



Federal Communications Commission
Washington, D.C. 20554

Office of Native Affairs and Policy

From: Native <Native@fcc.gov>

Sent: Thursday, February 9, 2023 5:27 PM

Subject: FCC to Consider Notice of Proposed Rulemaking Seeking Comments on Ways to Encourage Tribal Library Participation in E-Rate

Greetings from the Federal Communications Commission's Office of Native Affairs and Policy.

On January 26, 2023, the Commission announced that the tentative agenda of the February 16th Open Commission Meeting will include a Notice of Proposed Rulemaking (NPRM) seeking comments on improvements to the E-Rate program to benefit Tribal libraries. A public draft of the *Connecting Tribal Communities to Broadband* NPRM is available at <https://www.fcc.gov/document/connecting-tribal-communities-broadband>. If adopted, the NPRM will allow interested parties to comment on improvements to the E-Rate program that would increase access for Tribal applicants generally as well as within the Tribal Libraries E-Rate Pilot Program.

The NPRM will seek comment on the following:

- Whether the Commission should consider revising its eligibility rules to allow Tribal college libraries that serve as a public library in their communities to be eligible for E-Rate support.
- Ways to improve the E-Rate application process, such as:
 - simplifying E-Rate forms.
 - providing an additional exemption to the competitive bidding rules.
 - creating an extended or separate application filing window for Tribal libraries.
- Ways to simplify the E-Rate cost-allocation rules and procedures, or provide guidance to applicants.
- Changes to category two rules, such as:
 - increasing the maximum discount rate level for category two services from 85% to 90% for Tribal schools and libraries.
 - increasing the category two \$25,000 funding floor for Tribal schools and libraries.
- Adding a Tribal community representative to USAC's Board of Directors.
- Adopting a definition of "Tribal" for use in the E-Rate program.
- Any other measures to make it easier for Tribal and other small non-Tribal applicants to access and participate in the E-Rate program.

The NPRM builds upon the FCC's January 2022 efforts to encourage increased Tribal library access to affordable broadband connectivity through the E-Rate program. In January of 2022, the FCC took initial steps to clarify the eligibility of Tribal libraries for E-Rate program support by updating the definition of "library" in the E-Rate program rules to include Tribal libraries. Tribal governmental entities and other stakeholders are encouraged to review the newly proposed NPRM and to consider filing comments.

Please email the Office of Native Affairs and Policy with any questions at native@fcc.gov.

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