Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Ensuring Children's Safe Use of Screens and E-Rate-Funded Services	)	WC Docket No. 26-133
	)	
Modernizing the E-Rate Program for Schools and Libraries	)	WC Docket No. 13-184
	)	
Establishing the Emergency Connectivity Fund to Close the Homework Gap	)	WC Docket No. 21-93
	)	
Promoting Fair and Open Competitive Bidding in the E-Rate Program	)	WC Docket No. 21-455

COMMENTS OF EDUCATION AND LIBRARIES NETWORKS COALITION

October 13, 2026

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COMMENTS OF EDUCATION AND LIBRARIES NETWORKS COALITION

The Education and Libraries Networks Coalition ("EdLiNC")[1] respectfully provides these comments on the Federal Communications Commission's ("FCC's" or "Commission's") *Notice of Proposed Rulemaking* ("*NPRM*")[2] seeking comment on various proposals related to the E-Rate program, including potentially catastrophic proposals to narrow or even eliminate E-Rate. As explained herein, the Commission lacks the authority to terminate or drastically modify the E-Rate program, nor should it do so as a matter of sound policy. E-Rate has a multi-decade record of success and thousands of schools and libraries rely on E-Rate to connect millions of students and library patrons all across the country each day.

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[1] EdLiNC is a group comprised of the leading public and private education associations and the American Library Association that was formed in 1995 to advocate for the interests of schools and libraries in the Telecommunications Act of 1996. A complete list of EdLiNC members supporting these comments is attached as Appendix A.

[2] *Ensuring Children's Safe Use of Screens and E-Rate-Funded Services*, Notice of Proposed Rulemaking and Further Notice of Proposed Rulemaking, FCC 26-41 (rel. June 26, 2026) ("*NPRM*").

I. INTRODUCTION AND EXECUTIVE SUMMARY

For nearly three decades, the Schools and Libraries universal service program, commonly known as the E-Rate program, has served as the Nation's principal federal mechanism for ensuring that schools and libraries can obtain affordable broadband and related connectivity services. Congress embedded that commitment in section 254 of the Telecommunications Act of 1996, directing the Commission to preserve and advance universal service, including affordable access to advanced telecommunications and information services for public and private K-12 schools and public libraries in all regions of the Nation. That obligation is ongoing: E-Rate is not a one-time infrastructure project that expires once it reaches a threshold level of physical connectivity.

E-Rate is a fiscally responsible funding program in design and practice. The E-Rate program imposes financial discipline by requiring school and library beneficiaries to have a personal stake through its discount matrix, which requires those beneficiaries to contribute a portion of the expenses. Furthermore, in the case of Category Two funding that supports internal connections, including Wi-Fi in schools and libraries, the operation of the Commission's multi-year funding formula constrains spending and further promotes applicant fiscal responsibility. Additionally, E-Rate already has strong program integrity measures designed to prevent waste, fraud and abuse and promote transparency, including Program Integrity Assurance reviews of applications, targeted audits, debarments and suspensions, and the Commission has worked with the U.S. Department of Justice to prosecute criminal fraud. And importantly, the E-Rate

program's history also demonstrates fiscal responsibility in practice, as demand for E-Rate funding has been consistent year-over-year and within the program's inflation-adjusted cap.[3]

In the *NPRM*, the Commission makes several inquiries core to the E-Rate program: should the Commission narrow, reorient, or eliminate the E-Rate program? Should it reconsider the statutory basis for longstanding support mechanisms? Should it restructure the discount matrix that currently directs support to students, schools, libraries, and communities with the greatest need? Should it condition continued support on screen-time limits, parental opt-outs, supervision rules, and reporting obligations? Each of those questions reaches far beyond ordinary program administration—they implicate the statutory foundation of E-Rate, the reliance interests of schools and libraries nationwide, and the boundary between the Commission's communications authority and state and local control over education and library policy.

The Commission should reject these and other proposals that would terminate or categorically narrow E-Rate. The program remains essential to affordable, adequate, and evolving connectivity for schools and libraries, particularly those serving low-income, rural,

[3] *See id.* ¶ 19 n.81 (noting a cap of $5.2 billion for funding year 2026 and expected demand of $3.515 billion); *Wireline Competition Bureau Announces E-Rate and RHC Programs' Inflation-Based Caps for Funding Year 2025*, Public Notice, 40 FCC Rcd 1530, 1530 (WCB 2025) (announcing a funding year 2025 cap of $5.06 billion); Letter from Bernie Manns, Senior Director, Schools and Libraries Division, Universal Service Administrative Company ("USAC"), to Trent Harkrader, Bureau Chief, Wireline Competition Bureau ("WCB"), FCC, CC Docket No. 02-6, at 1 (Mar. 27, 2025) (estimating funding year 2025 demand at $3.225 billion); Letter from Craig Davis, Vice President, Schools and Libraries Division, USAC, to Trent Harkrader, Bureau Chief, WCB, FCC, CC Docket No. 02-6, at 1 (Mar. 28, 2024) (estimating funding year 2024 demand at $3.239 billion); Letter from Craig Davis, Vice President, Schools and Libraries Division, USAC, to Trent Harkrader, Bureau Chief, WCB, FCC, CC Docket No. 02-6, at 1 (Mar. 29, 2023) (estimating funding year 2023 demand at $2.944 billion); Letter from Craig Davis, Vice President, Schools and Libraries Division, USAC, to Trent Harkrader, Bureau Chief, Wireline Competition Bureau, FCC, CC Docket No. 02-6, at 1 (Mar. 23, 2022) (estimating funding year 2022 demand at $3.15 billion); Letter from Craig Davis, Vice President, Schools and Libraries Division, USAC, to Kris Monteith, Bureau Chief, WCB, FCC, CC Docket No. 02-6, at 1 (Mar. 26, 2021) (estimating funding year 2021 demand at $3.03 billion).

remote, and otherwise under-resourced communities. E-Rate's ongoing success is not evidence that its statutory mission is complete; rather, it demonstrates why Congress's durable framework continues to matter as bandwidth needs, cybersecurity needs, digital testing, emergency communications, library access, and AI-enabled educational tools all place increasing demands on school and library networks.

Aside from these critical policy concerns, the *NPRM*'s most consequential proposals are also unsupported by the text, structure, and purpose of section 254 and fail to recognize settled reliance interests. The Commission should instead reaffirm the E-Rate program's statutory foundation and core programmatic functions and decline to convert E-Rate into a vehicle for federal regulation of screen time, pedagogy, or local instructional choices.

II. E-RATE REMAINS CRITICAL TO CONNECTING AMERICA'S SCHOOLS AND LIBRARIES TO THE INTERNET

A. Tens of Millions of Students and Library Patrons Rely on E-Rate for Connectivity

E-Rate is essential to connectivity for schools and libraries across the country. Since its inception, E-Rate has provided tens of billions of dollars, including approximately $2.5 to $3 billion annually in recent years, to maintain connectivity for more than 100,000 schools and 11,000 nationwide.[4] E-Rate is the fifth largest stream of federal funding in the nation's public schools and the largest federal funding source for technology for libraries.[5] Today, approximately 47 million students and library patrons, or about 1 in 7 Americans, rely on E-Rate

[4] *E-Rate & Technology*, AASA: THE SCHOOL SUPERINTENDENTS ASSOCIATION, https://www.aasa.org/advocacy/key-issues/e-rate-technology (last visited Oct. 9, 2026).

[5] *Id.*; *see also* Marijke Visser & Amelia Bryne, *Getting Libraries Online: 30 Years of E-Rate Advocacy*, LIBRARY JOURNAL (Feb. 26, 2026), https://www.libraryjournal.com/story/getting-libraries-online-30-years-of-e-rate-advocacy ("This vital program [E-Rate] is the largest technology funding source for libraries").

funded connectivity.[6] According to Funds For Learning's December 2025 *E-rate Trends Report* and related reporting, "97.6% of respondents say the funding is vital to their mission," and "96.2% affirm the program remains affordable and cost-effective," leading to the conclusion that "E-rate remains the backbone of school and library connectivity."[7]

Recent press reports highlight just how critical E-Rate is for keeping schools and libraries online. For example, according to the Anchorage Daily News, in Alaska, the E-Rate program's funding for broadband internet service is "critical to keeping [Alaska's] institutions connected."[8] Meanwhile, the Christian Science Monitor highlights that for the Cuyahoga County Public Library outside of Cleveland, "a reduction of subsidies could jeopardize digital access that allows residents to apply for jobs, join telehealth medical appointments, and video chat with relatives overseas."[9] The stories in these reports are not singular; the record in this proceeding already demonstrates the critical importance of E-Rate to schools and libraries nationwide.[10]

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[6] Patricia Moloney Figliola, IF13289, *The Universal Service Fund's E-Rate Program: Overview and Current Regulatory Activity*, CONGRESSIONAL RESEARCH SERVICE (Aug. 17, 2026), https://www.congress.gov/crs_external_products/IF/PDF/IF13289/IF13289.2.pdf.

[7] *E-rate Trends Report*, FUNDS FOR LEARNING, https://www.fundsforlearning.com/eratemanager/trendsreport/ (last visited Oct. 9, 2026); *E-rate Trends Report 2025*, EDTECH DIGEST (Dec. 8, 2025), https://www.edtechdigest.com/2025/12/08/e-rate-trends-report-2025/.

