

116TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

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 SENATE OF THE UNITED STATES

Mr. HEINRICH introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

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 universal service program for schools and li-  
20 braries authorized under subsection (h)(1)(B),  
21 the rules of which are set forth under subpart  
22 F of part 54 of title 47, Code of Federal Regu-  
23 lations (or any successor regulation), as author-  
24 ized under subsection (h)(2)(A);

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), as authorized under sub-  
4           section (h)(2)(A);

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

9           “(E) the term ‘qualifying essential commu-  
10          nity-serving institution’ means a facility exclu-  
11          sively owned by an Indian Tribe, including a  
12          tribal government building, chapter house,  
13          longhouse, community center, senior center, or  
14          other similar public building; and

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

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

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

24                         “(i) IN GENERAL.—An Indian Tribe  
25                         that is eligible for support under section

1           261 of the Library Services and Tech-  
2           nology Act (20 U.S.C. 9161) may des-  
3           ignate a tribal library or tribal library con-  
4           sortium, including a public-serving library  
5           of a Tribal College or University , as a li-  
6           brary or consortium that is eligible for E-  
7           rate support, without regard to whether  
8           the library or library consortium is eligible  
9           for assistance from a State Library Ad-  
10          ministrative Agency under the Library  
11          Services and Technology Act (20 U.S.C.  
12          9121 et seq.), if the library or library con-  
13          sortium is eligible for support from an In-  
14          dian Tribe under such section 261.

15                 “(ii) RULE OF CONSTRUCTION.—  
16                 Nothing in clause (i) shall be construed to  
17                 exempt a tribal library from any require-  
18                 ment under the E-rate program not de-  
19                 scribed in that clause, including the other  
20                 requirements relating to eligible recipients  
21                 under section 54.501 of title 47, Code of  
22                 Federal Regulations (or any successor reg-  
23                 ulation).

1           “(B) TRIBAL ESSENTIAL COMMUNITY-  
2           SERVING INSTITUTION DEMONSTRATION PRO-  
3           GRAM.—

4                   “(i) IN GENERAL.—The Commission,  
5                   in consultation with the Institute of Mu-  
6                   seum and Library Services and any other  
7                   agency with relevant responsibilities, shall  
8                   establish a pilot program to be known as  
9                   the ‘Tribal Essential Community-Serving  
10                  Institution Program’, under which the  
11                  Commission shall provide E-rate support  
12                  to Indian Tribes for qualifying essential  
13                  community-serving institutions, as des-  
14                  ignated by an Indian Tribe.

15                   “(ii) ELIGIBILITY.—E-rate support  
16                   obtained under this subparagraph shall  
17                   only be available to an Indian Tribe if the  
18                   proposed qualifying essential community-  
19                   serving institution intends to deliver pub-  
20                   licly available internet access and tele-  
21                   communications services to students,  
22                   teachers, librarians, and members of the  
23                   community.

24                   “(iii) ELIGIBILITY FOR E-RATE AFTER  
25                   THE DEMONSTRATION PROGRAM.—A quali-

1           fying essential community-serving institu-  
2           tion that receives E-rate support under  
3           this subparagraph shall be eligible for E-  
4           rate support at the end of the 3-year pe-  
5           riod described in subparagraph (C).

6           “(C) USE OF CONTRIBUTIONS.—Of the  
7           amount collected for the Universal Service  
8           Fund under subsection (d), \$100,000,000 shall  
9           be made available for the 3-fiscal-year period  
10          beginning after the date of enactment of the  
11          Tribal Connect Act of 2020 to the Commission  
12          to carry out this paragraph.

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

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

17                         “(i) direct the Administrator of the  
18                         Schools and Libraries Universal Service  
19                         Support program to submit an annual re-  
20                         port to the Commission regarding the ac-  
21                         tions of the Schools and Libraries Uni-  
22                         versal Service Support program to ensure  
23                         that tribal schools and libraries can par-  
24                         ticipate fully and effectively in the E-rate  
25                         program, including—

1                   “(I) outreach efforts targeted to  
2                   tribal schools and libraries to promote  
3                   awareness of the E-rate program;

4                   “(II) specific E-rate training pro-  
5                   grams for tribal schools and libraries;  
6                   and

7                   “(III) other technical assistance  
8                   initiatives regarding the program’s ap-  
9                   plication process that are available to  
10                  tribal schools and libraries; and

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

13                         “(I) the Committee on Com-  
14                         merce, Science, and Transportation of  
15                         the Senate;

16                         “(II) the Committee on Indian  
17                         Affairs of the Senate;

18                         “(III) the Committee on Energy  
19                         and Commerce of the House of Rep-  
20                         resentatives; and

21                         “(IV) the Committee on Natural  
22                         Resources of the House of Represent-  
23                         atives.

24                         “(B) REVIEW OF ANNUAL REPORTS.—The  
25                         Commission shall review each annual report re-

1           required under subparagraph (A) to determine  
2           whether additional steps are necessary to en-  
3           sure that tribal schools and libraries can par-  
4           ticipate fully and effectively in the E-rate pro-  
5           gram.

6           “(C) UNIVERSAL SERVICE FUND TECH-  
7           NICAL ASSISTANCE AND TRAINING.—The Com-  
8           mission, in consultation with the Institute of  
9           Museum and Library Services, shall provide  
10          technical assistance and training to Indian  
11          Tribes with respect to Universal Service Fund  
12          programs.

13          “(4) COORDINATION AND PERFORMANCE MEAS-  
14          UREMENT.—The Commission shall—

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

19                 “(B)(i) develop performance goals and  
20                 measures to track progress on achieving the  
21                 strategic objective of the Commission of ensur-  
22                 ing that all Indian Tribes have affordable ac-  
23                 cess to broadband internet access service for  
24                 educational purposes for students, teachers, li-  
25                 brarians, and members of the community;



1                   “(ii) in coordination with the Institute of  
2                   Museum and Library Services, identify all tribal  
3                   libraries and developing tribal libraries in the  
4                   United States; and

5                   “(iii) not later than 1 year after the date  
6                   of enactment of this subsection, submit to Con-  
7                   gress and make public a report on the goals  
8                   and measures developed under clause (i) and  
9                   the list of libraries identified under clause (ii).”.