ALA American Library Association

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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

COMMENTS OF

THE AMERICAN LIBRARY ASSOCIATION

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COMMENTS OF

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The American Library Association[1] (ALA) submits these comments in response to the Federal Communications Commission's (FCC) Notice of Proposed Rulemaking and Further Notice of Proposed Rulemaking (NPRM) regarding the E-Rate program, including whether the FCC should eliminate E-Rate altogether or eliminate urban areas from E-Rate eligibility.[2]

[1] The American Library Association (ALA) is the foremost national organization providing resources to inspire library and information professionals to transform their communities through essential programs and services. For 150 years, ALA has been the trusted voice for academic, public, school, government, and special libraries, advocating for the profession and the library's role in enhancing learning and ensuring access to information for all. ALA represents the nation's 123,000 libraries, which includes over 17,000 public libraries.

[2] "Ensuring Children's Safe Use of Screens and E-Rate-Funded Services", WC Docket No. 26-133, "Modernizing the E-Rate Program for Schools and Libraries," WC Docket No. 13-184, "Establishing the Emergency Connectivity Fund to Close the Homework Gap", WC Docket No. 21-93, "Promoting Fair and Open Competitive Bidding in the E-Rate Program," WC Docket No. 21-455, "Notice of Proposed Rulemaking and Further Notice of Proposed Rulemaking", FCC 26-41 (rel. June 26, 2026).

I. Introduction and Executive Summary

In response to this proposed rulemaking, ALA says resoundingly that the E-Rate program is working as intended and should not be terminated or limited. For nearly 30 years, the E-Rate program has enabled libraries and schools to provide sustainable and reliable high-speed broadband to communities nationwide. E-Rate powers consequential and life-changing access to communities through America's public libraries. Year-over-year, ALA has partnered with the FCC to reduce barriers to library applicants that most need E-Rate discounts. Outreach to small, rural, and tribal libraries is ongoing to further fulfill the intended goals of this program. If any change to the E-Rate is needed, it is simplification of the application process to reduce burdens on libraries and schools. ALA has provided comments on removing barriers for library applicants over the years, including in Chairman Carr's "Delete, Delete, Delete" proceeding.[3][4]

The E-Rate program has transformed library service. Virtually all public libraries now use high-speed broadband in a variety of ways, including offering their communities internet access via public computers and Wi-Fi networks; running services, programs, and building operations; and communicating across staff and to the public. Libraries support broadband access, adoption, and digital skills and literacy, including AI literacy. They also offer online educational materials, such as e-books, periodicals, journals, and research articles, databases, and learning tools that can be accessed online through the library's internet connection.

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[3] Comments of the American Library Association, In the matter of "Delete, Delete, Delete," GN Docket No. 25-133 https://www.fcc.gov/ecfs/document/10411336522445/1

[4] Because of our interest in the long-term sustainability of the E-Rate program, ALA has also made substantive comments to the Congressional Universal Service Fund Working Group. We applaud Congress's efforts to understand the successes, challenges, and opportunities of the USF programs. We have weighed in on contribution reform, a necessity to provide sustainability into the future. We also are concerned about evolving needs from libraries, including cybersecurity measures to protect vulnerable networks and vulnerable users. (Comments of the American Library Association to the Congressional Universal Service Fund Working Group. September 15, 2025. https://www.ala.org/sites/default/files/2025-09/ALA%20USF%20Reform%20Comments%202025.pdf)

Thousands of Americans use their community library every day to connect to modern life: enrolling children in school, paying bills, applying for jobs, career upskilling, starting businesses, completing timesheets, attending telehealth appointments, taking GED or other tests, applying for higher education, taking distance learning courses, and completing schoolwork, research projects, and online learning. On the ground at a local library, E-Rate is supporting the goal of universal service.

In response to the questions raised in the NPRM, we respectfully:

- Urge the Commission to preserve the core tenets of the E-Rate program;
- Encourage the FCC to build upon the success of the E-Rate program with sustained funding and further outreach to public libraries across the country;
- Caution against conflating broadband connectivity and access with screen time abuse; and
- Recommend the Commission leave matters of screen and device use to state and local education and library professionals.

II. E-Rate is a Successful and Impactful Connectivity Program Working as Intended

E-Rate has transformed library services since its inception nearly 30 years ago. In 1996, when the Telecommunications Act became law, it was not standard for libraries to have high-speed broadband access; they were just starting to come online and many libraries that did have internet access only had dial-up access, often to just two or three computers primarily used by staff. The E-Rate program, founded on the premise of universal service, changed everything: across the country, it supported connectivity and access for libraries and schools and the communities they serve.

