

116TH CONGRESS
2^D SESSION

H. R. 6563

To provide for E-Rate support for Wi-Fi hotspots, modems, routers, and connected devices during emergency periods relating to COVID–19, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 2020

Ms. MENG introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To provide for E-Rate support for Wi-Fi hotspots, modems, routers, and connected devices during emergency periods relating to COVID–19, 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 “Emergency Edu-
5 cational Connections Act of 2020”.

1 **SEC. 2. E-RATE SUPPORT FOR WI-FI HOTSPOTS, OTHER**
2 **EQUIPMENT, AND CONNECTED DEVICES DUR-**
3 **ING EMERGENCY PERIODS RELATING TO**
4 **COVID-19.**

5 (a) REGULATIONS REQUIRED.—Not later than 7
6 days after the date of the enactment of this Act, the Com-
7 mission shall promulgate regulations providing for the
8 provision, from amounts made available from the Emer-
9 gency Connectivity Fund established under subsection
10 (i)(1), of support under section 254(h)(1)(B) of the Com-
11 munications Act of 1934 (47 U.S.C. 254(h)(1)(B)) to an
12 elementary school, secondary school, or library (including
13 a Tribal elementary school, Tribal secondary school, or
14 Tribal library) eligible for support under such section, for
15 the purchase during an emergency period described in sub-
16 section (e) (including any portion of such a period occur-
17 ring before the date of the enactment of this Act) of equip-
18 ment described in subsection (c), advanced telecommuni-
19 cations and information services, or equipment described
20 in such subsection and advanced telecommunications and
21 information services, for use by—

22 (1) in the case of a school, students and staff
23 of such school at locations that include locations
24 other than such school; and

1 (2) in the case of a library, patrons of such li-
2 brary at locations that include locations other than
3 such library.

4 (b) ELIGIBILITY OF TRIBAL LIBRARIES.—For pur-
5 poses of determining the eligibility of a Tribal library for
6 support under the regulations required by subsection (a),
7 the portion of paragraph (4) of section 254(h) of the Com-
8 munications Act of 1934 (47 U.S.C. 254(h)) relating to
9 eligibility for assistance from a State library administra-
10 tive agency under the Library Services and Technology
11 Act shall not apply.

12 (c) EQUIPMENT DESCRIBED.—The equipment de-
13 scribed in this subsection is the following:

- 14 (1) Wi-Fi hotspots.
- 15 (2) Modems.
- 16 (3) Routers.
- 17 (4) Devices that combine a modem and router.
- 18 (5) Connected devices.

19 (d) PRIORITIZATION OF SUPPORT.—The Commission
20 shall provide in the regulations required by subsection (a)
21 for a mechanism to require a school or library to prioritize
22 the provision of equipment described in subsection (c), ad-
23 vanced telecommunications and information services, or
24 equipment described in such subsection and advanced tele-
25 communications and information services, for which sup-

1 port is received under such regulations, to students and
2 staff or patrons (as the case may be) that the school or
3 library believes do not have access to equipment described
4 in subsection (c), do not have access to advanced tele-
5 communications and information services, or have access
6 to neither equipment described in subsection (c) nor ad-
7 vanced telecommunications and information services, at
8 the residences of such students and staff or patrons.

9 (e) EMERGENCY PERIODS DESCRIBED.—An emer-
10 gency period described in this subsection is the duration
11 of a public health emergency declared pursuant to section
12 319 of the Public Health Service Act (42 U.S.C. 247d)
13 as a result of COVID–19, including any renewal thereof.

14 (f) TREATMENT OF EQUIPMENT AFTER EMERGENCY
15 PERIOD.—The Commission shall provide in the regula-
16 tions required by subsection (a) that, in the case of a
17 school or library that purchases equipment described in
18 subsection (c) using support received under such regula-
19 tions, such school or library—

20 (1) may, after the emergency period with re-
21 spect to which such support is received, use such
22 equipment for such purposes as such school or li-
23 brary considers appropriate, subject to any restric-
24 tions provided in such regulations (or any successor
25 regulation); and

1 (2) may not sell or otherwise transfer such
2 equipment in exchange for any thing (including a
3 service) of value, except that such school or library
4 may exchange such equipment for upgraded equip-
5 ment of the same type.