[8] Mari Kanagy, *The FCC Spends Hundreds of Millions Subsidizing Internet for Alaska Schools and Libraries. Now It Might Cut the Program*, ANCHORAGE DAILY NEWS (Aug. 1, 2026), https://www.adn.com/alaska-news/rural-alaska/2026/08/01/the-fcc-spends-hundreds-of-millions-subsidizing-internet-for-alaska-schools-and-libraries-now-it-might-cut-the-program/.

[9] Aaron Glantz, *FCC Considers Cuts to Funds for Internet Access at Schools and Libraries*, THE CHRISTIAN SCIENCE MONITOR (Aug. 20, 2026), https://www.csmonitor.com/USA/Politics/2026/0820/fcc-e-rate-libraries-schools.

[10] *See infra* Sections II & V.

B. E-Rate's Role Is Ongoing, Not Static

E-Rate's success is due in large part to its ongoing nature: E-Rate is not only about *getting* schools and libraries connected in the first instance; it is about *keeping* them connected. This fact is borne out by filers' real-world experiences. The Director of Information Technology at Harrison School District 2 in Colorado explains that "[w]hile physical hardware upgrades are periodic, broadband services represent an ongoing, significant annual operational expense that ensures basic connectivity across every classroom, administrative office, and digital assessment system in our district."[11] Our Lady of Guadalupe School in Houston, Texas, has documented how "E-Rate is critical … to maintain affordable, reliable access to the Internet" and allows students to "complete assignments, develop new skills, explore opportunities beyond the classroom, and connect with information that helps them achieve their goals."[12] For this private religious school, "[c]ontinued support of the program is essential if we want to build on these advancements and meet the evolving educational needs of those we serve."[13] The Director of Technology for Burkburnett Independent School District in Texas similarly emphasizes the need for ongoing support, explaining: "We are a district where about 90 percent of textbooks are digital, and our special education apps—including tools for students with autism and visual impairments—require continuous internet access."[14] And Haynie Public Library in Lincoln County, Oklahoma, highlights that "E-Rate is not a one-time project for the Library," but "is part of the ongoing cost of maintaining reliable Internet access and an internal network for the

[11] Harrison School District 2 Comments at 2. Unless otherwise indicated, filings referenced herein were filed in WC Docket No. 26-133 (often as well as WC Docket Nos. 13-184, 21-93, and 21-455) on or before October 13, 2026.

[12] Our Lady of Guadalupe School Comments.

[13] *Id.*

[14] Burkburnett ISD Comments at 1.

community."[15] The Association of Alaska School Boards writes that "digital connectivity is a recurring and evolving responsibility, not a one-time project."[16]

The experiences of these and other filers demonstrate that the E-Rate program's success lies in how it connects schools and libraries for the long term—not as a one-time undertaking. They illustrate that E-Rate's role in connecting schools and libraries is the key reason to maintain the program, not a justification to eliminate it. Even if termination of the E-Rate program were lawful—and, as explained below, it is not—such action would undercut efforts to connect students and library patrons across the country and undo three decades of work bringing thousands of facilities and millions of Americans into the digital age.

III. THE STATUTE DOES NOT PERMIT TERMINATION OF THE E-RATE PROGRAM

Contrary to the *NPRM*'s lines of inquiry, the Commission cannot simply wind down the E-Rate program. As explained below, the Commission lacks authority to terminate or substantially curtail the E-Rate program: section 254 imposes a continuing statutory obligation with no sunset provision, the *NPRM*'s premise that expanded broadband access satisfies the statute conflates mere access with the affordability Congress actually required, and three decades of reliance by schools and libraries counsel against any such disruption.

A. Section 254 Establishes a Continuing Obligation, Not a Finite Infrastructure Project with a Completion Date

The *NPRM* asks about the Commission's authority to effectively declare "mission accomplished" and to limit or end the E-Rate program in light of the expansion of broadband

[15] Haynie Public Library Comments at 2.

[16] Association of Alaska School Boards Comments at 1.

access over the last three decades.[17] Crucially, however, sections 254(h)(1)(B) and (h)(2)(A) speak in the present and future tense, describing an ongoing regulatory relationship between the Commission and the institutions (*i.e.*, schools and libraries) Congress identified as deserving of continued support.[18] The textual reading is reinforced by E-Rate's placement within section 254. For example, the universal service principles contained in section 254(b) describe an enduring policy commitment, not a one-time infrastructure buildout.[19] Section 254 thus establishes a continuing obligation, not a finite project the Commission can declare complete of its own accord.

B. The Commission Does Not Have the Authority to Terminate the Program

Section 254 is a congressional mandate, and nothing in the statute's text empowers the Commission to terminate the program outright, whether after a fixed period or upon the Commission's determination that certain benchmarks have been met. The *NPRM* declines to accept this premise, despite the fact that section 254(h) contains no hint of a sunset provision and the Commission cites no legal authority for such a termination.[20] This silence is unsurprising: it is "settled, bedrock" law that agencies "must follow statutory *mandates*" so long as there is money available and there is "no constitutional objection to the statute."[21] Indeed, "Congress sets the policy, not the [agency]."[22] Thirty years ago, Congress stated that providers "shall"

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[17] *NPRM* ¶ 12.

[18] *See, e.g.*, 47 U.S.C. § 254(h)(1)(B) (discussing the actions of providers and the Commission in the present tense); *id.* § 254(h)(2)(A) (directing the Commission to establish competitively neutral rules to enhance access for "all public and nonprofit elementary and secondary school classrooms, health care providers, and libraries").

[19] *See id.* § 254(b).

[20] *See id.* § 254; *NPRM* ¶ 13.

[21] *In re Aiken Cnty.*, 725 F.3d 255, 259 (D.C. Cir. 2013).

[22] *Id.* at 260.

provide discounts, that those discounts "shall" be an amount that the Commission determines is appropriate and necessary to ensure affordable access, and that the Commission "shall establish" competitively neutral rules to facilitate connectivity access for schools and libraries.[23] Nowhere does section 254 state that the Commission and other parties shall do these things only *until* a certain date or goal is reached. The thrust is clear: Congress gave the Commission authority under section 254(h) to implement the statutory scheme, not to dismantle it.

Moreover, where Congress knows how to draft a sunset provision and elects not to do so in the provision at issue, that choice is entitled to interpretive weight.[24] There is no sunset, expiration, or benchmark-triggered termination provision in section 254(h). The absence of any such provision counsels against inferring an implicit termination point from silence.

The *NPRM* separately asks whether the FCC's authority to revise its prior interpretations "extends to narrowing the scope of support … independent of whether the statute authorizes outright termination."[25] But at most, such authority is not unlimited: it must be exercised through reasoned, evidence-based rulemaking targeted at demonstrated changes in circumstance, not through a categorical sunset or substantial narrowing of the program. The *NPRM* sidesteps this nuance by interpreting the Commission's limited authority to adjust the program to include authority to end or kneecap the program. However, Congress's grant of general rulemaking authority to implement a statutory mandate is not, without more, a grant to nullify that mandate. Terminating an ongoing, congressionally created program would be an unprecedented and

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[23] *See* 47 U.S.C. § 254(h)(1)(B), (h)(2).

[24] *See, e.g.*, *AT&T Corp. v. FCC*, 369 F.3d 554, 560 (D.C. Cir. 2004) ("Congress made the decision to extinguish the protections of § 272 *by operation of law*. Congress did not 'delegate' this decision to the Commission.").

[25] *NPRM* ¶ 13.

dramatic step for the Commission that falls outside the bounds of its legal duties. For example, the Supreme Court has held that even where Congress has given an agency authority to "modify" a congressionally-created program—and here, it has not—such permission "does not authorize 'basic and fundamental changes in the scheme' designed by Congress."[26]

C. The *NPRM* Improperly Conflates Access With Affordability

Section 254(h)'s statutory objective was never physical access alone. It was *affordable* access, sustained over time to meet evolving technology and instructional demands. Treating achievement of the former as satisfaction of the latter would effectively write the word "affordable" out of the statute as well as remove it from the statute's definition of universal service as "an evolving level of telecommunications services."[27] What is more, the *NPRM*'s inference that high-speed connectivity penetration implies the program's mission has been achieved is legally untenable because it rests on the faulty premise that access is the sole statutory goal.[28]

Legislative history makes clear that ongoing affordability, not just access, was an important consideration in adopting section 254. The Joint Explanatory Statement accompanying the Telecommunications Act of 1996 stated that "[n]ew subsection (h) of section 254 is intended to ensure that … elementary and secondary school classrooms, and libraries have *affordable* access to modern telecommunications services that will enable them to provide …

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[26] *See Biden v. Nebraska*, 600 U.S. 477, 494 (2023) (quoting *MCI Telecomms. Corp. v. Am. Telephone & Telegraph Co.*, 512 U.S. 218, 225 (1994)).

[27] 47 U.S.C. § 254(b)(1), (c)(1).

