

117TH CONGRESS
2D SESSION

H. R. 9343

To amend the Communications Act of 1934 to improve access by Indian Tribes to support from universal service programs of the Federal Communications Commission, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 17, 2022

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

A BILL

To amend the Communications Act of 1934 to improve access by Indian Tribes to support from universal service programs of the Federal Communications Commission, 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 “Tribal Connect Act
5 of 2022”.

1 **SEC. 2. TRIBAL ESSENTIAL COMMUNITY-SERVING INSTITU-**
 2 **TIONS AND UNIVERSAL SERVICE SUPPORT.**

3 Section 254 of the Communications Act of 1934 (47
 4 U.S.C. 254) is amended—

5 (1) in subsection (h)(4), by inserting “, except
 6 as provided in subsection (m)(2)(C),” before “is a li-
 7 brary or library consortium”; and

8 (2) by adding at the end the following:

9 “(m) TRIBAL ESSENTIAL COMMUNITY-SERVING IN-
 10 STITUTIONS AND UNIVERSAL SERVICE SUPPORT.—

11 “(1) DEFINITIONS.—In this subsection—

12 “(A) the term ‘broadband internet access
 13 service’ has the meaning given the term in sec-
 14 tion 8.1(b) of title 47, Code of Federal Regula-
 15 tions (or any successor regulation);

16 “(B) the term ‘E-rate program’ means the
 17 universal service support mechanism for schools
 18 and libraries authorized under subsection
 19 (h)(1)(B), the rules of which are set forth
 20 under subpart F of part 54 of title 47, Code of
 21 Federal Regulations (or any successor regula-
 22 tions), as authorized under subsection
 23 (h)(2)(A);

24 “(C) the term ‘E-rate support’ means uni-
 25 versal service discounts on eligible services in
 26 accordance with subpart F of part 54 of title

1 47, Code of Federal Regulations (or any suc-
2 cessor regulations), as authorized under sub-
3 section (h)(2)(A);

4 “(D) the term ‘essential community-serv-
5 ing institution’ means a facility exclusively
6 owned by an Indian Tribe, including—

7 “(i) a Tribal government building,
8 chapter house, longhouse, community cen-
9 ter, senior center, or after-school facility;
10 or

11 “(ii) any other public building similar
12 to a building described in clause (i);

13 “(E) the term ‘High-Cost Program’ means
14 the program under which universal service sup-
15 port is awarded in high-cost areas in accord-
16 ance with subpart D of part 54 of title 47,
17 Code of Federal Regulations (or any successor
18 regulations), as authorized under subsection (e);
19 and

20 “(F) the term ‘Indian Tribe’ has the
21 meaning given the term ‘Indian tribe’ in section
22 20.100 of title 25, Code of Federal Regulations
23 (or any successor regulation).

24 “(2) TRIBAL ESSENTIAL COMMUNITY-SERVING
25 INSTITUTION PILOT PROGRAM.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Tribal Connect Act of 2022, the Commission, in consultation with the Institute of Museum and Library Services and any other agency with relevant responsibilities, shall establish, as part of the universal service support programs carried out under this section, either as part of the High-Cost Program or as a standalone universal service pilot program, a pilot program to be known as the ‘Tribal Essential Community-Serving Institution Program’—

“(i) under which the Commission shall—

“(I) provide an opportunity for Indian Tribes to request broadband internet access service at essential community-serving institutions located on Tribal land; and

“(II) authorize support for the development of infrastructure to provide the services requested under subclause (I) in a manner similar to the deployment supported under the High-Cost Program; and

1 “(ii) which shall remain in effect
2 through the end of fiscal year 2025.

3 “(B) ELIGIBILITY.—Universal service sup-
4 port obtained under this paragraph shall only
5 be available if the applicable essential commu-
6 nity-serving institution intends to deliver pub-
7 licly available broadband internet access service
8 and telecommunications services to students,
9 teachers, librarians, and members of the com-
10 munity.

11 “(C) ELIGIBILITY FOR SUPPORT AFTER
12 THE DEMONSTRATION PROGRAM.—An essential
13 community-serving institution that receives uni-
14 versal service support under this paragraph
15 shall, after the conclusion of the pilot program
16 described in subparagraph (A), be eligible for
17 universal service support through existing (as of
18 the date on which that pilot program concludes)
19 and future universal service fund programs.

20 “(D) USE OF CONTRIBUTIONS.—Of
21 amounts collected under subsection (d), not
22 more than \$300,000,000 shall be made avail-
23 able to carry out the pilot program described in
24 subparagraph (A).