6 (g) RULE OF CONSTRUCTION.—Nothing in this sec-
7 tion shall be construed to affect any authority the Com-
8 mission may have under section 254(h)(1)(B) of the Com-
9 munications Act of 1934 (47 U.S.C. 254(h)(1)(B)) to
10 allow support under such section to be used for the pur-
11 poses described in subsection (a) other than as required
12 by such subsection.

13 (h) PROCEDURAL MATTERS.—

14 (1) PART 54 REGULATIONS.—Nothing in this
15 section shall be construed to prevent the Commission
16 from providing that the regulations in part 54 of
17 title 47, Code of Federal Regulations, shall apply in
18 whole or in part to support provided under the regu-
19 lations required by subsection (a), shall not apply in
20 whole or in part to such support, or shall be modi-
21 fied in whole or in part for purposes of application
22 to such support.

23 (2) EXEMPTION FROM CERTAIN RULEMAKING
24 REQUIREMENTS.—Subsections (b), (c), and (d) of
25 section 553 of title 5, United States Code, shall not

1 apply to a regulation promulgated under subsection
2 (a) of this section or a rulemaking to promulgate
3 such a regulation.

4 (3) PAPERWORK REDUCTION ACT EXEMP-
5 TION.—A collection of information conducted or
6 sponsored under the regulations required by sub-
7 section (a), or under section 254 of the Communica-
8 tions Act of 1934 (47 U.S.C. 254) in connection
9 with support provided under such regulations, shall
10 not constitute a collection of information for the
11 purposes of subchapter I of chapter 35 of title 44,
12 United States Code (commonly referred to as the
13 Paperwork Reduction Act).

14 (i) EMERGENCY CONNECTIVITY FUND.—

15 (1) ESTABLISHMENT.—There is established in
16 the Treasury of the United States a fund to be
17 known as the Emergency Connectivity Fund.

18 (2) APPROPRIATION.—There is appropriated to
19 the Emergency Connectivity Fund, out of any money
20 in the Treasury not otherwise appropriated,
21 \$2,000,000,000 for fiscal year 2020, to remain
22 available through fiscal year 2021.

23 (3) USE OF FUNDS.—Amounts in the Emer-
24 gency Connectivity Fund shall be available to the

1 Commission to provide support under the regula-
2 tions required by subsection (a).

3 (4) RELATIONSHIP TO UNIVERSAL SERVICE
4 CONTRIBUTIONS.—Support provided under the regu-
5 lations required by subsection (a) shall be provided
6 from amounts made available under paragraph (3)
7 and not from contributions under section 254(d) of
8 the Communications Act of 1934 (47 U.S.C.
9 254(d)).

10 (j) DEFINITIONS.—In this section:

11 (1) ADVANCED TELECOMMUNICATIONS AND IN-
12 FORMATION SERVICES.—The term “advanced tele-
13 communications and information services” means
14 advanced telecommunications and information serv-
15 ices, as such term is used in section 254(h) of the
16 Communications Act of 1934 (47 U.S.C. 254(h)).

17 (2) COMMISSION.—The term “Commission”
18 means the Federal Communications Commission.

19 (3) CONNECTED DEVICE.—The term “con-
20 nected device” means a laptop computer, tablet com-
21 puter, or similar device that is capable of connecting
22 to advanced telecommunications and information
23 services.

24 (4) LIBRARY.—The term “library” includes a
25 library consortium.

1 (5) WI-FI.—The term “Wi-Fi” means a wire-
2 less networking protocol based on Institute of Elec-
3 trical and Electronics Engineers standard 802.11
4 (or any successor standard).

5 (6) WI-FI HOTSPOT.—The term “Wi-Fi
6 hotspot” means a device that is capable of—

7 (A) receiving mobile advanced tele-
8 communications and information services; and

9 (B) sharing such services with another de-
10 vice through the use of Wi-Fi.

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