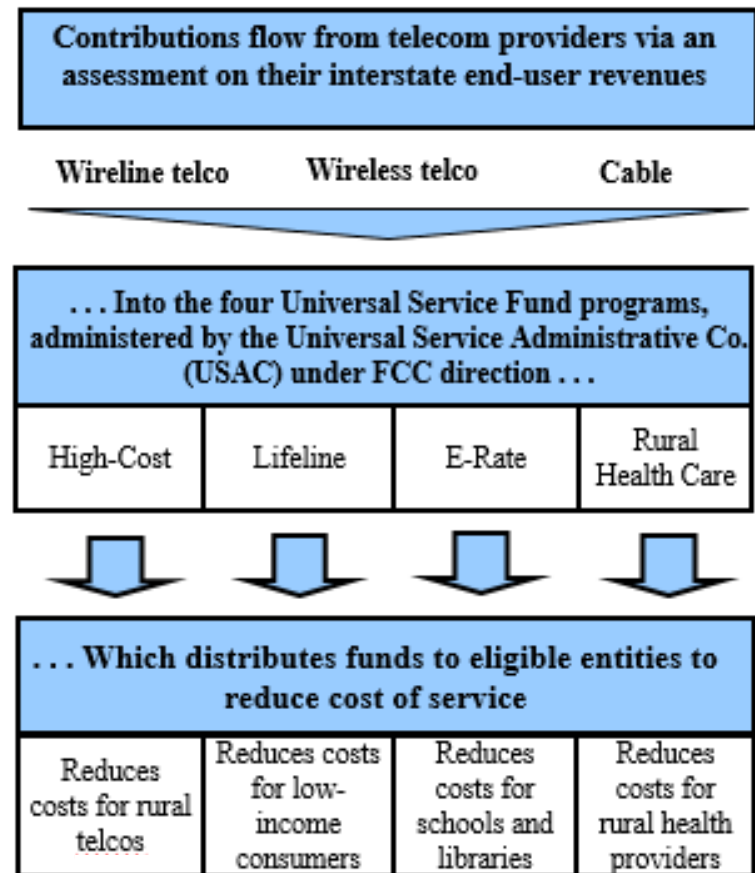
Key FCC Funding Programs

- **Universal Service Fund Support**
 - **E-Rate**
 - **Lifeline**
- **Appropriated Funding**
 - **Affordable Connectivity Fund**
 - **Affordable Connectivity Outreach Grant Program**

UNIVERSAL SERVICE FUND SUPPORT

USF BASICS

- “Universal service” – the availability of affordable, reliable telecommunications service nationwide – is a fundamental goal of federal telecom law
- USF established in 1997 to subsidize telecom services for low-income consumers, rural health care providers, schools and libraries, and consumers in high-cost areas
- Congressional authority in section 254(b) of the Communications Act



E-Rate (Schools and Libraries) Program

E-Rate Overview

- The E-Rate program funds the connectivity schools need to give their students access to 21st century learning tools and for libraries to offer their patrons high-speed Internet access to connect to news, government programs, job research, or family and friends.
- The program provides discounts to help eligible schools and libraries in the United States obtain affordable telecommunications and Internet access.
- In early 2022, the Commission unanimously voted to update its E-Rate rules and make it easier for Tribal libraries to apply for E-Rate support.

E-Rate Program – Funding and Eligible Services

- **Annual Funding Cap:** \$4.456 billion, adjusted annually for inflation. This year, schools and libraries requested \$3.15 billion in support for eligible services.
- **Eligible Services:** Eligible schools and libraries may apply for funding for the following:
 - *Category One:* Services that support connectivity **to** schools and libraries. This includes, for example, data transmission and Internet access service, including special construction services for network builds.
 - *Category Two:* Services that support connectivity **within** schools and libraries. This includes, for example, internal connections (i.e., routers, switches, cabling); managed internal broadband services, and basic maintenance of internal connections.

More on the E-Rate Program

- **Discounts:** The E-Rate program provides discounts of 20 to 90 percent off the cost of eligible equipment and services. The discounts are based on the level of poverty, the urban/rural status, and the type of service (i.e., Category One or Category Two).
- **Eligible Applicants:** Public and private schools (K-12), libraries, and groups of schools and libraries (e.g., consortia, districts, library systems) can apply for eligible equipment and services.