[28] *See Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43 (1983) ("[T]he agency must examine the relevant data and articulate a satisfactory explanation for its action, including a rational connection between the facts found and the choice made.") (internal quotations and citations omitted).

educational services to all parts of the Nation."[29] Two sponsors of the Snowe-Rockefeller-Exon-Kerrey Amendment to the Telecommunications Act of 1996 that spawned the E-Rate program, Senators Olympia Snowe (R-ME) and Jay Rockefeller (D-WV), each emphasized the critical importance of affordability in their statements defending the amendment. Senator Rockefeller noted that the amendment "provides the way to ensure that elementary and secondary schools and libraries have access to essential universal telecommunications services … at rates that are affordable."[30] And in explaining why so few schools were connected to the Internet—which he described as "the whole future"—Senator Rockefeller posited:

> One reason has to be the lack of funds to even buy the equipment. But another reason, which becomes more serious as schools do scrape together the money for the one-time expense of buying equipment, is their inability to pay excessive rates to hook into those services. It is one thing to have the computer on the table or the desk. It is another to have that hooked up to the wall and then through that wall to the other wall. That is expensive. … [Similarly,] there are libraries that do not have the money and will not have the money to pay commercial rates to be on-line. And therefore you just count them out of it.[31]

Senator Snowe likewise emphasized that "When classrooms do have phone lines, schools are typically charged at the corporate rate for service," and that "[s]chools and libraries in rural areas often pay more for access to information services because the information service providers are not located in the local calling regions."[32] The sponsors' statements further demonstrate that

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[29] Joint Explanatory Statement, Sen. Conf. Rep. No. 104-230, at 132 (1996) ("Joint Explanatory Statement") (emphasis added).

[30] 141 Cong. Rec. S7981 (statement of Senator Jay Rockefeller).

[31] *Id.*

[32] *Id.* at S7978 (statement of Senator Olympia Snowe).

ongoing service affordability, not just up-front costs, were a driving consideration in establishing the E-Rate program.

Congress' emphasis on affordability is a key driver of the E-Rate Program's ongoing importance, particularly as many students and patrons cannot afford home connections even where infrastructure exists and therefore rely on their schools and libraries for Internet access. Through connections supported by E-Rate, students and library patrons can learn foundational digital skills and the confidence to engage online. For example, the Waynesboro, Virginia Public Library has described how "[w]e live in a community where many patrons still do not have computers or reliable internet at home" and how "[m]any use our public computers and internet to apply for jobs, social services and benefits, as well as do homework."[33] E-Rate needs continue to evolve as bandwidth demands grow and technology evolves. For example, as Three Rivers Independent School District in Texas highlights:

> "Completing an upgrade does not eliminate the need for E-Rate. Network switches, firewalls, wireless equipment, fiber components, and software licenses have limited useful lives and must eventually be repaired, upgraded, or replaced. … At the same time, the district's bandwidth, capacity, and security requirements continue to grow."[34]

The Commission should respect these policy choices made by Congress and ensure that E-Rate continues to promote "affordable" service for these and other beneficiaries.

D. The "Evolving Level of Service Standard" Supports Adjustment, Not Elimination

The *NPRM* asks whether section 254(c)(1)'s direction to define universal service "periodically" as "an evolving level of telecommunications services," taking into account

[33] Waynesboro Public Library Comments.

[34] Three Rivers ISD Comments at 2-3.

"advances in telecommunications and information technologies and services," is "properly read to operate in only one direction," and whether it might also support "narrowing" services eligible for support "as connectivity increases and educational needs change."[35]

The "evolving" standard must, by definition, evolve in response to the actual state of technology and need; it does not permit the Commission to declare a static endpoint and then work backward from broadband deployment figures untethered to affordability or adequacy. As a practical matter, treating the evolving standard as a static goal would risk stranding investment and, at the same time, would overlook the statutory affordability component of the E-Rate program.[36]

The "evolving level" standard has functioned as a mechanism responsive to changing instructional technology. Over the E-Rate program's three-decade history, it has evolved to support updated categories of equipment and services reflective of broadband technology. But evolution should not be confused with devolution. Even as the Commission began phasing out support for voice service over a decade ago, it did so based on a showing that needs had evolved—agreeing with commenters that "voice services, while important for schools and libraries, are not as essential as high-speed broadband is for meeting the educational needs of students and library patrons."[37] In other words, the "evolution" at issue was meant to ensure the program properly kept pace with modern educational needs in today's information economy.[38]

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[35] *NPRM* ¶ 17.

[36] *See supra* Section III.C.

[37] *Modernizing the E-Rate Program for Schools and Libraries*, Report and Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 8870, 8922 ¶ 135 (2014) ("*2014 First E-Rate Modernization Order*").

[38] As one example, schools and libraries are using E-Rate support to advance the Administration's goals of AI readiness. *See infra* Section V.B. Incorporation of AI tools into

Even if the "evolving level" standard is read as bidirectional in principle, any application of that standard to narrow the program would require a reasoned, record-based analysis that this proceeding lacks. If anything, recent data suggest that schools continue to fall short of the FCC's own short-term connectivity benchmark, reflecting even greater need for E-Rate support. Most notably, in the Commission's recent *2026 Section 706 Report*, the agency found that, in 2025, 48% of students did not have access to connectivity of at least 1 Mbps per student, and in only 32 states did at least 50% of students have access to connectivity meeting the Commission's short-term benchmark.[39]

E. Reliance Interests Counsel Against Termination or Radical Change to the E-Rate Program

School districts and library systems engage in multi-year capital and technology planning on the reasonable assumption that E-Rate discounts will continue to be available on materially similar terms, as they have been for 28 years. A sunset or termination, even if phased, would strand these commitments and force many applicants to reckon with significant budgetary shortfalls and planning uncertainty.

Since its inception, the E-Rate program has been a driver of support for critical connectivity, including internet services, helping to drive the connectivity rates for schools and libraries from 20% or less in 1998 to nearly 100% today.[40] The Commission owes special attention when its actions unsettle a longstanding regulatory structure on which beneficiaries

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schools and libraries to enhance their students' and patrons' AI literacy and workforce preparedness may indeed increase schools' and libraries' E-Rate needs in the coming years.

[39] *Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion*, 2026 Section 706 Report, FCC 26-55, ¶ 49 (rel. Aug. 14, 2026) ("*2026 Section 706 Report*").

[40] *See* EdLiNC Comments, WC Docket No. 06-122, at 2 (July 23, 2019).

have reasonably relied.[41] Yet the *NPRM* does not address the impact of stripping away or radically altering a program that has supported schools and libraries for decades.[42]

IV. THE COMMISSION SHOULD NOT FUNDAMENTALLY RESTRUCTURE THE E-RATE PROGRAM

Aside from outright termination, the *NPRM* seeks comment on a range of foundational disruptions to the E-Rate program. Respectfully, the Commission should reject such proposals, which could undermine E-Rate's success and run contrary to statutory objectives.

A. E-Rate Support Should Not Be Limited to Rural Areas or Those Areas Served by Only a Single Provider

The *NPRM* asks if support should be "limited to rural areas or to areas served by a single provider."[43] However, nothing in section 254(h)'s text conditions eligibility based on locale (*e.g.*, urban, suburban, rural) or provider count. Those factors have historically informed the discount level within an otherwise nationally uniform eligibility framework, not determined eligibility itself.

Significantly, section 254's legislative history makes clear that Congress never intended such a result. The Joint Explanatory Statement accompanying the Telecommunications Act of 1996 explained that "[n]ew subsection [254(h)] is intended to ensure that … elementary and secondary school classrooms, and libraries have affordable access to modern telecommunications

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[41] *See Dep't of Homeland Sec. v. Regents of the Univ. of Cal.*, 591 U.S. 1, 30 (2020) ("When an agency changes course, … it must be cognizant that longstanding policies may have engendered serious reliance interests that must be taken into account. It would be arbitrary and capricious to ignore such matters.") (internal quotations and citations omitted); *FCC v. Fox Television Stations, Inc.*, 556 U.S. 502, 515 (2009).

[42] *See also Consumers Rsch. v. FCC*, 606 U.S. 656, 698 (2025) ("For nearly three decades, the work of Congress and the Commission in establishing universal-service programs has led to a more fully connected country.").

[43] *NPRM* ¶ 26.

services that will enable them to provide … educational services to *all parts of the Nation*."[44] The Joint Explanatory Statement further stated that "[t]he provisions of subsection (h) will help open new worlds of knowledge, learning and education *to all Americans – rich and poor, rural and urban*."[45] Put simply, the E-Rate program under section 254 was intended to operate as it functions today: providing support to both rural and urban areas.

Comparison to other federal education support programs demonstrates that Congress has means to express its intent to limit such support to rural institutions when it intends to do so. For example, the E-Rate program stands in contrast to the Small, Rural School Achievement Program and Rural and Low-Income School Program, both of which are statutorily limited to school locales classified as "rural" or distant or remote "towns."[46] Converting a discount-level factor into a categorical eligibility gate would strand urban schools, including high-poverty schools and libraries (an explicit concern of the Joint Explanatory Statement) with no statutory basis for that result.

The *NPRM* asks if section 254(c)(3)'s comparability principle "requires [] the E-Rate discount mechanism operate identically in areas with robust broadband competition as in areas with little or none, or whether a more targeted approach would better serve the statute's stated purpose."[47] The Commission should recognize that its nationwide discount mechanism, which includes a higher discount for rural schools and libraries, is precisely how the Commission has helped to achieve the comparability floor Congress required. By contrast, a market-by-market

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[44] Joint Explanatory Statement at 132 (emphasis added).

[45] *Id*. (emphasis added).

[46] *See, e.g.*, 20 U.S.C. § 7345 (setting forth eligibility criteria for the Small, Rural School Achievement Program); 20 U.S.C. § 7351 (setting forth eligibility criteria for the Rural and Low-Income School Program).

[47] *NPRM* ¶ 27.

"targeted approach" keyed to the shifting and dynamic nature of competition risks exacerbating the regional and urban/rural disparities in access and affordability while imposing new and unnecessary administrative costs and challenges.

Moreover, provider count, standing alone, is not an acceptable proxy for withdrawing E-Rate support. A rule that withdraws or reduces support based on nominal provider counts, without regard to whether competitively priced service is available, would risk removing or undermining support for E-Rate applicants who, notwithstanding the presence of competition, continue to face affordability barriers to securing service.

