

The Emergency Connectivity Fund, E-rate, and CIPA Compliance (Version 1, 6/8/21)

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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.

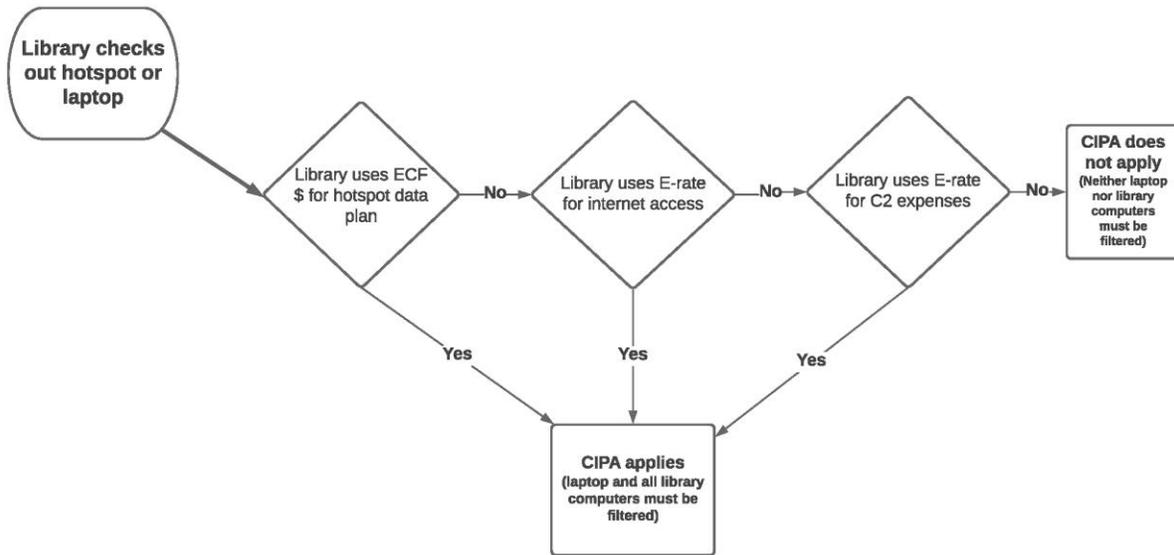
Scenarios	Is CIPA Compliance Required?	Comments
A library uses ECF to purchase hotspots with internet access and/or receives E-rate funds for internet access or internal connections.	Yes. CIPA applies to <i>library-owned</i> off-site and on-site computers ¹ No. CIPA does not apply to <i>patron owned</i> computers using the library’s off-site or on-site internet. ²	For Yes, see ECF Order, paragraph #108. For No, see paragraph #113.
A library uses ECF to only purchase computers and does <i>not</i> receive E-rate for internet access or internal connections.	No. CIPA does not apply to the library’s off-site or on-site computers.	See paragraph #112.
A library uses ECF to purchase computers and hotspots with internet access and receives E-rate funds.	Yes. The library’s off-site and on-site computers must be compliant.	See paragraph #111.
A library uses ECF to purchase computers and hotspots with internet access but does not receive E-rate funds.	Yes. The library’s off-site and on-site computers must be compliant.	See paragraph #111.
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.	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.	This scenario is not in the Order and ALA has asked the FCC to review this scenario.

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.

Laptops for patron checkout: Does CIPA apply?

("CIPA applies" means laptops must be filtered as well as all library computers.)



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