

FCC

May 14, 2021

FCC Establishes the Emergency Connectivity Fund Program

Executive Summary

The Federal Communications Commission (FCC) established the Emergency Connectivity Fund Program (ECF Program). The ECF Program provides rules for funding eligible schools and libraries during the pandemic for purchases of eligible equipment and services made from July 1, 2021 through June 30, 2022. Service providers, as well as applicants, may submit payment requests directly under the ECF Program, but they must be registered in the Sam.gov system. Payment may be sought by participants or service providers under the ECF Program before the eligible school or library has incurred any charges where there is a contract or other binding obligation to purchase eligible equipment or services. The ECF Program will become effective upon publication in the Federal Register, which has not yet occurred.

Background

The ECF Program was created as part of the American Rescue Plan Act of 2021 (Act) and was funded with \$7.171 billion to pay for eligible equipment and advanced telecommunications and information services for use by students, school staff, and library patrons at locations other than a school or library up to amounts that the FCC determines is reasonable. The ECF Program is temporary and will last through the COVID-19 emergency period. The COVID-19 emergency period is defined as beginning on January 27, 2020 and ending on the June 30 that first occurs after the date that is one year after the Secretary of Health and Human Services determines that a public health emergency no longer exists. (See *March 30, 2021 Briefing*).

Administration

The Universal Service Administrative Company (USAC) will administer the regulations adopted pursuant to the Act. Leveraging much of the same infrastructure currently used to manage the E-rate funding program for schools and libraries, USAC has been instructed to use E-Rate processes and forms where possible. This includes, for example, FCC Form 471 (Description of Services Ordered and Certification Form), Form 472 (Billed Entity Applicant Reimbursement Form), and FCC Form 474 (Service Provider Invoice Form).

Eligible Schools and Libraries

All schools and libraries eligible for support under the E-Rate Program are also eligible for the ECF Program. Entities not eligible for E-Rate support do not qualify for support under the ECF Program. The FCC stressed that schools and libraries do not need to be E-Rate participants to qualify for benefits under the ECF Program, only eligible. If not a participant in E-Rate, however, schools and libraries seeking reimbursement under the ECF Program should be prepared to demonstrate eligibility during USAC's application review.

Eligible Equipment

Eligible equipment includes:

- Wi-Fi hotspots
- Modems

- Routers
- devices that combine a modem and router, and
- connected devices.

Connected Devices. The FCC determined that “connected devices” are tablet and laptop computers capable of connecting to advanced telecommunications and information services. Accordingly, desktop computers and mobile phones are excluded from reimbursement under the ECF Program.

Eligible Services

To qualify for funding as advanced telecommunications or information services, schools and libraries will only be reimbursed for commercially available services providing fixed or mobile broadband unless there is no Internet available for purchase. Dark fiber and new networks, including self-provisioned networks, are excluded. If Internet service is not commercially available in an area, schools and libraries may seek funding under the ECF Program to construct a new network. The FCC declined to apply minimum service standards.

Service Locations

The Act does not specify locations where students, school staff and library patrons can use eligible equipment and/or services, only that they must be used in locations other than a school or library. While most people are working from home, others cannot. The FCC therefore declined to limit service locations and used, as examples of eligible locations, the homes of students, school staff, and library patrons, community centers, churches “and any other off-campus locations where they are engaged in remote learning activities.” The number of fixed connections per location is limited to one. Eligible schools and libraries may only receive support for one connected device and no more than one Wi-Fi hotspot per student, school staff member, or library patron.

Reasonable Support Amount

Charged with determining reasonable reimbursement costs for eligible equipment and services, the FCC capped the reimbursement at \$400 per connected device and \$250 per Wi-Fi hotspot. For other types of eligible equipment, including modems, routers, and devices that combine modems and routers, USAC was instructed to evaluate requests for reimbursement for reasonableness against other reimbursement requests. Similarly, USAC was charged with evaluating the reasonableness of service costs. The FCC expects most applications for services will generally range from \$10 - \$25 per month. No competitive bidding process is required.

Application Windows

Eligible schools and libraries will have a 45-day window to apply for purchases made between July 1, 2021 and June 30, 2022. If funds remain after that time, a second window may be opened. In addition, the FCC left open the possibility that subsequent filing windows may permit eligible schools and libraries to apply for costs of eligible equipment and services incurred from March 1, 2020 to June 30, 2021.

Invoicing and Reimbursement Process

To streamline the payment process, service providers as well as applicants may submit requests for payment. Further, applicants may seek payment before the school or library has incurred any charges where there is a contract or other obligation to purchase. FCC Form 472 will be used to submit payment requests. Applicants and service providers seeking reimbursement must be registered in the Sam.gov system.

Document Retention

Participants are required to retain records related to the ECF Program at least 10 years from the last date of service or delivery of equipment.

[Source: Report and Order, FCC 21-58, WC Docket No. 21-93, released May 11, 2021.](#)