



Federal Communications Commission
Washington, D.C. 20554

May 14, 2021

Mr. Alexander Hunt
Chief, Information Policy Branch
Office of Information and Regulatory Affairs
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Hunt:

The Federal Communications Commission (Commission) requests Office of Management and Budget (OMB) approval to submit the information collection described herein under the “emergency processing” provision of the Paperwork Reduction Act (PRA) of 1995 (5 CFR § 1320.13). The Commission is requesting clearance for a new information collection entitled: *Establishing the Emergency Connectivity Fund Program to Close the Homework Gap*. We respectfully request OMB approval for this collection by May 20, 2021.

On May 10, 2020, the Commission adopted a Report and Order entitled *Establishing the Emergency Connectivity Fund to Close the Homework Gap*, WC Docket No. 21-93, Report and Order, FCC 21-58 (2021). The Commission established the Emergency Connectivity Fund Program funded through a \$7.171 billion Congressional appropriation under the American Rescue Plan Act of 2021,¹ to provide support to eligible schools and libraries for the purchases of eligible equipment, including laptop and tablet computers, Wi-Fi hotspots, modems, and routers, as well as broadband Internet access services, to meet the remote learning needs of students, school staff, and library patrons who lack sufficient access to connectivity and/or devices to fully engage in remote learning during this unprecedented time. Funding will be available until the funds are expended, but not later than September 30, 2030, pursuant to section 7402 of the American Rescue Plan Act.

The Commission proposes to initiate this collection to obtain information from eligible schools, libraries, and consortia of schools and libraries and from service providers that will be used by the Wireline Competition Bureau (Bureau) and the Universal Service Administrative Company (USAC) to review applications, provide funding commitments for eligible equipment and services through the Emergency Connectivity Fund Program, and issue disbursements for eligible equipment and services used to provide eligible equipment and services to students, school staff, and library patrons who otherwise would lack the necessary resources to fully engage in remote learning during the COVID-19 pandemic. The Commission will begin accepting applications to participate in the Emergency Connectivity Fund Program after publication of the Report and Order and notice of OMB approval of the Emergency Connectivity Fund Program rules that are subject to such approval in the Federal Register. The Commission will direct USAC to open an application filing window to receive

¹ American Rescue Plan Act, 2021, H.R. 1319, Public Law 117-2, 135 Stat. 4 (2021). The American Rescue Plan Act appropriates \$7.171 billion to the Commission to provide support to an eligible school or library “for the purchase during the COVID-19 emergency period support of eligible equipment or advanced telecommunications and information services for the use by in the case of school, student and school staff at locations that include locations other than at the school and in the case of a library, library patrons of the library at locations that include locations other than the library.” *Id.*

the applications for funding. In the event that demand exceeds the available funds, priority will be based on the applicant's E-Rate Program discount rate for category one services, except for rural schools and libraries, which will have a 5% increase added to their discount rate to ensure the limited funds are targeted to the rural schools and libraries. In the event there is insufficient funding to meet the need at a particular discount rate, prioritization will be based on each applicant's percentage of students eligible to participate in the national free and reduced school lunch program. If funds are available after the initial application filing window, the Commission will direct USAC to open sequential application filing windows until funds are exhausted or until the current pandemic has ended. The Commission anticipates that information proposed in this information collection will be collected from applicants and service providers on an annual and on an occasional basis during this short-term emergency COVID-19 program. To reduce the burdens on applicants and service providers participating in the Emergency Connectivity Fund Program, we are leveraging the E-rate Program information collections and forms, including the FCC Form 471, FCC Form 472, FCC Form 474, and FCC Form 500, which have been further streamlined for use in the Emergency Connectivity Fund.²

As a general matter, the Commission believes that public notice requirements are an essential component of its rulemaking process. In this case, however, because of the unprecedented nature of this pandemic and the need for immediate action, the Commission determined there is good cause to make the Emergency Connectivity Fund Program rules effective upon publication in the Federal Register with the exception of those rules containing information collection requirements that have not been approved by the Office of Management and Budget.³ By this letter, the Commission seeks emergency processing of those information collection requirements. In section 7402 of the American Rescue Plan Act, Congress directed the Commission to promulgate rules no later than 60 days after the date of enactment, or by May 10, 2021, to ensure quick and efficient disbursement of funds to eligible schools and libraries. The rules and related requirements adopted in the *Report and Order* related to the Emergency Connectivity Fund Program are intended to quickly respond to the needs of students, school staff, and library patrons who currently lack access to broadband connections and connected devices necessary to engage in remote learning during the COVID-19 pandemic. This program also complements the work of other agencies addressing the lack of connectivity and connected devices necessary for students, school staff, and library patrons to fully engage in remote learning during the pandemic.

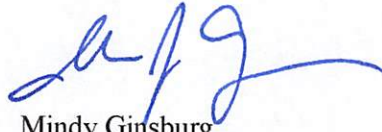
Due to the emergency nature of this request, the Commission is requesting a waiver of all notice and comment periods due to the unprecedented nature of this pandemic and the need for immediate action. The Commission will conduct all the necessary regular submission requirements under the PRA after approval of this emergency request.

The Commission's staff is ready and eager to work with your PRA Desk Officer to immediately provide any additional information needed to assure OMB's approval of this emergency request by May 20, 2021.

² The proposed Emergency Connectivity Program information collection is leveraging the OMB-approved E-Rate Program forms found at OMB Control Nos. 3060-0806 (FCC Form 471), 3060-0853 (FCC Form 500), and 3060-0856 (FCC Forms 472 and 474).

³ 5 U.S.C. § 553(d). See 47 CFR §§ 1.103(a), 1.427(b).

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. Ginsburg', with a long horizontal flourish extending to the right.

Mindy Ginsburg
Deputy Managing Director
Office of Managing Director
Federal Communications Commission