



April 23, 2026

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

Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6

Dear Madam Secretary:

The undersigned organizations write to address the Commission's draft *Report and Order and Order on Reconsideration* (Draft Order) that would amend E-Rate program rules to 1) create and implement a competitive bidding portal (Bidding Portal), and 2) simplify and streamline program procedures for applicants and service providers.¹

We are concerned that the establishment of a Bidding Portal and its associated complex requirements and procedures as proposed in the Draft Order is not only unnecessary, but undermines the good work being done to streamline the E-Rate program. We respectfully request that the Commission not proceed with its proposed implementation of the Bidding Portal. If the Commission elects to proceed with the Bidding Portal, we urge it to delay implementation until at least Funding Year 2029, hold a public comment proceeding to allow input into the portal's development, create beta testing with applicants and providers to ensure the portal functions appropriately, and hold training for all applicants and vendors on the portal and new requirements under this order.

At the outset, we emphasize that the E-Rate program is the largest federal educational technology program in the country, making it possible for public and private schools and public libraries to acquire affordable broadband services. In return, this connectivity helps students and

¹ *Promoting Fair and Open Competitive Bidding in the E-Rate Program, WC Docket No. 21-455 Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Report and Order and Order on Reconsideration, Draft on Circulation, FCC-CIRC2604-05 (Apr. 9, 2026).* (Draft Order)

library patrons meet their educational and vocational goals, maintain access to essential information, and fully engage in today's digital world. Streamlining the application process and administration of E-Rate funding is critical to ensure that anchor institutions can fulfill these missions.

We also believe that existing E-Rate program protections have proven to be both strong and effective, as evidenced by a recent Government Accountability Office (GAO) report that identified nine requirements and leading practices to oversee and prevent fraud, waste, and abuse in federal funding awards. GAO found that, of the programs it reviewed, the E-Rate program was the *only* program that had documented procedures in all nine areas.²

Given the GAO's recent exemplary assessment of current E-Rate mechanisms to safeguard program integrity, we question why the Commission now seeks to pursue a dramatic and overly complex overhaul of the program. The Draft Order does not fully address this, and instead moves forward with imposing an overly burdensome measure that overlooks GAO's most recent review of the program.

Additionally, we have a number of concerns about the framework and implementation of the proposed Bidding Portal, listed below:

- **Bidding Portal requirements will be excessively burdensome and duplicative to schools, libraries, and service providers and introduce needless ambiguity and delay into the E-Rate process.** As contemplated in the Draft Order, the Bidding Portal does not simply act as a document repository; it replaces the entire competitive bidding process and creates rigid, complex rules around areas like communications, documentation, and how many individuals can access the portal.
- **The Bidding Portal and its associated competitive bidding rules would pose real conflicts with State and local procurement requirements.** The Draft Order suggests that the Bidding Portal will not replace existing State and local bid procedures and that the competitive bidding process can be conducted in compliance with both State and local laws and the Bidding Portal rules. Yet this proposal will create material inconsistencies between State and local procurement requirements and the proposed Bidding Portal. For example, confidentiality of bid documentation is currently governed by State law, while the Draft Order suggests that confidentiality of data will be maintained in accordance with federal privacy laws.

² Report to Congressional Requesters, GAO-26-107444 (pub. Dec. 4, 2025, rel. Jan. 5, 2025), available at <https://www.gao.gov/products/gao-26-107444>.

- **The Draft Order does not contemplate the costs associated with creating, implementing, and managing the Bidding Portal.** Such cost information is especially important here, given its potential impact on the Universal Service Fund contribution factor.

Given these concerns, we urge the Commission not to move forward with its proposal to implement the Bidding Portal in the E-Rate program. The scope of the proposed Bidding Portal and its associated requirements introduce unnecessary and complex rules that do not accomplish the Commission's goals to strengthen program integrity and streamline application processing and administration. Instead, the Bidding Portal could deter schools, libraries, and service providers from participating in the program altogether for fear of making procedural errors during the bidding process. We are particularly concerned with the impact that the Bidding Portal and its attendant requirements would have on small and rural schools and libraries, who may lack the capacity to implement and manage these new program requirements. This would reduce marketplace competition and run counter to overarching policy goals of promoting universal service.

