

## **FORESIGHT LAW + POLICY**

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October 20, 2021

### **Ex Parte Notice**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
45 L Street, N.E.  
Washington, D.C. 20554

Re: Proposed Eligible Services List for the E-rate Program (WC Docket No. 13-184)

Dear Ms. Dortch:

On October 19, 2021, the education and library community representatives listed below met with Commissioner Nathan Simington and the following members of his staff: Erin Boone, Chief of Staff and Wireless Advisor; Marco Peraza, Wireline Advisor; Adam Cassidy, Media Advisor; and Michael Sweeney, Confidential Assistant.

#### Attendees:

- Keith Krueger, CEO, Consortium for School Networking (CoSN)
- Julia Fallon, Executive Director, State Educational Technology Directors Association (SETDA)
- Bob Bocher, Consultant, American Library Association
- Chip Slaven, Interim Executive Director, National School Boards Association
- Manish Naik, Manager of Legislative Services, Council of the Great City Schools
- Debra Kriete, Chair, State E-rate Coordinators' Alliance
- John Harrington, CEO, Funds For Learning
- Cathy Cruzan, President, Funds For Learning
- John Windhausen, CEO, Schools, Health & Libraries Broadband Coalition
- Phillip Lovell, Vice President, Alliance for Excellence in Education
- Rebeca Shackleford, Director of Federal Government Relations, Alliance for Excellent Education
- Reg Leichty, Founding Partner, Foresight Law + Policy

The group spoke with the commissioner and his staff about modernizing the E-rate program's cybersecurity provisions to ensure that eligible schools and libraries have access to safe and secure high-capacity broadband. The group cited the need to help schools and libraries defend themselves from the growing threat of persistent and harmful cyberattacks, including ransomware attacks, that target school and library networks and sensitive student, teacher, and library patron data.

The attendees called on the Commission to take the following immediate actions to strengthen the E-rate program's cybersecurity provisions:

1. Update the program's Eligible Services List for funding year 2022 list to permit Category Two of the program to fully fund firewall devices and services without requiring any cost-allocation.
2. Begin the rulemaking that may be required to add more sophisticated cybersecurity protections to the program's investments by inviting public comment on the February 8, 2021, Petition for Rulemaking submitted by the Consortium of School Networking, the State Educational Technology Directors Association (SETDA), the Council of the Great City Schools, the Schools, Health & Libraries Broadband Coalition, the State E-rate Coordinators' Alliance, and the Alliance for Excellence in Education.

Respectfully submitted,

/s/ Reg Leichty

Reg Leichty  
Founding Partner  
Foresight Law + Policy

cc: Commissioner Simington  
Ms. Erin Boone  
Mr. Marco Peraza  
Mr. Adam Cassidy  
Mr. Michael Sweeney