1 “(3) TRAINING AND TECHNICAL ASSISTANCE
2 FOR INDIAN TRIBES AND ESSENTIAL COMMUNITY-
3 SERVING INSTITUTIONS.—

4 “(A) TECHNICAL ASSISTANCE; ANNUAL
5 REPORTS.—

6 “(i) IN GENERAL.—The Commission
7 shall—

8 “(I) direct the administrator of
9 the universal service support pro-
10 grams under this section to—

11 “(aa) provide technical as-
12 sistance to ensure that Indian
13 Tribes can participate fully and
14 effectively in the universal service
15 programs, including the E-rate
16 program, including by con-
17 ducting—

18 “(AA) outreach efforts
19 targeted to Tribal schools
20 and libraries, essential com-
21 munity-serving institutions,
22 and Indian Tribes that do
23 not have schools and librar-
24 ies to promote awareness of
25 the E-rate program and the

1 demonstration programs;
2 and

3 “(BB) specific training
4 programs for Tribal schools
5 and libraries, essential com-
6 munity-serving institutions,
7 and Indian Tribes; and

8 “(bb) submit to the Com-
9 mission an annual report regard-
10 ing the provision of the technical
11 assistance required under item
12 (aa) during the year covered by
13 the report; and

14 “(II) submit each annual report
15 received under subclause (I)(bb) to—

16 “(aa) the Committee on
17 Commerce, Science, and Trans-
18 portation of the Senate;

19 “(bb) the Committee on In-
20 dian Affairs of the Senate;

21 “(cc) the Committee on En-
22 ergy and Commerce of the House
23 of Representatives; and

1 “(dd) the Committee on
2 Natural Resources of the House
3 of Representatives.

4 “(ii) AUTHORIZATION OF APPROPRIA-
5 TIONS.—There are authorized to be appro-
6 priated \$25,000,000 to provide the tech-
7 nical assistance required under clause
8 (i)(I)(aa) for fiscal years 2022 through
9 2025.

10 “(B) REVIEW OF ANNUAL REPORTS.—The
11 Commission shall—

12 “(i) review each annual report re-
13 ceived under subparagraph (A)(i)(I)(bb) to
14 determine whether additional steps are
15 necessary to ensure that Indian Tribes can
16 participate fully and effectively in the uni-
17 versal service programs, including the E-
18 rate program, so that all students who are
19 members of Indian Tribes can have access
20 to robust, high-speed broadband internet
21 access service connections; and

22 “(ii) in conducting a review required
23 under clause (i), consider the resources
24 available to Tribal members through the
25 entity responsible for administering the

1 universal service programs established
2 under this section.

3 “(C) GRANTS.—

4 “(i) IN GENERAL.—The Institute of
5 Museum and Library Services, in coordina-
6 tion with the Commission and the entity
7 responsible for administering the universal
8 service programs established under this
9 section, shall make direct grants to essen-
10 tial community-serving institutions and In-
11 dian Tribes for technical assistance initia-
12 tives regarding the application process for
13 the E-rate program and the pilot program
14 established under paragraph (2).

15 “(ii) AUTHORIZATION OF APPROPRIA-
16 TIONS.—There are authorized to be appro-
17 priated \$25,000,000 to make the grants
18 described in clause (i).

19 “(4) COORDINATION AND PERFORMANCE MEAS-
20 UREMENT.—The Commission shall—

21 “(A) improve the reliability of the data of
22 the Commission relating to institutions that re-
23 ceive universal service support by defining the
24 term ‘Tribal’ on the application for any such
25 support;

1 “(B) develop performance goals and meas-
2 ures to track progress on achieving the stra-
3 tegic objective of the Commission of ensuring
4 that all Indian Tribes have affordable access to
5 broadband internet access service for edu-
6 cational purposes for students, teachers, librar-
7 ians, and members of the community;

8 “(C) in coordination with the Institute of
9 Museum and Library Services, identify, in the
10 United States, all—

11 “(i) Tribal libraries;

12 “(ii) developing Tribal libraries; and

13 “(iii) Indian Tribes without adequate
14 library services; and

15 “(D) not later than 2 years after the date
16 of enactment of the Tribal Connect Act of
17 2022, submit to Congress and make public a
18 report on the goals and measures developed
19 under subparagraph (B) and the list of libraries
20 and Indian Tribes identified under subpara-
21 graph (C).

22 “(n) APPOINTMENT OF TRIBAL MEMBER; EXPAN-
23 SION OF OFFICE.—Not later than 180 days after the date
24 of enactment of the Tribal Connect Act of 2022, the Com-
25 mission shall require the entity responsible for admin-

1 istering the universal service programs established under
2 this section to—

3 “(1) appoint a member of an Indian Tribe, as
4 defined in subsection (m)(1), to the board of direc-
5 tors of that entity; and

6 “(2) create or expand the office of that entity
7 dealing with matters affecting Indian Tribes, as de-
8 fined in subsection (m)(1).”.

○