B. The Commission Should Not Condition E-Rate on Educational Outcomes

The *NPRM* seeks comment on "the extent to which the E-Rate program has influenced educational practices and outcomes" and asks if Congress intended for the agency's decisions to be based on educational outcomes.[48] But section 254 contains no textual instruction directing the Commission to condition or evaluate universal service support based on academic-outcome metrics. As the *NPRM* acknowledges, Congress did not establish principles or specific goals for educational outcomes, which further underscores that any effort to do so would be untethered to congressional authority.[49]

Instead, Congress's objective reflected throughout section 254(b) and (h) was affordable access to advanced telecommunications and information services as well as to "assure that no one is barred from benefiting from the power of the Information Age."[50] In other words, congressional intent was unrelated to the efficacy of any particular resulting instructional

[48] *Id.* ¶ 28.

[49] *Id.*

[50] Joint Explanatory Statement at 133.

method. Crucially, section 254 does not provide any role for, let alone mention, the Department of Education in connection with the schools and libraries program. In fact, the legislation was exclusively under the jurisdiction of the relevant Commerce Committees (with oversight responsibilities for the FCC). In sum, by design, E-Rate is a connectivity program, not an educational program.

Conditioning funding eligibility or discount levels on educational outcomes data would require the Commission to evaluate matters outside its jurisdiction and expertise—specifically, curriculum and instructional methods—that are properly the province of state and local educational authorities or the schools themselves (as with certain private schools), not the nation's communications regulator.[51] Significantly, it would also raise Tenth Amendment constitutional concerns, as education is reserved for the control of state and local authorities.[52] And functionally, any Commission standard for determining educational outcomes could pose problems for private schools. That is because depending on the state, private schools may not be subject to the same requirements—such as state testing—as public schools, which could limit their access to E-Rate in contravention of congressional intent to serve all schools.

Ultimately, the premise embedded in the *NPRM*'s questions—that a correlation between funding levels and achievement outcomes would be probative of E-Rate's effect—is methodologically fraught. High discount tier districts are, by definition, disproportionately high-poverty districts that also face a wide range of other challenges contributing to academic

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[51] *See infra* n.1254.

[52] *See Epperson v. State of Ark.*, 393 U.S. 97, 104 (1968) ("By and large, public education in our Nation is committed to the control of state and local authorities."); *Debra P. v. Turlington*, 644 F.2d 397, 402-03 (5th Cir. 1981) ("The state's plenary powers over education come from the powers reserved to the states through the Tenth Amendment … . As long as it does so in a manner consistent with the mandates of the United States Constitution, a state may determine the length, manner, and content of any education it provides.").

performance issues. Any observed correlation between E-Rate discount levels and achievement measures is confounded by such factors and could not support a causal inference about E-Rate's effect. Using any such unverified data to justify funding reductions would risk penalizing E-Rate beneficiaries, including high-poverty districts that the program is designed to serve.

C. The Educational Purpose Presumption for On-Premises Activities Should Be Maintained

The *NPRM* asks if the existing presumption that on-premises activities serve an "educational purpose" should be reversed or altered.[53] It should not.

The existing presumption that activities occurring on school or library property serve an educational purpose reflects the practical reality that schools and libraries are environments whose core mission is instructional or informational. Everything that happens in a school or library is geared towards the education of students or for the benefit of library patrons. In the case of schools, that could be curricular (including assessments, distance education, online homework and research), administrative (attendance, school lunch), or related to safety and operations. For instance, Bellville, Indiana Independent School District describes in the record how "when [] connectivity is unavailable or unreliable, it can disrupt the basic operations of our school and compromise our ability to safely and effectively serve students," in part because "[r]eliable connectivity enables critical functions such as transportation and bus tracking, maintenance work orders, food services point-of-sale systems, security camera surveillance, and building HVAC controls," while reliable internet connectivity supports "state assessments, digital curriculum, instructional resources, and other technology-based learning tools."[54] The

[53] *NPRM* ¶ 23.

[54] Bellville Independent School District Comments at 1; *see also* Whiteside School District 115 (IL) Comments at 1 ("Reliable connectivity impacts communications, student information systems, instructional resources, assessments, safety systems, staff operations, and numerous

presumption reduces administrative burden for applicants and the program administrator, the Universal Service Administrative Company, alike by avoiding case-by-case adjudication of every on-premises use of E-Rate funded connectivity.

Furthermore, while the *NPRM* seeks comment on whether the presumption "should be reversed or otherwise altered," it identifies no specific evidence of systemic non-educational use that the presumption has enabled.[55] Ultimately, reversing the presumption would impose substantial new burdens on E-Rate beneficiaries without any corresponding benefit or reasoned basis for such change.

D. The Educational Purpose Certification Is Adequate

The *NPRM* asks how the Commission can "ensure that E-Rate funded networks and services are being used for 'educational purposes,'" noting concerns about screen time and the use of screens "to calm or reward students."[56] It also asks about "the costs of implementing existing measures to limit screen time" and how the Commission should "quantify the benefits of limiting screen time."[57]

The Commission should retain its existing "primarily for educational purposes" certification by which applicants certify that E-Rate funded connectivity they seek will be used primarily for educational purposes, consistent with the "integral, immediate and proximate" standard. Extending that certification into an inquiry over the propriety of individual classroom uses of screens would require the Commission to insert itself into questions of instructional

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other functions necessary to operate our schools."); Prosper Independent School District (TX) Comments at 1 ("[S]omeone has to be checking our door access control and security cameras, all network-based these days, because for sure we do not want any intruders in our schools.").

[55] *NPRM* ¶ 23.

[56] *Id.* ¶ 29.

[57] *Id.*

method that fall outside its statutory mandate and expertise. Such an inquiry (*e.g.*, adjudicating whether a particular use of a tablet in a classroom constitutes legitimate educational use or an inappropriate reward) would require the Commission to draw distinctions regarding differential uses between schools and libraries that would be impossible to administer. Indeed, the "calm or reward" example offered in the *NPRM* illustrates the difficulty of such an inquiry: a brief, structured use of an educational application as part of a classroom behavior management or transition strategy may well satisfy the "integral, immediate, and proximate" standard and is a judgment call that classroom teachers and school administrators, not a communications regulator, are best positioned to make.[58]

E. Head Start and Pre-Kindergarten Students Should Remain Eligible for E-Rate Support

The *NPRM* seeks comment on "whether Head Start and pre-kindergarten students should continue to receive E-Rate program support" or whether schools should be required to cost-allocate and remove these students from funding requests.[59] The Commission should be wary of pursuing any such carve-out. In addition to pedagogical purposes,[60] early-childhood connectivity also supports administrative and school-family engagement functions that are independent of and would persist regardless of any change in how student screen use is

[58] *See* Letter from Kirsten Baesler, Assistant Secretary, Office of Elementary and Secondary Education, U.S. Department of Education, to Dear Colleague, at 2 (Aug. 20, 2026), https://www.ed.gov/media/document/guidance-education-technology-and-screentime-schools-114386.pdf ("DoEd Dear Colleague Letter") ("[T]hese decisions are best made by states and local communities, with input from parents and teachers.").

[59] *NPRM* ¶ 33.

[60] *See* Fernando Mancinas (IT Professional, San Bernardino County Preschool Services Department (CA)) Comments ("This connectivity gives children, including those with disabilities, in foster care, or experiencing homelessness, the tools to be ready for kindergarten.").

regulated.[61] Moreover, a cost allocation requirement would necessitate granular network usage accounting and could pose undue burdens on beneficiaries. Finally, as discussed below, some states and localities have already taken steps to limit screen time use, including for pre-K students.[62]

V. TERMINATION OR DISRUPTION OF E-RATE WOULD HAVE IMMEDIATE AND DEVASTATING CONSEQUENCES AND UNDERMINE OTHER GOVERNMENTAL PRIORITIES

A. E-Rate Disruption Would Be Devastating

The *NPRM* asks about "the extent to which schools and libraries use E-Rate funds on a recurring basis" and the impact of termination on schools' and libraries' "ability to afford these services."[63] The answer is simple: such a disruption would significantly undermine, or even risk eviscerating, the progress E-Rate has made in connecting schools and libraries nationwide.

The Commission must recognize that E-Rate supported costs are in the overwhelming majority of cases recurring operating expenses—*i.e.*, monthly connectivity and Wi-Fi service charges—not one-time capital expenditures that, once incurred, leave a district or library system's finances unaffected by future funding changes. Termination or significant limitation of the program would create an immediate operating budget shortfall requiring districts and libraries to divert funds from other essential services, personnel, programs, or reduce the scope or quality of connectivity provided. The record demonstrates the sweeping and devastating

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[61] *See* Maine Department of Education Comments at 5 ("Early learning classrooms use school networks for instructional resources, family communication, assessment systems, accessible materials, professional learning, student services, and required reporting. … Requiring schools to remove prekindergarten students from enrollment calculations or allocate a portion of building-wide network costs to those students would be artificial and administratively burdensome.").

[62] *See infra* Section VIII.B.