E-Rate Program – Tribal Libraries

- Since the beginning of the program, E-Rate support has helped libraries afford high-speed broadband and provide free, public Internet access to their communities.
- However, some Tribal libraries had been unable to seek E-Rate support due to the program rule references to the 1996 version of the Library Services and Technology Act, or LSTA. In 2018, Congress adopted the Museum and Library Services Act, amending the LSTA to specifically include Tribal libraries in the definition of libraries that are eligible for support.
- In January of this year, the Commission amended its rules to include “Tribal library” in its definition of “library,” making it clear that Tribal libraries are eligible for E-Rate support with the goal of promoting increased participation in the program.

More on E-Rate Tribal Libraries

- **What constitutes a Tribal library eligible for E-Rate support?**
 - Tribal government entities can designate a library as a Tribal library (for example, through a Tribal Resolution).
 - Tribal libraries should also be able to demonstrate that they have three basic characteristics of a library:
 - (1) regularly scheduled hours;
 - (2) staff; and
 - (3) materials available for library users.
 - Tribal libraries may also work with the state library administrative agency where they are located.
- **What does not?** Tribal libraries that are part of an elementary school, college, or university are ineligible for E-Rate support. Libraries must be independent from any schools to be eligible under E-Rate program rules.

E-Rate: Consortia

- **Consortium:** A group of eligible entities seeking funding for eligible services on behalf of its members.
 - Schools and/or libraries can form consortia for the purposes of aggregating demand to lower prices.
- **Consortium Leader:** One entity designated as consortium lead member responsible for making certifications, record-keeping, and communicating with USAC during the E-Rate process.
 - The leader does not need to be eligible for E-Rate, but the members that are receiving requested services must be E-Rate eligible.
- **Examples:**
 - A Tribal Government may form a consortium for its Tribally-controlled schools and libraries, and act as the consortium leader.
 - Tribal schools and/or libraries may create a consortium and designate one of its members as the leader.
 - A Tribal school and/or library may join a consortium led by a non-Tribal entity, or a non-Tribal entity may join a consortium led by a Tribal entity.

E-Rate Supports Network Construction

• **Connecting Tribal Libraries in Navajo Nation**

- With the support of the E-Rate program, Navajo Nation has been committed \$53 million over two funding years to install over 600 miles of fiber optic lines to reach eligible school and library locations and increase Internet capacity to 10 Gbps.
- They were able to do this under E-Rate program rules that increase the discount available for special construction when there is a state or Tribal match.
 - With a 90% discount rate and a 5% match from New Mexico and Arizona, the Navajo were able to fully fund this special construction through the program and will continue to receive the 90% discount on their ongoing Internet costs.

E-Rate Application Process

- The next funding year, FY 2023, will run from July 1, 2023 through June 30, 2024.
- Applicants request funds by filing an FCC Form 470.
- For FY 2023, FCC Form 470 became available as of July 1, 2022, the earliest date that applicants could have begun their competitive bid process for FY 2023.
- Applicants will request funds during the FY 2023 application filing window, which will open in mid-January of 2023, and close in mid-March of 2023.
- The Universal Service Administrative Company's Tribal Liaison can help. You can contact USAC's Tribal Liaison at TribalLiaison@usac.org.
- To learn more or apply, please visit <https://www.usac.org/e-rate/learn/tribal-training/>.

Lifeline

Affordable Services for Low-Income Consumers

Lifeline Overview

- Monthly discount up to \$9.25
- Eligible residents of Tribal lands can receive an enhanced monthly discount up to \$34.25
- The Lifeline discount may apply to only one of the service types:
 - Qualifying fixed service (phone or internet, or the internet/phone service in a bundled package) or
 - Mobile service (phone or internet, or the internet/phone service in a bundled package)
- Link Up: a Tribal lands one-time benefit up to \$100 for initial connection costs

Lifeline Eligibility

- Income is at or below **135% of the federal poverty guidelines**
- Participate in at least one of the following **government programs**:
 - Medicaid
 - Supplemental Nutrition Assistance Program (SNAP)
 - Supplemental Security Income (SSI)
 - Federal Public Housing Assistance (FPHA)
 - Veterans and Survivors Pension Benefit
 - Any of the following Tribal programs:
 - Bureau of Indian Affairs General Assistance (BIA-GA)
 - Tribally Administered Temporary Assistance for Needy Families (TTANF)
 - Tribal Head Start (must meet qualifying income standard)
 - Food Distribution Program on Indian Reservations (FDPIR)
- **One Lifeline benefit** allowed **per** "independent economic household" (**household**)

Lifeline – Tribal lands

- **Definition for “Tribal lands” used by Lifeline program (47 CFR 54.400(e)):**
 - “For purposes of this subpart, ‘Tribal lands’ include any federally recognized Indian tribe’s reservation, pueblo, or colony, including former reservations in Oklahoma;
 - Alaska Native regions established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688);
 - Indian allotments;
 - Hawaiian Home Lands – areas held in trust for Native Hawaiians by the state of Hawaii, pursuant to the Hawaiian Homes Commission Act, 1920 July 9, 1921, 42 Stat. 108, seq., as amended;
 - And any land designated as such by the Commission for purposes of this subpart pursuant to the designation process in § 54.412.”

