



January 28, 2022

Chairwoman Jessica Rosenworcel
Commissioner Brendan Carr
Commissioner Geoffrey Starks
Commissioner Nathan Simington
Federal Communications Commission
45 L St. NE
Washington, DC 20554

Re: Ex parte submission in WC Docket No. 13-184 and WC Docket 21-93 to make adjustments to the Emergency Connectivity Fund program and the E-rate program.

Dear Chairwoman Rosenworcel and Commissioners Carr, Starks, and Simington:

The Emergency Connectivity Fund (ECF) program has been tremendously important to schools and libraries seeking to address the “homework gap” by providing low-cost broadband services and devices to school students and library patrons in need over the past year. The Federal Communications Commission (FCC) and the Universal Service Administrative Company (USAC) are to be commended for making extraordinary efforts to implement the ECF program quickly and effectively.

Now that we have almost one year of experience with the program under our belt, the Schools, Health & Libraries Broadband (SHLB) Coalition, the Consortium for School Networking (CoSN), the State Educational Technology Directors Association (SETDA) and the American Library Association (ALA) respectively submit that there are additional adjustments that the Commission can take to continue to implement the program successfully and with continuing public benefits. In brief, the Commission should take the following actions: (1) extend the June 30, 2022, service delivery deadline; (2) open a third funding window in the spring of 2022 to distribute the program’s remaining funds; (3) extend the gift rule to coincide with the extended service delivery deadline; (4) reconsider the record-keeping requirements with respect to library applicants; and (5) waive the cost allocation rule in the E-rate program, at least for the duration of the public health emergency.

First, the Commission should extend the June 30, 2022, service delivery deadline for expending funding for one additional year (until June 30, 2023) to allow schools and libraries that receive awards to expend the full amount of that award to help students and library patrons remain connected after June 30, 2022. As of this writing, the FCC has approved ECF applications totaling approximately \$4.4 billion, about 70 percent of the \$6.3 billion requested by applicants in the first two application windows. Many schools and libraries who applied for ECF funding last year only recently received approval, and a significant

percentage of applicants have not received a decision at all. These recently-approved and still

recognized the harm caused by the rise in COVID cases when it waived certain rules for the Emergency Broadband Benefit/Affordability Connection Program in an order released on December 30, 2021 (“The effects of the COVID-19 pandemic continue to be felt by many Americans, and recently a new variant of the coronavirus has emerged that has contributed to uncertainty about the ongoing pandemic.”).⁴ Opening a third funding window this spring would give schools and libraries the opportunity to obtain additional funding needed to continue engaging in online instruction to students and patrons in need. Further, some schools and libraries that were unfamiliar with the ECF program last year would have an opportunity to apply for ECF funding going forward.⁵

We also encourage the Commission to set benchmarks for resolving applications submitted in the third window more quickly and also to expedite the reimbursement of invoices. Since the Commission has gained from the experience of the first two windows, it should be able to make funding decisions more

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