Finally, we appreciate the Commission taking steps in the Draft Order to streamline E-Rate program administration, which proposes to adopt many of the recommendations previously submitted by program stakeholders.³ These include eliminating the FCC Form 486, creating a process to improve transitioning between service providers and service offerings during the funding year, and allowing an additional 15 days to request an extension of the invoice filing deadline. Such measures stand to achieve administrative efficiencies and address many of the procedural hurdles that applicants and service providers currently face.

Thank you for your consideration of these concerns. We stand ready to work with the Commission to streamline and strengthen the E-Rate program so that it remains a reliable support mechanism for those schools and libraries that rely on it.

Respectfully,

Schools, Health & Libraries Broadband (SHLB) Coalition
The Education and Libraries Network Coalition (EdLiNC)
American Library Association (ALA)
State E-Rate Coordinators' Alliance (SECA)
Consortium for School Networking (CoSN)

³ See e.g. SHLB Comments and Reply Comments, SECA Comments and Reply Comments, and ALA Comments in Response to Notice of Proposed Rulemaking Promoting Fair and Open Competitive Bidding in the E-Rate Program, WC Docket No. 21-455 (Comments filed Apr. 27, 2022; Replies filed May 27, 2022).

Advanced Technology Group (ATG)
AASA, The School Superintendents Association
American Federation of School Administrators (AFSA)
Association of Educational Service Agencies
Association of Latino Administrators and Superintendents (ALAS)
Association for Rural & Small Libraries (ARSL)
Association of School Business Official International (ASBO)
Arizona Technology in Education Association (AzTEA)
Benton Institute for Broadband & Society
Cajon Valley Union School District
California Association of School Business Officials
Capital Area District Libraries
Centennial School District
Chief Officers of State Library Agencies
Cleveland City Schools, TN
Clovis Unified School District
Common Sense Media
Compass Community Schools
Consortium of State School Boards Associations (COSSBA)
CRW Consulting
East Side Union High School District
EdTechnologyFunds, Inc.
Educational Consulting Associates
Epic Communications
E-Rate Central
E-Rate & Educational Services
E-rate Management Professionals Association (E-MPA)
Fatbeam Fiber
Fox Chapel Area School District, PA
French Gulch-Whiskeytown Elementary School District
Griffin Spalding Schools, GA
Hennepin County
HPE
Indiana CTO Council
InnovateEDU
K20Connect
KB & Associates LLC
Kellogg & Sovereign
Kettle Moraine School District
Kings River Hardwick School District

Lewiston Elementary School District
Library of Virginia
Link Oregon
Los Angeles Unified School District
Madera Unified School District
Massachusetts Educational Technology Administrators Association (METAA)
Michigan Library Association
Michigan Statewide Educational Network (MiSEN)
Missouri Educational Technology Leaders
National Association of Elementary School Principals (NAESP)
National Association of Federally Impacted Schools (NAFIS)
National Association of Independent Schools (NAIS)
National Catholic Educational Association (NCEA)
National Digital Inclusion Alliance (NDIA)
National Parent Teacher Association (PTA)
National Rural Education Association
National School Boards Association (NSBA)
The New Hampshire Chief Technology Officers Council (NHCTO)
New Haven Unified School District, CA
New York State Association for Computers and Technologies in Education (NYSCATE):
National Education Association (NEA)
Oklahoma Association for Technology in Education
Open Technology Institute at New America
Pacific Northwest Gigapop
Palm Beach County School District
Public Knowledge
Rural Schools Association of New York State
Sallisaw Public Schools
San Diego Unified School District
State Educational Technology Directors Association (SETDA)
School District of Philadelphia
School Project for Utility Rate Reduction (SPURR)
The Study Group
Tennessee Educational Technology Association (TETA)
TNTP
UDT
Union County Public Schools, TN
Vermont Information Technology Association for the Advancement of Learning (Vita-Learn)
Zayo Education

cc via email: Danielle Thumann
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