# United States Senate WASHINGTON, DC 20510

November 17, 2017

997

The Honorable Ajit Pai Chairman Federal Communications Commission 445 12th Street SW Washington, DC 20554

Dear Chairman Pai,

We write in response to the Wireline Competition Bureau's Public Notice seeking comment on the sufficiency of the E-Rate program's formula for category two services, which provides schools and libraries support for Wi-Fi and internal connections. We urge you to protect the E-Rate program and resist any proposal to prematurely modify category two funding.

The E-Rate program is an essential source of federal funding to connect the nation's schools and libraries to the internet. These institutions are vital outlets to help connect all Americans, including millions of students and Americans in rural parts of the country. For many, these schools and libraries are the only source of free public internet access, and play a critical role in helping close the digital divide.

As smartphones and tablets became nearly ubiquitous throughout society, the FCC modernized the E-Rate program in 2014, making funds available to expand Wi-Fi networks in schools and libraries across the nation. The modernization provided schools and libraries the resources they need to build out their Wi-Fi networks, helping ensure that our students and underserved Americans are not left behind as we transition into an increasingly wireless world.

When the Commission approved the modernization, the FCC directed the Wireline Competition Bureau to compile a report on the adequacy of the funding level for category two services by the opening of the 2019 program year. While we appreciate the Bureau's eagerness to begin this evaluation well in advance of the deadline, we believe it is premature to evaluate the adequacy of the modernization, given its recent implementation and utilization. The expanded funding for category two services has only been available to schools and libraries for three filing periods. Applicants are given the flexibility to file for category two services anytime in the five-year period and may be planning to tap these resources later in the five-year window, making it impossible to fully evaluate the program's effectiveness at this time. We urge the commission to not prematurely make modifications to this important source of funding, which helps ensure all Americans – whether urban or rural, rich or poor – remain connected and competitive in this global economy.

We thank you for your attention to this important matter. If you would like additional information about our request, please contact Daniel Greene in Senator Markey's office (202 - 224 - 2742).

### Sincerely,

Edward J. Markey	Patty Muria
United States Senator	United States Senator
Al Franken	Tangmy Baldwin
United States Senator	United States Senator
margue Hasson	ficher 1 Ohmen Ref
Margaret Wood Hassan United States Senator	Richard Blumenthal United States Senator
por wydn	An Klobban
Ron Wyden	Amy Klobuchar
United States Senator	United States Senator
Maria Confuer	Lan Coster
Maria Cantwell	Gary C. Peters
United States Senator	United States Senator
Catherine Cortez Masto	

United States Senator



April 3, 2018

The Honorable Edward J. Markey United States Senate 255 Dirksen Senate Office Building Washington, D.C. 20510

Dear Senator Markey:

Thank you for your letter in response to the Wireline Competition Bureau's Public Notice regarding the E-Rate program's category two budgets. Your views are important and will be considered as the Bureau prepares its report for the Commission.

In 2014, the Commission adopted five-year budgets for schools and libraries purchasing category two services, including the services and equipment needed for Wi-Fi in classrooms. This rule replaced the old "two in five" rule, which made planning for category two services and equipment difficult for many schools and libraries. But this rule change was temporary—it went into effect in funding year 2015 and will sunset in funding year 2020. To help the Commission decide whether to renew this approach, the Commission directed the Bureau to monitor and provide a report on category two applicant budgets using data gathered in funding years 2015 through 2018. The Bureau's report to the Commission is due before the filing window for funding year 2019 opens next year.

In preparation for its report, the Bureau released the Public Notice referenced in your letter. The Public Notice sought comment from applicants, service providers, and other interested parties about how applicants have used their category two budgets, and the percentage of category two services purchased by applicants that were or will be covered by the budgets. The Bureau also sought data and feedback on how the budgets impact different types of E-Rate applicants, such as those in rural or remote geographies or those with unique student populations. Finally, the Bureau sought general comment on the administration of the budgets.

The comment cycle for the Public Notice has closed and Bureau staff is carefully reviewing the submissions. The Bureau will take into consideration the issues and concerns presented by all stakeholders.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.



April 3, 2018

The Honorable Al Franken United States Senate 309 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Franken:

Thank you for your letter in response to the Wireline Competition Bureau's Public Notice regarding the E-Rate program's category two budgets. Your views are important and will be considered as the Bureau prepares its report for the Commission.

In 2014, the Commission adopted five-year budgets for schools and libraries purchasing category two services, including the services and equipment needed for Wi-Fi in classrooms. This rule replaced the old "two in five" rule, which made planning for category two services and equipment difficult for many schools and libraries. But this rule change was temporary—it went into effect in funding year 2015 and will sunset in funding year 2020. To help the Commission decide whether to renew this approach, the Commission directed the Bureau to monitor and provide a report on category two applicant budgets using data gathered in funding years 2015 through 2018. The Bureau's report to the Commission is due before the filing window for funding year 2019 opens next year.

