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COVID-19 Response: Broadband Funding for Tribes, Tribal Colleges and Universities, the Bureau of Indian Affairs, the Bureau of Indian Education, and the Indian Health Service

Three recent enacted laws that, in whole or in part, address the effects of the Coronavirus Disease 2019 (COVID-19) pandemic provided both direct and indirect broadband funding for American Indian tribes, tribal colleges and universities, the Bureau of Indian Affairs, the Bureau of Indian Education, and the Indian Health Service (collectively, “tribal entities”). They are:

- the Coronavirus Aid, Relief, and Economic Security (CARES) Act, P.L. 116-136;
- Division N of Title IX of the Consolidated Appropriations Act, 2021 (CAA, 2021), P.L. 116-260; and
- the American Rescue Plan Act (ARPA), P.L. 117-2.

This In Focus lists major broadband programs funded by these three laws as well as potential additional funding in subsequently proposed legislation.

Coronavirus Aid, Relief, and Economic Security Act

The CARES Act provided tribal entities with funding for internet access, distance learning, and telehealth services.

Institute of Museum and Library Services

The CARES Act appropriated \$50 million to the Institute of Museum and Library Services to prevent, prepare for, and respond to COVID-19, including grants to states, territories, and tribes to expand digital network access, purchase internet accessible devices, and provide technical support services.

Distance Learning and Telemedicine Program (Department of Agriculture)

The CARES Act appropriated \$25 million to the Rural Utilities Service (RUS) of the U.S. Department of Agriculture (USDA) for the Distance Learning and Telemedicine Program. Federally recognized Indian tribes are eligible for this program. The application window for CARES Act funds closed in July 2020.

ReConnect Broadband Pilot Program (Department of Agriculture)

The CARES Act appropriated \$100 million for grants to RUS under the ReConnect broadband pilot program. Federally recognized Indian tribes are eligible for this program. The application window for these funds closed in April 2020.

Coronavirus Relief Fund, Tribal Governments Set-Aside (Department of the Treasury)

The CARES Act appropriated \$150 billion to the Coronavirus Relief Fund, with \$8 billion reserved for tribal governments. Funds are to be used to cover only those costs of the state, tribal government, or unit of local government caused by the COVID-19 pandemic and incurred between March 1, 2020, and December 30, 2020 (e.g., costs related to compliance with COVID-19-related public health measures, COVID-19 testing, disinfecting public areas).

COVID-19 Telehealth Program (Federal Communications Commission)

The CARES Act appropriated \$200 million to the COVID-19 Telehealth Program at the Federal Communications Commission (FCC). The program was established to help health care providers offer telehealth services to patients at their homes or mobile locations in response to the COVID-19 pandemic, including health care providers located in a rural area on tribal lands, associated with an Indian tribe, or part of the Indian Health Service. The program supports the purchase of telecommunication equipment, information services, and connected devices. The FCC stopped accepting applications for the initial round of program funding on June 25, 2020; the CAA, 2021, appropriated an additional \$249.95 million for the program.

Consolidated Appropriations Act, 2021

Division N of the CAA, 2021, provided tribal entities with approximately \$3.7 billion funding for two broadband grant programs, as well as an emergency benefit program to reduce individual payments for broadband services. Additional information on these programs is available in CRS Report R46701, *The Consolidated Appropriations Act, 2021 Broadband Provisions: In Brief*.

COVID-19 Telehealth Program (Federal Communications Commission)

As noted above, the CAA, 2021, appropriated an additional \$249.95 million to the FCC’s COVID-19 Telehealth Program established under the CARES Act.

Connecting Minority Communities Pilot Program (National Telecommunications and Information Administration)

The CAA, 2021, appropriated \$285 million to the National Telecommunications and Information Administration (NTIA) for the Connecting Minority Communities Pilot Program. The program is to provide grants to eligible recipients for the purchase of broadband service or any eligible equipment, or to hire and train information

technology personnel. Tribal colleges and universities are among the eligible recipients for this program.

