

# Emergency Connectivity Fund (ECF) Overview

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# ECF Background

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- \$7.17 billion passed by Congress in March 2021 as part of the American Rescue Plan
- Provides funding to schools and libraries to enable remote (off-campus) learning students, staff and library patrons who lack sufficient internet access
- FCC released draft rules at the end of April, and on May 10 voted 4-0 to adopt the final ECF guidelines/rules
  - 98-page ECF Order released May 11
  - Final rules adopted a “prospective” purchases eligibility window
  - Program will be administered by USAC, but funding comes from federal appropriation, not universal service funding



# Who is Eligible to Apply

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- All schools and libraries eligible for E-rate funding are eligible for ECF
  - All public and nonpublic, k-12 schools
  - Public libraries eligible for LSTA funding
  - Cannot have endowment over \$50 million and cannot be for-profit entity
- Not required to currently participate in E-rate
- Must be set up in E-rate EPC Portal
  - Contact USAC at 888-203-8100 to establish account if none exists
- Must be registered in SAM.gov
  - Some districts indicating they are registered but it's set as 'private' which is why it doesn't show up on the list. That's ok.
  - Registration just has to be final before disbursements can be made



# Eligible Recipients and Locations?

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## Recipients:

- K-12 students, library patrons, and educators that are engaged in remote learning
- Must otherwise not have “sufficient” internet access or access to a connected device to engage in remote learning
- Schools and libraries must be able to show reasonable measures taken to determine who needs equipment/services
  - Cannot just say “we gave to all low-income students”
  - Libraries must have patrons sign a statement attesting to this need when they check out devices

## Locations:

- Any off-campus location where education is occurring. Examples:
  - Homes
  - Community Centers
  - Churches
  - School buses
  - Bookmobiles
- Equipment/services may not be purchased solely for use at school or library
  - Students/teachers/patrons may bring devices to school/library



# What's Eligible: Equipment

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- Connected Devices = laptops/tablets
  - Desktops and cell phones are not eligible
  - Maximum reimbursement/device = \$400 (can be higher for students with disabilities)
- Wi-Fi hotspots
  - Maximum reimbursement/device = \$250
- Modems
- Routers
- Cellular aircards
- Shipping, taxes, configuration charges
- Restrictions:
  - No more than 1 laptop/person (student, teacher, library patron)
  - Must be used “primarily” for educational purposes
    - May be used for other purposes when not needed for educational activities
  - Schools must restrict access to only students/teachers/patrons with appropriate credentials



# What's Eligible: Internet Access

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- Wireless internet services
  - Fixed wireless, mobile wireless, microwave, satellite
- Cable & DSL internet services
- Leased lit fiber
- Installation, activation, taxes
- Restrictions:
  - Expectation that service will cost between \$10-25/month (not a cap)
  - No more than 1 fixed internet connection per location (cable, DSL)
  - No more than 1 Wi-Fi hotspot per person
  - “S/L should to take reasonable actions to monitor and track the usage of equipment and services that are purchased with ECF funding, for example, requiring their service providers to provide monthly reports or other information on data use.”



# What's *Not* Eligible

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- Desktops
- Smartphones
- Spare equipment/parts
- Software, user licenses
- Filtering
- Firewalls/services
- Backup power equipment
- VPN licenses
- Microphones (stand-alone)
- Cameras (stand-alone)
- Accessories (bags, headsets, etc.)
- Technical support
- Separate costs for warranties/protection plans
  - Warranties up to 3 years that are bundled at no cost are eligible
- Remote learning subscriptions (zoom)



# Competitive Bidding & Caps

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## **Bidding:**

- No separate competitive bidding requirements imposed
  - Prospective or retroactive purchases
- Must comply with state and local procurements requirements, if any
- Additional requirements if seeking funding to install internet in currently unserved areas \*

## **Funding Caps/Budgets:**

- Funding at 100% of costs, subject to 2 device caps
  - Connected devices (\$400) and Wi-Fi hot spots (\$250)
- No applicant budgets like Category 2
- No E-rate discounts





# What Happens if \$7B Isn't Enough?

- Applications will be prioritized based on modified discount matrix

Emergency Connectivity Fund Prioritization Matrix		
% of students eligible for National School Lunch Program	Urban Discount	Rural Discount
< 1.....	20	30
1-19.....	40	55
20-34.....	50	65
35-49.....	60	75
50-74.....	80	85
75-100.....	90	95

- If not enough money for full discount band, priority will go to highest NSLP eligibility



# Application Process

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- Schools/libraries will submit applications (similar to E-rate Form 471s) in the E-rate EPC Portal
  - Application window is slated to begin in mid-late June
  - Be open for 45 days
  - First window will be for prospective purchases: July 1, 2021 – June 30, 2022
  - If funding remains, a second window will be open for retroactive purchases made between March 1, 2020 – June 30, 2021
    - FCC retained the option of instead opening a second “prospective” window
- USAC will review all applications submitted in “window” and size demand
  - Applicants may receive PIA inquiries, just like E-rate
- FCDLs issued
- Applicants seek reimbursement from ECF Fund \*
  - Expected to use Form 472 BEAR
  - Must be submitted within 60 days of FCDL or receipt of services/equipment, whichever is later
- Funds deposited into school/library bank accounts



# \* If Applicants Can't Afford to Upfront Payments to Vendor...

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## Two Options:

- **Pre-Payment**

- Applicant may request a “prepayment” of ECF \$ through BEAR process
- ECF payment must be remitted to vendor within 30 days
- Proof of vendor payment will be required to be submitted back to USAC