In preparation for its report, the Bureau released the Public Notice referenced in your letter. The Public Notice sought comment from applicants, service providers, and other interested parties about how applicants have used their category two budgets, and the percentage of category two services purchased by applicants that were or will be covered by the budgets. The Bureau also sought data and feedback on how the budgets impact different types of E-Rate applicants, such as those in rural or remote geographies or those with unique student populations. Finally, the Bureau sought general comment on the administration of the budgets.

The comment cycle for the Public Notice has closed and Bureau staff is carefully reviewing the submissions. The Bureau will take into consideration the issues and concerns presented by all stakeholders.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,



April 3, 2018

The Honorable Maggie Hassan United States Senate B85 Russell Senate Office Building Washington, D.C. 20510

Dear Senator Hassan:

Thank you for your letter in response to the Wireline Competition Bureau's Public Notice regarding the E-Rate program's category two budgets. Your views are important and will be considered as the Bureau prepares its report for the Commission.

In 2014, the Commission adopted five-year budgets for schools and libraries purchasing category two services, including the services and equipment needed for Wi-Fi in classrooms. This rule replaced the old "two in five" rule, which made planning for category two services and equipment difficult for many schools and libraries. But this rule change was temporary—it went into effect in funding year 2015 and will sunset in funding year 2020. To help the Commission decide whether to renew this approach, the Commission directed the Bureau to monitor and provide a report on category two applicant budgets using data gathered in funding years 2015 through 2018. The Bureau's report to the Commission is due before the filing window for funding year 2019 opens next year.

In preparation for its report, the Bureau released the Public Notice referenced in your letter. The Public Notice sought comment from applicants, service providers, and other interested parties about how applicants have used their category two budgets, and the percentage of category two services purchased by applicants that were or will be covered by the budgets. The Bureau also sought data and feedback on how the budgets impact different types of E-Rate applicants, such as those in rural or remote geographies or those with unique student populations. Finally, the Bureau sought general comment on the administration of the budgets.

The comment cycle for the Public Notice has closed and Bureau staff is carefully reviewing the submissions. The Bureau will take into consideration the issues and concerns presented by all stakeholders.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,



April 3, 2018

The Honorable Ron Wyden United States Senate 221 Dirksen Senate Office Building Washington, D.C. 20510

Dear Senator Wyden:

Thank you for your letter in response to the Wireline Competition Bureau's Public Notice regarding the E-Rate program's category two budgets. Your views are important and will be considered as the Bureau prepares its report for the Commission.

In 2014, the Commission adopted five-year budgets for schools and libraries purchasing category two services, including the services and equipment needed for Wi-Fi in classrooms. This rule replaced the old "two in five" rule, which made planning for category two services and equipment difficult for many schools and libraries. But this rule change was temporary—it went into effect in funding year 2015 and will sunset in funding year 2020. To help the Commission decide whether to renew this approach, the Commission directed the Bureau to monitor and provide a report on category two applicant budgets using data gathered in funding years 2015 through 2018. The Bureau's report to the Commission is due before the filing window for funding year 2019 opens next year.

In preparation for its report, the Bureau released the Public Notice referenced in your letter. The Public Notice sought comment from applicants, service providers, and other interested parties about how applicants have used their category two budgets, and the percentage of category two services purchased by applicants that were or will be covered by the budgets. The Bureau also sought data and feedback on how the budgets impact different types of E-Rate applicants, such as those in rural or remote geographies or those with unique student populations. Finally, the Bureau sought general comment on the administration of the budgets.

The comment cycle for the Public Notice has closed and Bureau staff is carefully reviewing the submissions. The Bureau will take into consideration the issues and concerns presented by all stakeholders.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.



#### FEDERAL COMMUNICATIONS COMMISSION Washington

April 3, 2018

The Honorable Maria Cantwell United States Senate 511 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Cantwell:

Thank you for your letter in response to the Wireline Competition Bureau's Public Notice regarding the E-Rate program's category two budgets. Your views are important and will be considered as the Bureau prepares its report for the Commission.

In 2014, the Commission adopted five-year budgets for schools and libraries purchasing category two services, including the services and equipment needed for Wi-Fi in classrooms. This rule replaced the old "two in five" rule, which made planning for category two services and equipment difficult for many schools and libraries. But this rule change was temporary—it went into effect in funding year 2015 and will sunset in funding year 2020. To help the Commission decide whether to renew this approach, the Commission directed the Bureau to monitor and provide a report on category two applicant budgets using data gathered in funding years 2015 through 2018. The Bureau's report to the Commission is due before the filing window for funding year 2019 opens next year.