[63] *NPRM* ¶ 18.

impact this would have on beneficiaries across the country.[64] A sample of these comments highlight the importance of E-Rate and the negative impacts of potential cuts to the program:

- *Springfield, OH Local Schools*: "Without E-Rate funding, our district simply could not afford to maintain the digital infrastructure modern education requires. … E-Rate remains vital for covering monthly service costs and preparing for the next inevitable equipment cycle."[65]

- *Haines Borough School District (AK)*: "E-Rate has been instrumental in helping us overcome the geographic and financial challenges that differ greatly from those of larger urban districts. Without this support, the high cost of maintaining essential technology services in rural Alaska would divert scarce local resources away from classroom instruction and student support. The program helps ensure that our students have access to educational opportunities comparable to those available elsewhere, regardless of geography."[66]

- *Northeast Kansas Library System*: "If E-Rate funding were significantly reduced or lost, many of the small libraries we serve would have to make difficult choices between maintaining enterprise-level network infrastructure and spending those limited local dollars on other essential library services. They would likely have to defer equipment replacement, reduce the quality or capacity of their networks, or purchase less capable equipment. Some simply would not have the budget to maintain the infrastructure they have today. … Most importantly, the impact would be felt by library users. … It can mean a student cannot complete an assignment, a job

[64] *See, e.g.*, Alabama Public Library Service Comments at 1; Archdiocese of New Orleans Archdiocese of New Orleans Office of Catholic Schools (LA) Comments at 3; Buffalo School District Re-4J (CO) Comments at 1-2; Buffalo & Erie County Public Library (NY) Comments at 1-2; Canyon Independent School District (TX) Comments at 1-2; Community Unit School District #3, Fulton County (IL) Comments at 2; East Central Regional Library (MN) Comments at 1-2; Gibson City-Melvin-Sibley School District 5 (IL) Comments at 1; Horizon Science Academy Des Moines (IA) Comments at 1; Huron Public Library (OH) Comments at 1-3; Jefferson Union High School District (CA) Comments at 1-2; Limestone Community High School District #310 (IL) Comments at 2; Madison County Schools (GA) Comments at 1; Meriden Public Library (CT) Comments at 1-3; Millard Public Schools (NE) Comments at 1; Point Isabel Independent School District (TX) Comments at 2; Rocky River City School District (OH) Comments at 2; Saint Philip School (RI) Comments at 1; San Antonio Independent School District (TX) Comments at 1-2; Searcy Public Schools (AR) Comments at 1-2; St. Brendan Catholic School (FL) Comments at 1-2; St. Sebastian Parish School (OH) Comments at 1; Sutherlin School District 130 (OR) Comments at 1; Tri-Township Public Library District (IL) Comments at 1; Waverly Community Schools (MI) Comments at 2-3, 10; Valley Park School District (MO) Comments at 1-2; Yorkville School District 115 (IL) Comments at 2.

[65] Springfield Local Schools (OH) Comments at 1-2.

[66] Haines Borough School District (AK) Comments at 2.

seeker cannot apply for work, or a resident cannot access telehealth or government services. For many of these libraries, there is no realistic local funding source that can simply replace the E-Rate discount."[67]

- *Walker County, AL Board of Education*: "Learning to use digital tools effectively and responsibly, conduct online research, collaborate, communicate, and solve problems with technology is now essential to preparing students for their future. Reductions in E-Rate support could limit these opportunities, particularly for students whose schools and communities have fewer resources. … Reducing funding to influence screen time could restrict access to valuable educational resources and harm learning outcomes rather than improve them."[68]

- *Phoenix, AZ Public Library*: "Many Phoenix residents rely on the library as an essential source of free and reliable internet access. … If E-Rate support were reduced, Phoenix Public Library would face difficult choices … [t]hat could result in slower broadband speeds, reduced Wi-Fi capacity, delayed technology improvements, or the redirection of funds from other library services."[69]

- *St. Benedict's Preparatory School (Newark, NJ)*: "St. Benedict's Preparatory School has received … an average of roughly $29,264 a year toward the connections our students depend on. That support does not represent a one-time build; it is the recurring cost of keeping a modern network running. Before a student even enters our classroom, E-Rate helps provide the network infrastructure that allows our school district to function. When that connectivity is unavailable or unreliable, it can disrupt the basic operations of our school and compromise our ability to safely and effectively serve students."[70]

- *Northport Public School (Northport, MI)*: "Without [E-Rate] support, money needed for Internet service and network infrastructure would have to compete more directly with other educational and operational needs. For a small rural district, even a single major network replacement or upgrade can represent a significant expense."[71]

The *NPRM* itself seemingly acknowledges that program disruption could impact the Commission's ability to address the *NPRM*'s stated goal of addressing children's online safety.[72]

[67] Northeast Kansas Library System Comments at 3.

[68] Walker County, AL BOE Comments at 1.

[69] Phoenix, AZ Public Library Comments at 4.

[70] St. Benedict's Preparatory School Comments at 1.

[71] Northport Public School (MI) Comments at 2.

[72] *NPRM* ¶ 18.

Indeed, limiting the program would not merely fail to advance the *NPRM*'s child safety objectives; it would directly undermine the resources through which those objectives are achieved.

Meanwhile, E-Rate supported network capacity underlies a broad range of school and library operational functions whose disruption the *NPRM* does not appear to have considered. These include: emergency notification systems, building security and access control systems delivered over IP networks, state-mandated digital testing, public access terminals at libraries that may represent a patron's only reliable point of internet access for employment applications, government services, telehealth, and other purposes.[73]

Finally, the *NPRM* also asks how "connectivity needs of schools and libraries" might change over the next five to ten years and how that should factor into the Commission's analysis.[74] If anything, growth in bandwidth-intensive instructional tools, assessment platforms, and AI-enabled applications counsels toward sustained or expanded, not contracted support. That is especially critical because the Commission's own data shows that schools are falling short of meeting the FCC's short-term school benchmarks roughly half the time.[75]

B. Disrupting E-Rate Would Undermine Advancement of AI-Readiness and Other Governmental Priorities

The *NPRM* asks whether E-Rate advances other policy objectives, including the Executive Order on Artificial Intelligence, which identifies as a goal to "invest in our educators

[73] Aside from providing a venue for patrons to access the Internet for various important purposes, many libraries maintain subscriptions and digital holdings, including periodicals and databases, that are accessible only via the Internet or the library intranet. Without ongoing support, libraries and their patrons may lose access to these resources without feasible alternatives.

[74] *NPRM* ¶ 18.

[75] *See 2026 Section 706 Report* ¶ 22.

and equip them with the tools and knowledge to not only train students about AI, but also to utilize AI in their classrooms."[76] Robust E-Rate funded network capacity is indeed foundational infrastructure for that policy goal: for schools that choose to implement them, AI-enabled instructional tools, learning platforms, and related applications are bandwidth intensive and latency-sensitive, and the networks and connectivity that E-Rate supports are directly related to the requirements of these AI tools.

Commissioner Trusty has highlighted how "[s]chools and libraries can [] play an important role in preparing children for a future in which AI literacy will be a necessary skill for full participation in the digital economy."[77] So too, Commissioner Gomez has observed that, "[a]s the United States competes globally to lead in artificial intelligence [] and advanced technologies, the importance of E-Rate has never been greater."[78]

Commenters agree, highlighting how E-Rate is fundamental to digital literacy, including AI literacy. The Secretary for Catholic Education of the Archdiocese of New Orleans, Louisiana explains that E-rate helps low-income students gather "experience with digital communication, research, productivity tools, virtual collaboration, coding, and responsible use of emerging technologies—including [AI]."[79] The Association of Alaska School Boards notes that "digital literacy is a fundamental skill in the 21st century" and emphasizes that E-Rate must "keep pace with advances like [AI] and adaptive learning tools."[80] And Public Libraries of Washington highlights how, with E-Rate funding, "Seattle Public Library, in a public-private partnership with

[76] *NPRM* ¶ 24 (quoting Exec. Order No. 14409, 91 Fed. Reg. 34565 (June 5, 2026)).

[77] *NPRM*, Statement of Commissioner Olivia Trusty.

[78] *NPRM*, Statement of Commissioner Anna Gomez.

[79] Archdiocese of New Orleans Office of Catholic Schools Comments at 2.

[80] Association of Alaska School Boards Comments at 2.

Amazon, offers programs such as *Discover Careers in AWS Cloud*, *Demystifying AI*, and *AI Skills & Job Pathways* free to the public."[81]

Curtailing the E-Rate program would be self-defeating relative to this policy priority and would risk putting the country at a disadvantage in this critical moment for AI. Moreover, any retrenchment of E-Rate also would stand at odds with the objectives embodied in the section 254(b) principles as well as longstanding Commission objectives.

VI. E-RATE WAS LAWFULLY ESTABLISHED AND ITS STRUCTURE REFLECTS THE BEST READING OF SECTION 254

A. E-Rate Support Mechanisms Are Lawful

The Commission's longstanding E-Rate support mechanism rests on the best reading of section 254(h). The arguments raised by former Commissioner Harold Furchtgott-Roth do not undermine that conclusion, and the Commission should not rely on them in interpreting the scope of its E-Rate authority.

The *NPRM* devotes substantial attention to an ex parte filed by former Commissioner Furchtgott-Roth challenging the legal foundations of the E-Rate program. The *NPRM* explores various arguments raised in that filing including: first, that section 254(h)(1)(B) support is limited to entities that are "eligible telecommunications carriers" ("ETCs") under section 214 and therefore it cannot make direct payments to schools, libraries, or consortia; second, that section 254(h)(2)(A)'s directive to adopt "competitively neutral rules to enhance access" is not itself an authorization for the E-Rate program; and third, that section 254(h)(2) does not authorize direct support to non-ETCs.[82] We address each argument below and explain why the

[81] Public Libraries of Washington Comments at 3.

[82] *NPRM* ¶¶ 14-15.

Commission's longstanding interpretations reflect the best reading of the statute and not merely a reading that survived *Chevron* deference.

