The Emergency Connectivity Fund, E-rate, and CIPA Compliance  
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In May 2021, the Federal Communications Commission (FCC) released its Order establishing regulations on how libraries and schools can apply for the $7.17 billion Emergency Connectivity Fund (ECF). Paragraphs 108-114 in the Order provide details on what actions applicants must take to comply with the Children’s Internet Protection Act (CIPA) when receiving funds from the ECF or the E-rate program. Below are several scenarios, mostly based on the language in the Order, to help libraries better understand when a service must be CIPA compliant. An illustrative flow chart is provided on page 2.

<table>
<thead>
<tr>
<th>Scenarios</th>
<th>Is CIPA Compliance Required?</th>
<th>Comments</th>
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</thead>
<tbody>
<tr>
<td>A library uses ECF to purchase hotspots with internet access and/or receives E-rate funds for internet access or internal connections.</td>
<td>Yes. CIPA applies to library-owned off-site and on-site computers(^1)</td>
<td>For Yes, see ECF Order, paragraph #108.</td>
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<tr>
<td></td>
<td>No. CIPA does not apply to patron owned computers using the library’s off-site or on-site internet.(^2)</td>
<td>For No, see paragraph #113.</td>
</tr>
<tr>
<td>A library uses ECF to only purchase computers and does not receive E-rate for internet access or internal connections.</td>
<td>No. CIPA does not apply to the library’s off-site or on-site computers.</td>
<td>See paragraph #112.</td>
</tr>
<tr>
<td>A library uses ECF to purchase computers and hotspots with internet access and receives E-rate funds.</td>
<td>Yes. The library’s off-site and on-site computers must be compliant.</td>
<td>See paragraph #111.</td>
</tr>
<tr>
<td>A library uses ECF to purchase computers and hotspots with internet access but does not receive E-rate funds.</td>
<td>Yes. The library’s off-site and on-site computers must be compliant.</td>
<td>See paragraph #111.</td>
</tr>
<tr>
<td>A library uses ECF funds to purchase hotspots but internet access (e.g., data card) is purchased with non ECF funds. Note: Many provider hotspot plans come bundled with a data (i.e., internet access) plan.</td>
<td>ALA answer: Yes. CIPA applies if the library also receives E-rate for internet access or internal connections. No. CIPA does not apply if the library receives ECF funds solely for the hotspot and does not receive E-rate for internet access or internal connections.</td>
<td>This scenario is not in the Order and ALA has asked the FCC to review this scenario.</td>
</tr>
</tbody>
</table>

\(^1\) In the ECF Order the FCC uses the term “computer” and thus this term is used in these scenarios. The term includes tablets, laptops, and similar end-user devices. Note, however, that desktop computers are not eligible for ECF support.

\(^2\) There are no conditions in using ECF or E-rate funds that require patron owned computers to be filtered, confirming a long-held ALA position.

American Library Association  
www.ala.org/advocacy/ECF
Laptops for patron checkout: Does CIPA apply?
("CIPA applies" means laptops must be filtered as well as all library computers.)

Library checks out hotspot or laptop

Library uses ECF $ for hotspot data plan
No

Library uses E-rate for internet access
No

Library uses E-rate for C2 expenses
No

CIPA does not apply
(Neither laptop nor library computers must be filtered)

Yes
CIPA applies
(laptop and all library computers must be filtered)

Yes

Yes

NOTE: Flow chart provided with permission of Bill Herman, State Library Division, Wisconsin Department of Public Instruction.