FCC Adopts Final Rules for the Emergency Connectivity Fund
May 11, 2021

Policy Brief

In response to the at-home connectivity inequities exacerbated by the COVID-19 pandemic, the Federal Communications Commission (FCC) unanimously adopted rules for the distribution of the Emergency Connectivity Fund (ECF) on May 10. In accordance with the rules, the Universal Service Administrative Company (USAC) will administrate the ECF Program separately from the E-rate program, yet similar measures, rules and processes were adopted to streamline and leverage existing infrastructure.

The support provided will first allow eligible schools and libraries to seek funding for "upcoming purchases of eligible equipment, as well as advanced telecommunications and information services"[1] to meet the remote learning needs of those lacking access to connected devices and broadband connections. If additional funding remains available after this initial filing window, schools and libraries can apply for reimbursement of the reasonable costs they have already incurred in purchasing eligible equipment to meet the unmet needs of their students, school staff, and library patrons.

Background

To provide relief from the pandemic, on March 11, 2021, the American Rescue Plan Act was signed into law. The law required that the FCC promulgate rules for the fund no later than 60 days after the date of enactment. The final Report and Order that was adopted this week establishes the rules and policies that will regulate the $7.171 billion Emergency Connectivity Fund. The ECF will provide eligible schools and libraries 100% reimbursements for expenses associated with eligible remote learning and remote library services and equipment (not exceeding amounts listed in the order). The ECF is set to end on the first June 30 occurring one year after the public health emergency has officially ended.

Eligible Entities and Costs

All schools, libraries, and consortia of schools and libraries that are eligible for support under the E-rate Program are eligible to apply. Entities do not need to

be currently participating in E-rate to apply for ECF, however, the same eligibility rules apply.

Eligible equipment includes:
- Wi-Fi hotspots
- Modems (i.e., air cards)
- Routers
- Devices that combine modem and router
- Connected devices (laptop computers and tablet computers)

Support is limited to $400 for connected devices and $250 for Wi-Fi hotspots.

Eligible services include:
These services must be purchased by a school or library for **off-campus** use by students, school staff, or library patrons.
- Cable modem
- Digital subscriber line (DSL)
- Leased lit fiber (i.e., fiber to the home or to the premises)
- Satellite
- Wireless (i.e., fixed wireless, microwave, or mobile broadband)

Application Process, Timeline, and Priority

The initial 45-day application period is expected to open in June and close in August of 2021. During this window, applicants can submit applications for funding for purchases made in the next school year (between July 1, 2021 and June 30, 2022). If there are remaining funds, a second window may be opened to potentially cover costs incurred since the beginning of the pandemic in March 2020.

USAC will prioritize reimbursements based on the most economically disadvantaged schools and libraries, as determined by the E-rate Program's Category 1 discount matrix, adjusted to provide a 5% increase for rural schools and libraries. As elaborated by Funds for Learning, "rural schools and libraries who qualify for a 90% discount rate in the E-rate program will use a 95% discount and will receive top priority over their urban counterparts who also qualify for a 90% E-rate discount."[2] To be clear, reimbursements will be made at 100% of eligible expenses up to the allowable amounts in the order, but the E-rate Category 1 discount matrix will be used to prioritize applicants.

Links to the full texts of the Order and FCC commissioner comments are available below:
- Full text of the ECF Order is [here](#)
- Comments of FCC Acting Chairwoman Jessica [Rosenworcel](#)
- Comments of Commissioner Brendan [Carr](#)
- Comments of Commissioner Nathan [Simington](#)
- Comments of Commissioner Geoffrey [Starks](#)

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1 https://docs.fcc.gov/public/attachments/FCC-21-58A1.pdf
2 https://www.fundsforlearning.com/news/2021/05/remote-learning-support-ecf-launches-in-june/