In preparation for its report, the Bureau released the Public Notice referenced in your letter. The Public Notice sought comment from applicants, service providers, and other interested parties about how applicants have used their category two budgets, and the percentage of category two services purchased by applicants that were or will be covered by the budgets. The Bureau also sought data and feedback on how the budgets impact different types of E-Rate applicants, such as those in rural or remote geographies or those with unique student populations. Finally, the Bureau sought general comment on the administration of the budgets.

The comment cycle for the Public Notice has closed and Bureau staff is carefully reviewing the submissions. The Bureau will take into consideration the issues and concerns presented by all stakeholders.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.



April 3, 2018

The Honorable Catherine Cortez Masto United States Senate B40A Dirksen Senate Office Building Washington, D.C. 20510

Dear Senator Cortez Masto:

Thank you for your letter in response to the Wireline Competition Bureau's Public Notice regarding the E-Rate program's category two budgets. Your views are important and will be considered as the Bureau prepares its report for the Commission.

In 2014, the Commission adopted five-year budgets for schools and libraries purchasing category two services, including the services and equipment needed for Wi-Fi in classrooms. This rule replaced the old "two in five" rule, which made planning for category two services and equipment difficult for many schools and libraries. But this rule change was temporary—it went into effect in funding year 2015 and will sunset in funding year 2020. To help the Commission decide whether to renew this approach, the Commission directed the Bureau to monitor and provide a report on category two applicant budgets using data gathered in funding years 2015 through 2018. The Bureau's report to the Commission is due before the filing window for funding year 2019 opens next year.

In preparation for its report, the Bureau released the Public Notice referenced in your letter. The Public Notice sought comment from applicants, service providers, and other interested parties about how applicants have used their category two budgets, and the percentage of category two services purchased by applicants that were or will be covered by the budgets. The Bureau also sought data and feedback on how the budgets impact different types of E-Rate applicants, such as those in rural or remote geographies or those with unique student populations. Finally, the Bureau sought general comment on the administration of the budgets.

The comment cycle for the Public Notice has closed and Bureau staff is carefully reviewing the submissions. The Bureau will take into consideration the issues and concerns presented by all stakeholders.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.



April 3, 2018

The Honorable Patty Murray United States Senate 154 Russell Senate Office Building Washington, D.C. 20510

Dear Senator Murray:

Thank you for your letter in response to the Wireline Competition Bureau's Public Notice regarding the E-Rate program's category two budgets. Your views are important and will be considered as the Bureau prepares its report for the Commission.

In 2014, the Commission adopted five-year budgets for schools and libraries purchasing category two services, including the services and equipment needed for Wi-Fi in classrooms. This rule replaced the old "two in five" rule, which made planning for category two services and equipment difficult for many schools and libraries. But this rule change was temporary—it went into effect in funding year 2015 and will sunset in funding year 2020. To help the Commission decide whether to renew this approach, the Commission directed the Bureau to monitor and provide a report on category two applicant budgets using data gathered in funding years 2015 through 2018. The Bureau's report to the Commission is due before the filing window for funding year 2019 opens next year.

In preparation for its report, the Bureau released the Public Notice referenced in your letter. The Public Notice sought comment from applicants, service providers, and other interested parties about how applicants have used their category two budgets, and the percentage of category two services purchased by applicants that were or will be covered by the budgets. The Bureau also sought data and feedback on how the budgets impact different types of E-Rate applicants, such as those in rural or remote geographies or those with unique student populations. Finally, the Bureau sought general comment on the administration of the budgets.

The comment cycle for the Public Notice has closed and Bureau staff is carefully reviewing the submissions. The Bureau will take into consideration the issues and concerns presented by all stakeholders.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,



April 3, 2018

The Honorable Tammy Baldwin United States Senate 717 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Baldwin:

Thank you for your letter in response to the Wireline Competition Bureau's Public Notice regarding the E-Rate program's category two budgets. Your views are important and will be considered as the Bureau prepares its report for the Commission.

In 2014, the Commission adopted five-year budgets for schools and libraries purchasing category two services, including the services and equipment needed for Wi-Fi in classrooms. This rule replaced the old "two in five" rule, which made planning for category two services and equipment difficult for many schools and libraries. But this rule change was temporary—it went into effect in funding year 2015 and will sunset in funding year 2020. To help the Commission decide whether to renew this approach, the Commission directed the Bureau to monitor and provide a report on category two applicant budgets using data gathered in funding years 2015 through 2018. The Bureau's report to the Commission is due before the filing window for funding year 2019 opens next year.

In preparation for its report, the Bureau released the Public Notice referenced in your letter. The Public Notice sought comment from applicants, service providers, and other interested parties about how applicants have used their category two budgets, and the percentage of category two services purchased by applicants that were or will be covered by the budgets. The Bureau also sought data and feedback on how the budgets impact different types of E-Rate applicants, such as those in rural or remote geographies or those with unique student populations. Finally, the Bureau sought general comment on the administration of the budgets.