Emergency Broadband Benefit Program (Federal Communications Commission)

The CAA, 2021, appropriated \$3.2 billion to the FCC for the Emergency Broadband Benefit Program, which subsidizes broadband service for eligible households, defined as households that suffered income loss during the pandemic or that meet other specified need-based criteria. The FCC may reimburse broadband providers up to \$50 for service to each eligible household on nontribal lands, and \$75 for service to each eligible household on tribal land to offset the cost of providing standard-rate internet service.

Tribal Broadband Connectivity Program (National Telecommunications and Information Administration)

The CAA, 2021, appropriated \$1 billion to the NTIA for the Tribal Broadband Connectivity Program. Tribal governments, tribal colleges and universities, the Department of Hawaiian Home Lands, tribal organizations, and Native corporations may apply and use the grant funds for:

- broadband infrastructure deployment;
- affordable broadband programs;
- distance learning;
- telehealth;
- digital inclusion efforts; and
- broadband adoption activities.

American Rescue Plan Act of 2021

The ARPA provided tribal entities with funding for homeowners, recovery assistance, capital projects needed to respond to COVID-19, health care, schools and libraries, and home broadband service for students.

Homeowner Assistance Fund (Multiple Agencies)

The ARPA appropriated \$9.961 billion to the Homeowner Assistance Fund, in which internet service charges are eligible for support, among a number of other qualified expenses. The fund has a 5% tribal set-aside (about \$500 million).

Coronavirus State Fiscal Recovery Fund (Department of the Treasury)

The ARPA appropriated \$219.8 billion to the Coronavirus State Fiscal Recovery Fund at the Department of the Treasury, in which funding could be used for a variety of purposes, including broadband infrastructure. Of the amount appropriated, \$20 billion is to be set aside for payments to tribal governments.

Coronavirus Capital Projects Fund (Department of the Treasury)

The ARPA appropriated \$10 billion to the Coronavirus Capital Projects Fund for making payments to states, territories, and tribal governments to carry out critical capital projects directly enabling work, education, and health monitoring, including remote options, in response to the COVID-19 public health emergency. Of the \$10 billion

appropriation, \$100 million is to be paid in equal shares to tribal governments and the State of Hawaii, of which not less than \$50,000 is to be paid to each tribal government.

Rural Health Care Pilot Grant Program (Department of Agriculture)

The ARPA appropriated \$500 million for a pilot grant program for rural health care at USDA. Federally recognized Indian tribes are an eligible entity, along with other public bodies. While this is not a broadband program, eligible grant activities include increasing telehealth capabilities, including health care information systems.

Telehealth Support Program (Department of Health and Human Services)

The ARPA appropriated \$140 million to the Secretary of Health and Human Services for information technology, telehealth infrastructure, and the Indian Health Service electronic health records system.

Emergency Connectivity Fund (Federal Communications Commission)

The ARPA appropriated \$7.171 billion to the Emergency Connectivity Fund at the FCC to reimburse schools and libraries for providing free broadband service (and connected devices) to students at their homes. The term “eligible school or library” means an elementary school, secondary school, or library (including a tribal elementary school, tribal secondary school, or tribal library).

Proposed Legislation

On March 11, 2021, Representative Frank Pallone introduced the Leading Infrastructure for Tomorrow’s America (LIFT) Act (H.R. 1848); on March 22, 2021, the House Committee on Energy and Commerce held a hearing on the bill. Among other provisions, the LIFT Act would provide \$109.3 billion to expand nationwide access to broadband, including for tribal entities. Specifically, the bill would provide—

- \$80 billion to extend broadband access nationwide by funding internet services in unserved and underserved rural, suburban, and urban areas;
- \$15 billion for the deployment and implementation of Next Generation 9-1-1 services that would allow callers to send text messages, images, or videos to 9-1-1 in an emergency;
- \$5 billion in low-interest financing available to finance broadband deployment by eligible entities; and
- \$9.3 billion to make broadband available and affordable.

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