Furchtgott-Roth's argument that E-Rate support should be limited to ETCs rests on reading section 254(h) as a subset of the general universal service framework governed by sections 214(e) and 254(e), under which support flows to designated carriers serving high-cost areas and low-income consumers. But that reading ignores the statutory text of 254(h)(1)(B)(2) that specifically provides that a support recipient need not be an ETC under section 254(e) in order to receive support.[83] The argument also overlooks that the Commission's approach has already been upheld on legal challenge. In *TOPUC I*, the Fifth Circuit specifically concluded that the statute "permit[s] the FCC to expand the reach of universal support to non-telecommunications carriers."[84]

To the extent that the Furchtgott-Roth ex parte suggests that schools and libraries must become ETCs, that argument likewise misses the mark. The statute's beneficiary-focused language (*e.g.*, telecommunications carriers are to provide discounted services to schools and libraries) confirms that Congress' object was to ensure discounted access for those institutions, not to impose an ETC-designation prerequisite on the institutions themselves.

The *NPRM* describes Furchtgott-Roth's argument that section 254(h)(2)(A)'s directive to establish "'competitively neutral rules to enhance' access" is not itself an authorization to create a separate funding mechanism and that the provision does not authorize payments to non-ETC entities.[85] But this argument reads section 254(h)(2)(A) too narrowly. That provision directs the

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[83] *See also Federal-State Joint Board on Universal Service*, Report and Order, 12 FCC Rcd 8776, 9015 ¶ 449 (1997) ("*First USF Report and Order*").

[84] *Tex. Off. of Pub. Util. Couns. v. FCC*, 183 F.3d 393, 444 (5th Cir. 1999) ("*TOPUC I*").

[85] *NPRM* ¶ 15.

Commission to establish rules "to enhance, to the extent technically feasible and economically reasonable, access to advanced telecommunications and information services for all public and nonprofit elementary and secondary school classrooms … and libraries."[86] In rejecting this very argument almost three decades ago the Commission recognized that this "language is notably broader than other provisions of section 254 … and, unlike [] other sections, does not include the phrase 'telecommunications carriers.'"[87] The beneficiaries of the "enhanced access" are schools and libraries themselves, not carriers. A directive to enhance a named beneficiary's access to a service, where the named beneficiary is not itself a carrier, is naturally read as authorization to establish a mechanism that reaches that beneficiary, whether through discounted rates, reimbursement, or another support structure the Commission reasonably designs to achieve that statutory goal. Reading section 254(h)(2)(A) to require that all resulting support flow only through and remain limited by the section 214(e) ETC framework would require importing a limitation to the text that it does not contain and that would frustrate the provision's stated purpose.[88]

The *NPRM* also describes the Furchtgott-Roth ex parte's argument that section 254(h)(1)(B) contemplates only that a carrier extend a discount and then recoup it through an offset or reimbursement, not that "the fund make payments directly to schools, libraries, and consortia," which the filing characterizes as "one of the two [] methods currently allowed under program rules."[89] However, both of the Commission's invoicing methods—the Billed Entity Applicant Reimbursement ("BEAR") method and the Service Provider Invoicing ("SPI")

[86] 47 U.S.C. § 254(h)(2)(A).

[87] *First USF Report and Order*, 12 FCC Rcd at 9086 ¶ 592.

[88] *See also id.* at 9086 ¶¶ 592-93, 9088-89 ¶ 598.

[89] *NPRM* ¶ 14.

method—are consistent with the statute. Section 254(h)(1)(B)'s reimbursement language does not specify a single pathway; it authorizes the carrier to "receive reimbursement utilizing support mechanisms" the Commission establishes. As the Commission has held, "[t]he only requirement in the Act regarding reimbursement is that the service provider is made whole, either through an offset against their contribution obligations, or using the Commission's universal service mechanism."[90]

Practically, the two invoicing methods serve different purposes depending on the circumstances. The SPI method allows a participating provider to bill the applicant only the discounted amount up front and separately seek reimbursement from the Fund for the balance. The BEAR method accommodates circumstances in which the provider is unable to front the discount, allowing the applicant instead to pay the full undiscounted rate and seek direct reimbursement of the discount from the Fund. Far from displacing the statutory structure, as the Commission stated, the BEAR method reflects a "common-sense approach to simplifying the administration of the E-Rate program."[91]

Finally, the *NPRM* seeks comment on Furchtgott Roth's questions about the "Commission's practice of varying discount levels."[92] In establishing E-Rate, the Commission was required to establish a discount that is "appropriate and necessary to ensure affordable access to and use of services" designated under section 254(c)(3).[93] To that end, the Commission provided discounts rather than "a package of free services or block grants" because

[90] *2014 First E-Rate Modernization Order*, 29 FCC Rcd at 8963-64 ¶ 233.

[91] *Id*.

[92] *NPRM* ¶ 14.

[93] 47 U.S.C. § 254(h)(1)(B).

"discounts [] better assure efficiency and accountability."[94] In particular, the Commission determined that requiring schools and libraries to put their own skin in the game by paying a share of the cost "encourage[s] them to avoid unnecessary and wasteful expenditures because they will be unlikely to commit their own funds for purchases that they cannot use effectively."[95]

B. *Loper Bright* Does Not Compel Revisiting the Commission's Statutory Interpretations That Remain Consistent with the Statute

In light of the Supreme Court's *Loper Bright* decision,[96] the *NPRM* seeks comment on whether the Commission should revisit its interpretations of section 254(h), including the FCC's "foundational expansion of E-Rate eligible services beyond discounted telecommunications services–to include Internet access and the installation and maintenance of internal connections [which] was sustained on judicial review" under the *Chevron* deference framework.[97] *Loper Bright* does not require the Commission to revisit its longstanding interpretation of section 254(h), and even if it did, that interpretation remains the best reading of the statute.

The Commission should be mindful not to assume that the elimination of *Chevron* deference necessarily compels revisiting its existing interpretations or casts doubt on them. *Loper Bright* cautions against this kind of retrospective unsettling of prior agency action. The Court was clear that its holding does not, by itself, "call into question" prior cases that relied on the *Chevron* framework, and that the "holdings of those cases that specific agency actions are lawful … are still subject to statutory stare decisis despite our change in interpretive

[94] *First USF Report and Order*, 12 FCC Rcd at 9035-36 ¶ 493.

[95] *Id*.

[96] *Loper Bright Enters. v. Raimondo*, 603 U.S. 369 (2024) ("*Loper Bright*").

[97] *NPRM* ¶ 16.

methodology."[98] That statement was addressed to judicial stare decisis rather than agency reconsideration, but it reflects the same underlying principle. That is, *Loper Bright* changed the method by which ambiguous statutes are construed going forward, but it did not announce that every agency interpretation sustained under the old method is presumptively suspect or in need of "revisiting." The Commission should approach its evaluation of section 254(h) with this same principle in mind and not treat *Loper Bright* as a mandate to revisit settled interpretations as a matter of course.

Nevertheless, in the event the Commission persists with reexamining its authority to support internet access and internal connections, it should affirm its prior approach as the best reading of the statute. *Loper Bright* itself highlights that agency "interpretations issued contemporaneously with the statute at issue, and which have remained consistent over time, may be especially useful in determining the statute's meaning."[99] The Commission's work to implement the Telecommunications Act of 1996 and, in particular, the schools and libraries provisions at issue here represent a textbook example of this principle. In the 1997 *First USF Report and Order*, the Commission examined its authority under section 254(c)(3) to "designate additional services for support," alongside the combination of sections 254(h)(1)(B) and 254(h)(2)(A) to conclude that internet access and internal connections are supported services.[100] The Commission properly took the statutory structure and legislative history into account in sustaining its authority. For instance, it looked to "the directive of section 254(h)(2)(A) that the Commission enhance the access that schools and libraries have to 'information services,' as

[98] *Loper Bright*, 603 U.S. at 412.

[99] *Id*. at 394.

[100] *First USF Report and Order*, 12 FCC Rcd at 9008-10, 9015-21 ¶¶ 436-38, 450-58.

described in the legislative history, i.e., actual educational content," in concluding that should be available for such services under "the broad provisions of sections 254(c)(3) and 254(h)(1)(B)." Notably, Congress's Joint Explanatory Statement confirms that "[n]ew subsection (h)(2) requires the Commission to establish rules to enhance the availability of advanced telecommunications and information services" and gives as an example that "the Commission could determine that telecommunications and information services that constitute universal service for classrooms and libraries shall include dedicated data links and the ability to obtain access to educational materials, research information, statistics, information on Government services, reports developed by Federal, State and local governments, and information services which can be carried over the Internet."[101]

In *TOPUC I*, the Fifth Circuit, while acknowledging that the "language of the statute is ambiguous enough to require deference under Chevron," upheld the Commission's decision to extend E-Rate support to internet access and internal connections notwithstanding some reservations.[102] The court's acknowledgment of the "best reading" argument advanced by the petitioners in that case does not establish that the Commission's interpretation was wrong; it establishes only that the court did not need to resolve the statutory question definitively.

Finally, the *NPRM* asks about "the extent to which the expansion of eligible services and equipment over time to include items beyond discounted telecommunications services is supported by the text, structure, and history of section 254."[103] When the Commission modernized the E-Rate program a little over a decade ago "to focus specifically on those

[101] Joint Explanatory Statement at 133.

[102] *TOPUC I*, 183 F.3d at 440-43.

