EMERGENCY CONNECTIVITY FUND (ECF) Final Rules

Adopted May 10, 2021

Eligible Recipients

- Schools and libraries following the current E-Rate eligibility rules (non-profit schools meeting the state's statutory definition of and "elementary school" or "secondary school" and non-profit libraries eligible for assistance from a State library administrative agency under the Library Services and Technology Act.)

Eligible Equipment and Services

- Eligible equipment:
  (1) Wi-Fi hotspots;
  (2) Modems;
  (3) Routers;
  (4) Devices that combine a modem and a router; and
  (5) Connected devices.

- Eligible services:
  - Commercially available fixed or mobile broadband Internet access services, including those available for purchase by schools and libraries through bulk purchasing arrangements
  - There are no minimum standards for network connections. One Wi-Fi hot spot is allowed per user, and, for fixed internet connections, only one service connection is allowed per location.
  - If fixed or mobile broadband Internet access services are not commercially available, reasonable costs of construction of new networks, including self-provisioned networks; and/or the reasonable costs of customer premises equipment to receive datacasting services.

Competitive Bidding Requirements

- A Form 470 will not be required to request bids prior to choosing eligible equipment or services, but applicants must comply with all applicable state and local procurement requirements.

Reasonable Support Amounts

- The Commission shall reimburse 100% of the costs associated with the eligible equipment and/or services, except that any reimbursement for the costs for eligible equipment or service may not exceed a reasonable support amount.

  - Support amounts are limited up to $400 for connected devices and up to $250 for Wi-Fi hotspots
  - Support for broadband Internet access services must be a reasonable cost based on the reasonable comparability benchmarks established for the High Cost Universal Service Support Program

Requesting Funding

- USAC will leverage the existing EPC Portal and E-Rate funding application (i.e., FCC Form 471 and Form 472) and processes as much as possible.

Fund Cap and Requests

- The Emergency Connectivity Fund shall have a cap of $7,171,000,000
- **There will be an initial 45-day filing window covering funding for prospective purchases made between July 1, 2021, and June 30, 2022, for eligible equipment and services.**
- If demand does not exceed available funds during the first filing window, a second application window will open to seek retroactive funding for eligible equipment and services for purchases made from **March 1, 2020, to June 30, 2021.**
- If total demand exceeds available funds, funds will be allocated for support, beginning with the most economically disadvantaged schools and libraries, as determined by the schools and libraries category one discount matrix, adjusted to provide a five percent increase for rural schools and libraries.

Requests for Reimbursement

- Reimbursement will be provided directly to the applicant by filing an FCC Form 472 (BEAR Form)
    - **Note: Applicants who have entered into contractual arrangements or are otherwise legally obligated to purchase eligible equipment and services from their service provider may request reimbursement before they have paid for the requested equipment and services**

    or

- Reimbursement may be provided directly to the Service Provider by filing an FCC Form 474 (SPI Form); however**, service providers are not required to accept that responsibility**
- All applicants that intend to participate and service providers that elect to submit reimbursement requests for ECF must also register with the System for Award Management (SAM).
    - Note: Applicants who are not already registered with SAM may still participate in the ECF Program, apply for funding, and receive program commitments. However, active SAM registration is required for an applicant or service provider to receive a payment from the ECF Program

Duplicate Support

- Applicants may not seek reimbursement from the ECF for eligible equipment or services that have been purchased with or reimbursed in full from other federal pandemic-relief funding, targeted state funding, other external sources of targeted funding or targeted gifts, or eligible for discounts from the schools and libraries universal service support mechanism or other universal service support mechanisms

Other Items

- CIPA requirements only will be in effect for ECF-supported services that use ECF-supported devices.
- The typical gift rule requirements will be in effect except for goods and services directly related to remote learning.
- Applicants will be required to keep documentation similar to the 10-year document retention of the E-Rate program.
- Applicant appeals must be submitted within 30 days, rather than the E-Rate program's customary 60-day deadline.