The comment cycle for the Public Notice has closed and Bureau staff is carefully reviewing the submissions. The Bureau will take into consideration the issues and concerns presented by all stakeholders.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely.



April 3, 2018

The Honorable Richard Blumenthal United States Senate 706 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Blumenthal:

Thank you for your letter in response to the Wireline Competition Bureau's Public Notice regarding the E-Rate program's category two budgets. Your views are important and will be considered as the Bureau prepares its report for the Commission.

In 2014, the Commission adopted five-year budgets for schools and libraries purchasing category two services, including the services and equipment needed for Wi-Fi in classrooms. This rule replaced the old "two in five" rule, which made planning for category two services and equipment difficult for many schools and libraries. But this rule change was temporary—it went into effect in funding year 2015 and will sunset in funding year 2020. To help the Commission decide whether to renew this approach, the Commission directed the Bureau to monitor and provide a report on category two applicant budgets using data gathered in funding years 2015 through 2018. The Bureau's report to the Commission is due before the filing window for funding year 2019 opens next year.

In preparation for its report, the Bureau released the Public Notice referenced in your letter. The Public Notice sought comment from applicants, service providers, and other interested parties about how applicants have used their category two budgets, and the percentage of category two services purchased by applicants that were or will be covered by the budgets. The Bureau also sought data and feedback on how the budgets impact different types of E-Rate applicants, such as those in rural or remote geographies or those with unique student populations. Finally, the Bureau sought general comment on the administration of the budgets.

The comment cycle for the Public Notice has closed and Bureau staff is carefully reviewing the submissions. The Bureau will take into consideration the issues and concerns presented by all stakeholders.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely.



#### FEDERAL COMMUNICATIONS COMMISSION Washington

April 3, 2018

The Honorable Amy Klobuchar United States Senate 302 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Klobuchar:

Thank you for your letter in response to the Wireline Competition Bureau's Public Notice regarding the E-Rate program's category two budgets. Your views are important and will be considered as the Bureau prepares its report for the Commission.

In 2014, the Commission adopted five-year budgets for schools and libraries purchasing category two services, including the services and equipment needed for Wi-Fi in classrooms. This rule replaced the old "two in five" rule, which made planning for category two services and equipment difficult for many schools and libraries. But this rule change was temporary—it went into effect in funding year 2015 and will sunset in funding year 2020. To help the Commission decide whether to renew this approach, the Commission directed the Bureau to monitor and provide a report on category two applicant budgets using data gathered in funding years 2015 through 2018. The Bureau's report to the Commission is due before the filing window for funding year 2019 opens next year.

In preparation for its report, the Bureau released the Public Notice referenced in your letter. The Public Notice sought comment from applicants, service providers, and other interested parties about how applicants have used their category two budgets, and the percentage of category two services purchased by applicants that were or will be covered by the budgets. The Bureau also sought data and feedback on how the budgets impact different types of E-Rate applicants, such as those in rural or remote geographies or those with unique student populations. Finally, the Bureau sought general comment on the administration of the budgets.

The comment cycle for the Public Notice has closed and Bureau staff is carefully reviewing the submissions. The Bureau will take into consideration the issues and concerns presented by all stakeholders.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.



#### FEDERAL COMMUNICATIONS COMMISSION Washington

April 3, 2018

The Honorable Gary Peters United States Senate 724 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Peters:

Thank you for your letter in response to the Wireline Competition Bureau's Public Notice regarding the E-Rate program's category two budgets. Your views are important and will be considered as the Bureau prepares its report for the Commission.

In 2014, the Commission adopted five-year budgets for schools and libraries purchasing category two services, including the services and equipment needed for Wi-Fi in classrooms. This rule replaced the old "two in five" rule, which made planning for category two services and equipment difficult for many schools and libraries. But this rule change was temporary—it went into effect in funding year 2015 and will sunset in funding year 2020. To help the Commission decide whether to renew this approach, the Commission directed the Bureau to monitor and provide a report on category two applicant budgets using data gathered in funding years 2015 through 2018. The Bureau's report to the Commission is due before the filing window for funding year 2019 opens next year.

In preparation for its report, the Bureau released the Public Notice referenced in your letter. The Public Notice sought comment from applicants, service providers, and other interested parties about how applicants have used their category two budgets, and the percentage of category two services purchased by applicants that were or will be covered by the budgets. The Bureau also sought data and feedback on how the budgets impact different types of E-Rate applicants, such as those in rural or remote geographies or those with unique student populations. Finally, the Bureau sought general comment on the administration of the budgets.

The comment cycle for the Public Notice has closed and Bureau staff is carefully reviewing the submissions. The Bureau will take into consideration the issues and concerns presented by all stakeholders.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.