

115TH CONGRESS
1ST SESSION

S. 2205

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.

IN THE SENATE OF THE UNITED STATES

DECEMBER 7, 2017

Mr. HEINRICH (for himself and Mr. HELLER) introduced the following bill;
which was read twice and referred to the Committee on Indian Affairs

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 2017”.

1 **SEC. 2. ELIGIBILITY OF TRIBAL LIBRARIES AND QUALI-**
 2 **FYING ANCHOR INSTITUTIONS FOR E-RATE**
 3 **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 ANCHOR INSTITUTIONS FOR E-RATE SUP-**
 12 **PORT.—**

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 8.2 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 mean-
6 ing given the term in section 20.1 of title 25,
7 Code of Federal Regulations, or any successor
8 regulation; and

9 “(E) the term ‘qualifying anchor institu-
10 tion’ means a facility owned by an Indian tribe,
11 including a tribal government building, chapter
12 house, longhouse, community center, senior cen-
13 ter, or other similar public building.

14 “(2) ELIGIBILITY OF TRIBAL LIBRARIES FOR E-
15 RATE SUPPORT.—

16 “(A) DESIGNATION OF TRIBAL LIBRARIES
17 AS LIBRARIES ELIGIBLE FOR E-RATE SUP-
18 PORT.—

19 “(i) IN GENERAL.—An Indian tribe
20 that is eligible for support under section
21 261 of the Library Services and Tech-
22 nology Act (20 U.S.C. 9161) may des-
23 ignate a tribal library or tribal library con-
24 sortium as a library or consortium that is
25 eligible for E-rate support, without regard

1 to whether the library or library consor-
2 tium is eligible for assistance from a State
3 Library Administrative Agency under the
4 Library Services and Technology Act (20
5 U.S.C. 9121 et seq.), if the library or li-
6 brary consortium is eligible for support
7 from an Indian tribe under such section
8 261.

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

18 “(B) TRIBAL ANCHOR INSTITUTION DEM-
19 ONSTRATION PROGRAM.—

20 “(i) IN GENERAL.—The Commission,
21 in consultation with the Institute of Mu-
22 seum and Library Services and any other
23 agency with relevant responsibilities, shall
24 establish a pilot program to be known as
25 the ‘Tribal Anchor Institution Program’,

1 under which the Commission shall provide
2 E-rate support to Indian tribes for quali-
3 fying anchor institutions designated by the
4 Indian tribes.

5 “(ii) ELIGIBILITY.—

6 “(I) IN GENERAL.—To be eligible
7 to obtain E-rate support under this
8 subparagraph, a tribal government
9 shall not have an existing tribal li-
10 brary eligible for the Schools and Li-
11 braries Universal Service Support pro-
12 gram within the tribal community.

13 “(II) REQUIREMENTS.—E-rate
14 support obtained under this subpara-
15 graph shall only be available for an
16 Indian tribe if—

17 “(aa) the proposed quali-
18 fying anchor institution is exclu-
19 sively owned by the Indian tribe;
20 and

21 “(bb) the proposed quali-
22 fying anchor institution intends
23 to deliver publicly available Inter-
24 net access to students, teachers,
25 librarians, and members of the

1 community for educational pur-
2 poses.

3 “(III) RULE OF CONSTRUC-
4 TION.—Nothing in this clause shall be
5 construed to provide the Commission
6 with the authority to modify the eligi-
7 bility requirements described in this
8 clause.

9 “(iii) USE OF CONTRIBUTIONS.—Of
10 the amount collected for the Universal
11 Service Fund under subsection (d),
12 \$20,000,000 shall be made available for
13 each of the first 5 fiscal years beginning
14 after the date of enactment of the Tribal
15 Connect Act of 2017 to the Commission to
16 carry out this paragraph.

17 “(3) TRAINING AND TECHNICAL ASSISTANCE
18 FOR TRIBAL SCHOOLS AND LIBRARIES.—

19 “(A) ANNUAL REPORTS.—The Commission
20 shall direct the Administrator of the Schools
21 and Libraries Universal Service Support pro-
22 gram to submit an annual report to the Com-
23 mission regarding the actions of the Schools
24 and Libraries Universal Service Support pro-
25 gram to ensure that tribal schools and libraries

1 can participate fully and effectively in the E-
2 rate program, including—

3 “(i) outreach efforts targeted to tribal
4 schools and libraries to promote awareness
5 of the E-rate program;

6 “(ii) specific E-rate training programs
7 for tribal schools and libraries; and

8 “(iii) other technical assistance initia-
9 tives regarding the program’s application
10 process that are available to tribal schools
11 and libraries.

12 “(B) REVIEW OF ANNUAL REPORTS.—The
13 Commission shall review each annual report re-
14 quired under subparagraph (A) to determine
15 whether additional steps are necessary to en-
16 sure that tribal schools and libraries can par-
17 ticipate fully and effectively in the E-rate pro-
18 gram.

19 “(4) COORDINATION AND PERFORMANCE MEAS-
20 UREMENT.—The Commission shall—

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

1 “(B)(i) develop performance goals and
2 measures to track progress on achieving the
3 strategic objective of the Commission of ensur-
4 ing that all tribal libraries have affordable ac-
5 cess to broadband Internet access service tech-
6 nologies for educational purposes for students,
7 teachers, librarians, and members of the com-
8 munity; and
9 “(ii) not later than 1 year after the date
10 of enactment of this subsection, submit to Con-
11 gress and make public a report on the goals
12 and measures developed under clause (i).”.

○