[103] *NPRM* ¶ 14.

telecommunications and information services, including associated inside wiring, necessary to support broadband to and within schools and libraries," it undertook a careful analysis of its legal authority and that focus should continue to guide the agency today.[104] The Commission found that "Sections 254(c)(1), (c)(3), (h)(1)(B), and (h)(2) … collectively grant [] broad and flexible authority to set the list of services that will be supported for eligible schools and libraries, as well as to design the specific mechanisms of support."[105] It explained that revisiting its list of services was "consistent with 254(c)(1)'s definition of universal service as an 'evolving level' of service, which [it] must revisit 'periodically,'" and was further "guided by section 254(h)(2)(A)'s directive that [it] 'enhance, to the extent feasible and economically reasonable, access to *advanced* telecommunications and information services' for schools and libraries."[106] The Commission's adjustment of eligible services reflects a textually faithful application of the 'evolving level' standard to changing technological reality, not a departure from the text. This is precisely the type of analysis that the Fifth Circuit did not need to resolve conclusively in *TOPUC I* given the deference then available, but which independently supports the Commission's interpretation as the statute's best reading today.

VII. THE COMMISSION SHOULD RETAIN ITS CURRENT INTERPRETATION OF THE CHILDREN'S INTERNET PROTECTION ACT (CIPA)

A. The Current CIPA Framework Is Faithful to the Statute and Has Functioned Well for Decades

The Commission's implementation of the Children's Internet Protection Act ("CIPA") in the E-Rate program has functioned well. The *NPRM* asks whether the "current interpretation of

[104] *2014 First E-Rate Modernization Order*, 29 FCC Rcd at 8896 ¶ 70.

[105] *Id*. at 8895 ¶ 67.

[106] *Id*. at 8896 ¶ 69.

CIPA is the best reading of the statute" and what "other steps" the Commission should consider "consistent with the language and purpose of CIPA."[107] The existing CIPA framework, which requires schools and libraries to adopt, after public notice and a public hearing or meeting, an Internet safety policy, reflects a careful and durable reading of CIPA's text.[108] This framework has operated without demonstrated interpretive failure for approximately two decades. Schools and libraries are familiar with these requirements, and the Commission should be mindful of the statutory text and potential impacts of any interpretive changes to school and library operations.

B. CIPA's Text Does Not Permit Expansion to Third Party Devices

The Commission should not expand the application of CIPA to apply to third party devices, which would be at odds with statutory text and the agency's prior interpretations. The *NPRM* asks about expanding CIPA beyond the devices owned by schools or libraries to apply at the network level and/or to apply to any third party-owned-devices that connect to E-Rate supported services.[109] However, the text of CIPA plainly extends only to computers owned by the school or library. Each provision is explicitly limited by its terms to the computers possessed—owned—by the school or library. Under 47 U.S.C. § 254(h)(5)(A)(i), for example, a school "*having* computers with Internet access may not receive [discounted] services" unless it submits the required certifications and section 254(h)(6)(A)(i) imposes a similar requirement on libraries (stating a similar requirement for libraries).[110] The internet safety policy provisions are likewise tied to the institution's own equipment: a school must enforce "a policy of Internet

[107] *NPRM* ¶ 34.

[108] *See generally* 47 U.S.C. § 254(h)(5).

[109] *NPRM* ¶¶ 35-36.

[110] 47 U.S.C. § 254(h)(5)(A)(i) (emphasis added); *id.* § 254(h)(6)(A)(i).

safety [] that includes monitoring the online activities of minors and the operation of a technology protection measure with respect to any of *its* computers with Internet access."[111]

The Commission has previously and definitively recognized this textual limitation and concluded that CIPA cannot apply to third-party-owned devices. In the *Emergency Connectivity Fund Order*, it explained that this interpretation "flows from the statute."[112] A "school or library does not 'hav[e]' student-, school staff- or patron-owned devices, nor would it make sense for a school or library to certify that those devices are 'its' devices for purposes of CIPA compliance."[113] Furthermore, the Commission added that section 254(l), read together with sections 254(h)(5) and (6) applies "only to a school's or library's computers—and not to the delivery of services for a student's, school staff's or library patron's personal computer."[114] And, notably, the Commission twice sought comment on whether it could expand its interpretation of CIPA to include third-party-owned devices, in instances the *NPRM* cites, and it never did so.[115]

Even were the Commission to conclude that it could expand its interpretation of CIPA to include third-party-owned devices that utilize an E-Rate recipient school's network—a conclusion that, as explained above, is unsupported by the law—it patently cannot do so with respect to libraries. Section 254(h)(6)(B)(i) does not contain the same "monitoring" provision

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[111] 47 U.S.C. § 254(h)(5)(B)(i) (emphasis added); *id*. § 254(h)(6)(B)(i) (stating similar—minus monitoring—for libraries).

[112] *Establishing Emergency Connectivity Fund to Close the Homework Gap*, Report and Order, 36 FCC Rcd 8696, 8749 ¶ 113 (2021).

[113] *Id*.

[114] *Id*.

[115] *NPRM* ¶ 35 (citing *Modernizing the E-Rate Program for Schools and Libraries*, Notice of Proposed Rulemaking, 28 FCC Rcd 11304, 11330 ¶ 86 (2013); *Addressing the Homework Gap through the E Rate Program*, Notice of Proposed Rulemaking, 38 FCC Rcd 10726, 10755-56 ¶¶ 55-56 (2023)).

that the Commission previously explored as the basis for expanding its interpretation of CIPA with respect to schools. It is instead expressly limited to "a policy of Internet safety that includes the operation of a technology protection measure with respect to any of *its* computers with Internet access."[116] Expanding the interpretation for libraries would therefore contradict CIPA and could raise fresh constitutional concerns.

C. Local Control Should Remain the Lodestar

CIPA's structure reflects a considered congressional judgment that decisions about age-appropriate content standards are best made close to the communities affected, informed by local values, student populations, and library missions. CIPA vests the substantive content of Internet safety policies in the local board or library governing authority, subject to a federal floor requiring a technology protection measure.[117] The Commission should not upset this balance.

The local control structure has proven adaptable as technology has changed. This adaptability is itself a product of the decision to vest substantive policy content in local bodies rather than fix federal standards in regulation. A locally developed policy can adapt as circumstances warrant, including changes to state law, without the need for federal intervention. A shift toward Commission-directed, uniform standards would trade away this adaptability for a rigidity that would not serve student safety any better.

D. Terminating or Limiting E-Rate Would Undermine CIPA's Child-Safety Objectives

Terminating or limiting E-Rate funding would work against the very child safety objectives that CIPA and the *NPRM* seek to advance. The *NPRM* references an ex parte filing

[116] 47 U.S.C. § 254(h)(6)(B)(i).

[117] 47 U.S.C. §§ 254(h)(5)(A)(i), (h)(6)(A)(i)(II).

from INCOMPAS, which posited that a loss of E-Rate funding "would eliminate obligations to enforce children's online safety standards required by CIPA," and asks how or whether schools and libraries would maintain Internet safety measures absent CIPA obligations.[118] Indeed, removing E-Rate support would be in tension with the child-safety objectives the *NPRM* otherwise espouses. Even if E-Rate does not directly support CIPA compliance today, removing funding would still impact school and library IT budgets and force those institutions to make up for or forgo lost resources for other purposes, including in pursuit of child safety protections. With all of that said, online risks continue to evolve, and school districts must continually strengthen protections for students.

VIII. THE COMMISSION LACKS AUTHORITY TO REGULATE SCREEN TIME AND RELATED PROPOSALS

A. The Commission's Authority Is Lacking

The *NPRM* asks if E-Rate funding should be conditioned "on the imposition of screen time limits" and further asks what authority the Commission has to regulate screen time outside of CIPA.[119] The Commission lacks statutory authority from CIPA or any other federal statute to condition E-Rate funding on screen time limits or otherwise regulate how schools use E-Rate-supported services in the classroom.

Section 254 is principally concerned with establishing the categories of eligible services and equipment, rates, and terms related to E-Rate support. It does not authorize the Commission to regulate the pedagogical methods by which schools deploy those services and equipment. In

[118] *NPRM* ¶ 48.

[119] *Id.* ¶¶ 30, 49.

other words, how much of a school day a teacher may permissibly use a screen-based instructional tool is a question of instructional method, not of telecommunications regulation.

B. Local Authorities Are Best Positioned to Set Screen Time Policies

Local school and library authorities working with parents, not the Commission, are best positioned to set screen time policies, and they are already doing so. The *NPRM* asks whether the Commission or "the school board, local educational agency, library, or other applicable authority" is "best situated to determine" screen time limits.[120] As explored below, regulating screen time would amount to federal overreach, especially as local authorities are already active in this area.

At the outset, CIPA embodies the idea that local authorities, informed by their expertise, community values, and knowledge of their student and patron populations, are institutionally better positioned than a federal communications regulator to make these judgments, and CIPA's two-decade track record demonstrates that such a locally administered, federally facilitated framework can function effectively without Commission-imposed content or usage decisions.

The landscape already reflects that stakeholders, states, and localities have been active in addressing screen time considerations. EdTech institutions like CoSN have developed resources for local schools to anchor their technology policies.[121] States including Alabama, Utah, Iowa, and Tennessee have passed laws or enacted policies regarding restricting screen time or access to technology at school.[122] Localities have pursued policies to limit student screen time at school

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[120] *Id.* ¶ 30.

[121] *See* Press Release, CoSN, CoSN Releases New Guidance for Developing Purposeful Education Technology Policies in K-12 Schools, (Aug. 10, 2026), https://www.cosn.org/cosn-news/cosn-releases-new-guidance-for-developing-purposeful-education-technology-policies-in-k-12-schools/.