Lifeline National Eligibility Verifier

- **Modern Database Verification**

- United interface to independently process eligibility and recertification of Lifeline subscribers

- **Improving Program Integrity**

- Interconnected verification with other agency and state eligibility databases to improve program controls

- **Launch Process**

- The National Verifier has fully launched in all states and territories

- **Automated Eligibility Checks**

- The National Verifier uses connections to federal and state databases to streamline the Lifeline eligibility check. With the addition of a nationwide automated connection to the Centers for Medicare & Medicaid Services for Medicaid eligibility data, the National Verifier regularly achieves a 67% automated eligibility pass rate for new applications

Affordable Connectivity Fund

*Helping Low-Income Households Pay for Broadband Service
and Connected Devices*

ACP Overview

- Congress directed \$14.2 billion to the FCC to modify and extend the Emergency Broadband Benefit Program to a longer-term broadband affordability program called the Affordable Connectivity Program (ACP). The ACP began on December 31, 2021. The program is open to all broadband providers that meet the program requirements.
- ACP provides a discount off an eligible household's monthly service bill and/or device.
- The benefit is limited to:
 - One monthly service discount of up to \$30 a month for broadband service, including associated equipment rentals (up to \$75 a month for households on qualifying Tribal lands), and
 - A one-time connected device discount of up to \$100 to purchase a laptop, desktop computer, or tablet from participating providers if the eligible household contributes more than \$10 and less than \$50 toward the purchasing price.

ACP – Eligibility

Eligibility: A Household is eligible if it has an income that is at or below 200% of the Federal Poverty Guidelines OR

A member of the household:

- Participates in certain assistance programs, such as SNAP, Medicaid, Federal Public Housing Assistance, Veterans Pension and Survivors Benefit, SSI, WIC, or Lifeline;
- Participates in one of several Tribal specific programs, such as BIA General Assistance, Tribal Head Start, Tribal TANF, or Food Distribution Program on Indian Reservations;
- Is approved to receive benefits under the free and reduced-price school lunch program or the school breakfast program, including through the USDA Community Eligibility Provision;
- Received a Federal Pell Grant during the current award year; or
- Meets the eligibility criteria for a participating broadband provider's existing low-income program

ACP – How to Enroll

- Two steps to enroll:
 - Go to AffordableConnectivity.gov to apply, or print out a mail-in application; and
 - Contact your preferred participating provider to select a plan and have the discount applied to your bill.

Affordable Connectivity Outreach Grant Program

- On August 5, 2022, the FCC adopted an Order establishing the Affordable Connectivity Outreach Grant Program.
- The program will provide grants to governmental and non-governmental outreach partner organizations to conduct outreach activities in their communities using the \$100 million the FCC designated for ACP outreach to drive awareness and enrollment.
- The Order identifies:
 - Examples of the types of eligible entities that can apply for funding include Tribal governments and Tribal organizations
 - The allocation of funding set-asides for specific types of grantees that includes a minimum of \$10 million for competitive allocation to Tribal governments and Tribal organizations
 - The prioritization guidelines for reviewing applications target unserved low-income households, and communities that have low ACP enrollment rates, which includes Tribal areas
- The FCC will issue a Notice of Funding Opportunity with more details about the ACP Outreach Grant Program this fall.

ACP – Outreach Resources

- <https://www.affordableconnectivity.gov/community-resources/>
- The FCC and USAC have developed resources to help consumers learn about the Affordable Connectivity Program (ACP), determine if they qualify, and apply for the program.
- Organizations that support ACP consumers may use these resources to educate consumers about the program and how to apply. Materials are available in many languages, including Spanish.
(<https://www.fcc.gov/acp-consumer-outreach-toolkit>):
 - ACP Outreach Toolkit
 - Consumer Toolkit (including sample social media language)
 - ACP Brochure (digital)
 - ACP Brochure (print)
 - ACP Flyer 1
 - ACP Flyer 2
 - **ACP Tribal Flyer**
 - Social Media Images

QUESTIONS?

**Sayuri Rajapakse, Acting Chief
Office of Native Affairs and Policy**

sayuri.rajapakse@fcc.gov

native@fcc.gov