

What to Know: The FCC's Latest Inquiry Into the E-Rate Program

Key Takeaways

- The FCC has initiated a major rulemaking that could end or limit the E-Rate program.
- The item includes questions under two sets of inquiries: A Notice of Proposed Rulemaking (NPRM) and a Further Notice of Proposed Rulemaking (FNPRM).
- The NPRM raises threshold questions about whether E-Rate should be terminated, narrowed, or limited in scope or geography. The FCC also seeks comment on emerging issues including student screen time, device use in schools, and the Children's Internet Protection Act (CIPA).
- The FNPRM proposes changes to current E-Rate rules and procedures, including increased oversight of E-Rate consultants.
- Schools, libraries, and community stakeholders who care about E-Rate have a critical opportunity to shape the record by providing data, real-world examples, and policy recommendations.

FCC Action and Overview

On June 25, the Federal Communications Commission (FCC) adopted a [Notice of Proposed Rulemaking \(NPRM\) and Further Notice of Proposed Rulemaking \(FNPRM\)](#) titled In the Matter of Ensuring Children's Safe Use of Screens and E-Rate-Funded Services.

The item has been released for public comment, meaning that ALL stakeholders (including teachers, parents, librarians, service providers, public interest organizations, and concerned citizens) should weigh in with the FCC.

Public Comment Timeline

You can start preparing your comments now although the formal 60-day comment deadline is still unknown. Use this time to get ready, and SHLB will share the deadlines as soon as they're announced.

All filings must be submitted through the FCC's Electronic Comment Filing System (ECFS) under the following dockets:

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

Key Topics in the NPRM

- Whether the E-Rate program is no longer needed
- Whether the E-Rate program should be terminated altogether or limited to rural areas
- How to address growing concerns about student screen time and device use in educational settings
- Whether the FCC should revisit its interpretation and implementation of the Children's Internet Protection Act (CIPA)

Key Proposals in the FNPRM

- Rules around oversight of E-Rate consultants and consulting firms, including annual consultant certifications and disclosures, creating a consultant registration database, and prohibiting percentage-based fee arrangements
- Requiring all applicants to enter into a signed contract following the competitive bidding process
- Clarifying that service substitutions must be in writing and certified, and approved by the Account Administrator
- Setting a June 30th deadline for submission of the SPAC Form
- Revisions to current FCC forms and certifications
- Inquiries related cost-effectiveness (including MIBS) and the Lowest Corresponding Price rule

Call to Action: Make Your Voice Heard

This proceeding presents a significant opportunity for schools, libraries, and community members to shape the future of E-Rate. If you would like to file comments with the FCC, we suggest that you:

- Review the [adopted NPRM and FNPRM](#) in detail to understand the FCC's inquiries and recommendations
- Familiarize yourself with the [types of filings](#) you can submit.
- Keep track of the filing deadlines and understand the instructions to submit your comments.
- Write to your members of Congress by utilizing the tools [found here](#).

Visit our campaign action center at SaveOurERate.com to learn more.