



May 24, 2023

SUBMITTED ELECTRONICALLY VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Re: Ex Parte Filing

Promoting Fair and Open Competitive Bidding in the E-rate Program, WC Docket No. 21-455; Establishing Emergency Connectivity Fund to Close the Homework Gap, WC Docket No. 21-93

Dear Madam Secretary:

Pursuant to Federal Communications Commission's ex parte rules, I hereby submit the following summary of our May 22, 2023, conversation with Ramesh Nagarajan in Chairwoman Rosenworcel's office. The following individuals participated in the call along with the undersigned: Ramesh Nagarajan, Legal Advisor, Wireline and Enforcement, Office of Chairwoman Jessica Rosenworcel; and John Windhausen, Jr., Executive Director, SHLB Coalition.

SHLB discussed the May 10, 2023 letter sent from Senator Cruz to the U.S. Government Accountability Office (GAO) asking for a GAO investigation of USAC and the FCC's administration of the Universal Service Fund (USF) programs. SHLB specifically addressed the following statement made in the letter: "GAO has also found significant fraud risks in the administration of the FCC's High Cost and E-Rate programs and made recommendations to improve fraud risk assessments in October 2019 and September 2020, respectively. According to GAO, the FCC and USAC have yet to implement these recommendations. More than three years is too long to wait for implementation of basic good governance in a major government funding program."

SHLB is concerned that this statement may be construed to encourage the FCC to move forward with the implementation of an E-rate competitive bidding portal as proposed in the Commission's notice of proposed rulemaking on E-rate competitive bidding (WC Docket No. 21-455). Although GAO mentioned the bidding portal in its September 2020 study to the FCC, it was not one of the three recommendations that GAO suggested. SHLB conveyed its continued strong opposition to the implementation of a competitive bidding portal and believes that there are other ways to reduce the risk of fraud in the E-rate Program. We also noted that the FCC has

already been implementing the GAO's principal recommendation to use data analytics to identify fraud risks.

SHLB also expressed strong interest in working with the FCC to incorporate lessons learned from the ECF Program into the E-rate program. SHLB noted that hot spots often provide valuable, short-term connectivity to households in need. SHLB members also learned that, in more rural areas, the cellular signal is often not strong enough to provide high-quality connectivity. SHLB encouraged the FCC to allow schools and libraries to enter contracts with private sector companies to provide CBRS-based wireless broadband service at affordable rates, and sometimes at no cost to the consumer.

Sincerely,



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cc: Ramesh Nagarajan
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