[122] Press Release, Office of Alabama Governor, Governor Ivey Signs Screen Time Limits for Early Childhood Education Programs into Law (Mar. 4, 2026),

as well.[123] At the same time, this proceeding's record already reflects that state and local authorities have adopted IT use policies and are concerned about federal overreach thereon.[124]

A federal standard imposed as an E-Rate funding condition would risk unnecessary conflict with state and local determinations that are designed to reflect the preferences and needs of the communities they govern. The United States Department of Education has made clear that "technology is a valuable instructional tool," and that states and local communities should be in the driver's seat when it comes to decisions about its use.[125]

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https://governor.alabama.gov/newsroom/2026/03/governor-ivey-signs-screen-time-limits-for-early-childhood-education-programs-into-law/; Robbie Sequiera, *States Move to Limit Classroom Screen Time*, STATELINE (July 23, 2026), https://stateline.org/2026/07/23/states-move-to-limit-classroom-screen-time/ (describing new laws on screentime in Iowa, Utah, Tennessee, and Alabama).

[123] *See, e.g.*, Madina Touré, *NYC School System to Band AI for Elementary, Middle School Students*, POLITICO (Sept. 2, 2026), https://www.politico.com/news/2026/09/02/nyc-school-system-to-ban-generative-ai-for-elementary-middle-school-students-01061364 (also describing screen time limit recommendations); Sequoia Carrillo, *The School Year Begins in LA With One Big Change: Limited Screen Time*, NPR (Aug. 11, 2026), https://www.npr.org/2026/08/11/nx-s1-5913745/screen-limits-begin-la-schools; Anna B. Mitchell, *Back to basics: Greenville County Schools Limit Student Screen Time*, THE POST AND COURIER (June 21, 2026), https://www.postandcourier.com/education-lab/greenville-schools-throttle-back-chromebooks/article_50ead8d1-9e15-4ced-92aa-bd33b5f1c322.html.

[124] *See, e.g.*, Notre Dame Academy (MN) Comments at 2; Timberlane Regional School District (NH) Comments at 2; Penn Manor School District (PA) Comments at 2; Palmdale School District (CA) Comments at 3.

[125] *See, e.g.*, DoEd Dear Colleague Letter at 1-2 ("Research and experience have demonstrated that technology is a valuable instructional tool when it supports strong pedagogy and effective teaching practices. Digital platforms can increase access to rigorous coursework, support differentiated instruction, provide timely feedback through high-quality assessments, and broadly expand opportunities for students. The question before education leaders is not whether technology can support learning, but whether individual tools are selected, implemented, and evaluated in ways that advance specific education goals. … The U.S. Department of Education believes these decisions are best made by states and local communities, with input from parents and teachers.").

C. A Mandatory Opt-Out Requirement Is Untethered to the Law and Administratively Challenging

The *NPRM* asks whether the Commission should require schools to provide parents "a meaningful opportunity to opt their children out of screen-based instruction or screen use during the school day" and, relatedly, the scope of the Commission's authority to adopt such a requirement.[126] A mandatory parental opt-out from screen-based instruction lacks a statutory basis and would be unworkable in practice, and the Commission should not adopt it.

First, nothing in section 254 authorizes the Commission to mandate an individualized curricular opt-out right as a condition of federal funding eligibility. The *NPRM*'s own framing—seeking comment on whether the Commission has the legal authority—reflects the absence of an evident statutory basis.

Second, an individualized opt-out regime would be administratively burdensome and unworkable. It would require schools to track opt-out elections on a student-by-student and potentially subject-by-subject or class-by-class basis; develop and staff non-screen-based instructional alternatives for opted-out students; and manage the scheduling, classroom-management, and other complications of delivering two parallel modes of instruction to the same class simultaneously. These difficulties are apparent in even the most common scenarios. Consider school-issued devices for standardized testing. Or consider the scenario where a class blends screen-based and non-screen-based activity within the same lesson, such as one that requires students to undertake a database search and then engage in a writing assignment based on the results. An opt-out framework would require the teacher either to identify a discrete,

[126] *NPRM* ¶ 31.

separately deliverable non-screen alternative for the digital search portion of that lesson for each opted-out student or to redesign the lesson entirely to avoid screens for the whole class.

The *NPRM* does not address these serious implementation questions, underscoring that the opt-out concept has not yet been developed to the point that its costs and administrability can be meaningfully evaluated, even setting aside the Commission's lack of authority. Nor does the *NPRM* identify any serious evidence quantifying the specific harm the opt-out requirement is meant to address, or any evidence that existing avenues of parental engagement with a school's instructional program are inadequate.

Finally, a mandatory opt-out requirement may raise legal and policy issues insofar as it reaches into the pedagogical decisions of private schools. The Commission should be cautious about enlisting private schools in additional requirements because such federal entanglements could negatively impact their participation in the E-Rate program.

D. Supervision and Reporting Mandates Are Costly and Should Not Treat Schools and Libraries the Same

The *NPRM* asks whether "adult supervision" of E-Rate funded networks should be required "given the 'always on' nature of modern Wi-Fi networks," and whether schools and libraries should be required to implement mechanisms for staff, parents, and children to report inappropriate content.[127] Mandatory supervision and reporting requirements are unworkable and fail to account for the real differences between schools and libraries.

At the outset, continuous adult supervision of network use is operationally challenging, if not infeasible, given staffing ratios, after-hours and take-home device use, and the multipurpose nature of library facilities serving patrons of all ages simultaneously. A supervision mandate

[127] *Id.* ¶ 32.

calibrated to the 'always on' character of modern Wi-Fi could require staffing levels no school or library could afford. At the same time, the Commission has no legal authority to dictate staffing patterns or decisions which are matters traditionally reserved to state and local authorities.[128] For smaller and rural applicants least able to absorb new administrative burdens, such a compliance mandate imposed as a further condition of the E-Rate support that the *NPRM* elsewhere proposes to curtail would compound, rather than mitigate, the impact on under-resourced applicants.

The *NPRM*'s proposed reporting requirement also raises serious implementation questions that merit further scrutiny: to whom a report must be made (*e.g.*, the FCC, USAC, a state agency, or the applicant itself), what triggers a reportable event, what record-keeping and retention obligations attach to reports involving minors, and what liability exposure, if any, would attach. Absent further direction, it is impossible to comment on the practical contours of any such requirement.

Finally, the Commission must account for the differences between libraries and schools. Libraries serve the general public, including adults exercising independent judgment about their internet use, and operate under professional norms of patron privacy and intellectual freedom. Library patrons have longstanding expectations of privacy in their reading and research activity, expectations reinforced by state library confidentiality laws.[129] For example, the Tennessee Code provides that except in limited circumstances, "no employee of a library shall disclose any library record that identifies a person as having requested or obtained specific materials,

[128] *See supra* n.52.

[129] *See, e.g.*, *State Privacy Laws Regarding Library Records*, AMERICAN LIBRARY ASSOCIATION, https://www.ala.org/advocacy/privacy/statelaws (last visited Oct. 9, 2026).

information, or services or as having otherwise used such library."[130] A reporting mandate that could require libraries to log, flag, or report patrons' general internet use would sit in tension, if not outright conflict, with those state-law protections and professional norms. It could also serve as a deterrent to patrons using the library in the first instance.

IX. CONCLUSION

For the foregoing reasons, the Commission should reaffirm the statutory foundation and continuing importance of the E-Rate program. Section 254 establishes an ongoing commitment to affordable, adequate, and evolving connectivity for schools and libraries; it does not authorize the Commission to sunset, terminate, or radically narrow the program based on deployment metrics divorced from affordability, adequacy, reliance interests, and the recurring operational realities facing E-Rate applicants.

The Commission should likewise reject proposals that would restructure E-Rate in ways that are untethered to the statute or unsupported by the record, including categorical limits based on rural status, provider count, educational outcomes, or other proxies that would undermine the program's ability to serve low-income, rural, urban, and otherwise under-resourced communities nationwide. The existing discount structure, educational-purpose certification, and on-premises presumption remain administrable, lawful, and well suited to the program Congress enacted.

Finally, the Commission should retain its current interpretation of CIPA and decline to convert E-Rate into a vehicle for federal regulation of screen time, instructional methods, parental opt-outs, supervision rules, or reporting mandates. CIPA already reflects Congress's judgment that child-safety policies should be implemented through a federal floor and local decision-making. Disrupting E-Rate would not advance children's online safety; it would

[130] Tenn. Code Ann. § 10-8-102.

weaken the very networks, tools, and institutional capacity on which schools and libraries rely to protect students and patrons, support AI readiness, and fulfill universal service objectives.

Respectfully,

The Education and Libraries Networks Coalition ("EdLiNC")

October 13, 2026

Appendix A: EdLiNC Members Supporting These Comments

AASA, The School Superintendents Association
ALAS
American Federation of School Administrators
American Federation of Teachers (AFT)
American Library Association
Association of Educational Service Agencies
Association of School Business Officials International (ASBO)
Consortium for School Networking (CoSN)
Consortium of State School Boards Associations (COSSBA)
Council of Chief State School Officers
Council of Great City Schools
National Association for Pupil Transportation
National Association of Elementary School Principals
National Association of Federally Impacted Schools (NAFIS)
National Association of Independent Schools
National Catholic Education Association
National Education Association
National Principals Association
National PTA
National Rural Education Association
National School Attorneys Association
National School Boards Association (NSBA)
State Educational Technology Directors Association (SETDA)