- **Vendor Reimbursement**

- Applicant may request that vendor seek ECF reimbursement using Form 474 SPI
- Vendors are not required to comply with this request
- Applicants must specify on the Form 471 whether the applicant or vendor will be submitting for reimbursement
  - If vendor reimbursement is indicated, applicant must submit evidence of the service provider's willingness to do this



# Application Survey

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- FCC intends to collect very detailed information related to exact services/devices purchased and costs
- Application will include these survey questions that will inform future policy making:
  1. Estimated # of students who didn't have access to adequate laptops and/or internet access when the pandemic began
  2. Estimated # of students who don't *currently* have access to laptops and/or internet access
  3. How school expects those numbers to change with the receipt of requested ECF support
- No specific data-collection requirement is mandated, but applicants must describe how and when they collected the info that informed these estimates



# CIPA (pay attention to this)

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- ECF Order imposes new filtering rules for both E-rate and ECF
- **CIPA applies:**
  - To the use of any S/L library-owned computer if S/L receives ECF or E-rate funding for internet access or E-rate internal connections
    - If the S/L does *not* receive ECF or E-rate funding for internet access or E-rate internal connections, even if the computers were purchased with ECF funding, CIPA does not apply
    - **KEY:** Whether S/L receives internet access or E-rate internal connections funding
  - This is true even if the user does not use S/L-provided internet
- **CIPA does not apply:**
  - To computers that are not owned by the S/L, even if they receive ECF or E-rate funding for Internet or internal connections
- If applicants are not yet compliant with these new CIPA requirements, they will be permitted to certify on their ECF application that they are 'undertaking actions' to become CIPA compliant
  - No Form 486 will be required for ECF
  - How long to come into compliance? Unsure



# Options for Areas with No Service

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- Where no commercial internet access service is available in an area that is sufficient to meet remote learning needs, applicants have 2 options:
  - ECF will pay for **construction of new networks** to serve students, school staff & library patrons **OR**
  - ECF will also pay for **customer premises equipment to receive datacasting services** which is IP data transmitted over public television airwaves to a computer and provides access to remote learning in homes without internet access
  - Datacasting customer premises equipment is not specifically defined in the Order and may vary according to the specifications of the local public television station, and may include but not be limited to network interface devices and antennas that receive and transmit content to computers
- Applicant must define the geographic area to be served & estimate # of students, staff or library patrons to be served
- “Clear evidence” of no commercial internet options is required
  - Applicants will be required to certify that they requested service from all existing providers serving the area (both wired and wireline) & that the providers were unwilling or unable to provide service sufficient to meet remote learning needs
- Construction/installation must be completed, and service must begin, within 1 year of FCDL



# Duplicate Funding Prohibition

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- Applicants cannot seek ECF funding for equipment or service that have already been or will be purchased from the following sources of funds:
  - Federal pandemic-relief funding
  - Targeted pandemic state funding
  - Other external sources of targeted pandemic funding
  - Targeted pandemic gifts
  - Purchases that are receiving E-rate funding or other USF funding (such as EBB for example)
- Certifications will be on both Form 471 and reimbursement form



*Consider how to leverage ECF funding in conjunction with other COVID-relief funding*



# SAM.gov Registration

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- SAM is a web-based, government-wide application that collects, validates, stores, and disseminates business information about the federal government's partners in support of federal awards, grants, and electronic payment processes.
- All ECF applicants must be registered with SAM
  - Public schools are likely already registered
  - Non-public schools & libraries may need to register
- Registration is not required to be completed at the Form 471 application stage but must be done before an ECF reimbursement can be received
- SAM.gov Guide will be sent to listserve on Tuesday, May 18th





# 10 Yr. Recordkeeping - Services

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- Applicants must maintain following records of services purchased with ECF money for 10 years from last date of service:
  - Type of service such as DSL, cable, fiber, fixed wireless, satellite, mobile wireless
  - Service plan details including upload & download speeds and monthly data cap
  - Name of person receiving service
  - For fixed broadband service only also record:
    - Service address
    - Installation date of service
    - Last date of service
- Privacy Concerns – Where records are required to be produced, they may be anonymized or de-identified. If PII is requested by USAC or audits, consent of the affected individuals must be obtained first



# 10 Yr. Recordkeeping - Equipment

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- Applicants must maintain following records of equipment for 10 years from delivery date:
  - Device type (i.e., laptop, tablet, mobile hotspot, modem/router)
  - Equipment make and model
  - Serial number
  - Name of the person to whom the device was provided
  - Loan date and return date of the equipment or date of notification of lost, missing or damaged equipment
  - For equipment used to provide service to multiple individuals (for example, school buses or bookmobiles) inventory **also** must include the name of the school or library employee responsible for that device; and the dates the device was in service



# National Supply Chain Restrictions

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- ECF funding may not be used to obtain or maintain any communications equipment from companies designated by the FCC as posing a national security risk
- The 5 companies whose equipment cannot be purchased with ECF funding are:
  - Huawei Technologies Co.
  - ZTE Corp.
  - Hytera Communications Corp.
  - Hangzhou Hikvision Digital Technology Co.
  - Dahua Technology Co



*If soliciting bids or price quotes include this restriction.  
If purchasing from a state master contract, contact vendor and  
ask for email verification before finalizing price quote.*



# USAC Performance Metric Targets

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- FCDLs will be issued for 50% of 'workable' applications within 60 day of the application window close
- 70% of FCDLs for workable applications are due within 100 days of the close of the window
- USAC must be ready to accept and process reimbursement forms within 15 days of the first FCDL
- # days for processing invoices was not set but Order states that system for reviewing invoices must be easy for applicants and USAC must promptly review invoices



# Questions?