Prior to E-Rate, libraries did not have budgets for broadband. E-Rate did not replace an existing broadband budget; instead, it offered a sustainable solution for libraries to provide the connectivity needed to support the emerging need for access to the internet for school and learning, work, social and civic participation, and more. From this early connectivity, libraries were able to contribute directly to the mission of universal service and broadband adoption with digital skills classes and programs, one-on-one support, and opportunities to provide patrons with access to emerging technologies and information services through a broadband connection. E-Rate doesn't just make it possible to afford high speeds and meet the existing needs of modern life; it also proactively prepares libraries to adopt and provide support for emerging innovations and technology changes as they are introduced, and to meet the growing demands for more bandwidth as state-of-the-art services become more robust with 5G, Internet of Things, AI, streaming video, and cloud computing, as examples.

The impact of E-Rate discounts is outsized in terms of what libraries then leverage from the basic broadband connection. For example, the W.G. Rhea Public Library in the small community of Paris, TN, received $647.89 from E-Rate last year. With this small dollar amount, the library welcomed 48,092 patrons, hosted 5,199 computer sessions on their public access computers, circulated 71,099 library books and other materials, and hosted 9,928 patrons at library programs. “All of these services and programs rely on internet access.”[5] Libraries across the country realize these impacts and significant value to their communities built on their good stewardship of E-Rate dollars.

[5] Stephanie Hart, W.G. Rhea Public Library. Comments on: “Ensuring Children’s Safe Use of Screens and E-Rate-Funded Services”, WC Docket No. 26-133, August 27, 2026. https://www.fcc.gov/ecfs/document/26110073259/1

The NPRM questions are intended as a "top-to-bottom review" of the program.[6] Immediately below, we address questions from the NPRM related to the management and oversight of the E-Rate program; the ongoing need for E-Rate-supported internet access at libraries; the impact of library connectivity through E-Rate; E-Rate's continued relevance alongside programs like BEAD; and the economic impacts of E-Rate and libraries.

a. E-Rate administration is intentional and effective

The Supreme Court of the United States recently affirmed the constitutionality of the Universal Service Fund (USF), writing: "the work of Congress and the Commission in establishing universal service programs has led to a more fully connected country ... while leaving fully intact the separation of powers integral to our Constitution."[7] E-Rate is a well-executed program with significant federal oversight, established anti-fraud measures, and controlled spending.[8] E-Rate's discount structure and competitive bidding requirements discourage excessive spending. The program facilitates affordable internet by providing libraries with discounts based on strict eligibility requirements and then reimbursing providers for the difference. The steepest discounts go to the communities most in need; the National School Lunch Program (NSLP) data continues to function as a meaningful proxy to identify low-income communities and determine appropriate discount rates for school districts and libraries.[9]

[6] Brendan Carr. "Building a Brighter and Safer Future," June 3, 2026. https://www.fcc.gov/news-events/blog/2026/06/03/building-brighter-and-safer-future
[7] FCC v. Consumers' Research, 606 U.S. 656 (2025)
[8] United States Government Accountability Office. "Federal Awards: Selected Programs Did Not Fully Include Identified Practices to Enhance Oversight and Fraud Prevention," December 2025. https://www.gao.gov/products/gao-26-107444
[9] NPRM. Para. 25.

Leveraging the NSLP has proven a successful metric to determine where to focus E-Rate dollars. There is no need for the FCC to further limit eligibility based on geographic location.[10]

ALA has been a partner and stakeholder with the FCC and the Universal Service Administrative Company (USAC) in the efforts throughout the program's history to modernize, strengthen, streamline, and increase access to the E-Rate.[11] ALA helped the FCC create the E-Rate program in 1997 and libraries have been represented on the USAC board since its inception. Through these efforts, the FCC and USAC have:

- Connected thousands of libraries and schools to high-speed internet services, including those in rural and tribal locations;
- Made continuous improvements to the program to ensure access by those libraries that most need the support;
- Identified additional ways to streamline the program and reduce applicant burden;
- Modernized the program to address the need for expanded internal connections and Wi-Fi capability.

b. Success hinges on sustainability and continued outreach

E-Rate's success is due to its inherent structure as a reliable foundation of sustained funding that libraries and schools can build into their budgets. The E-Rate program is designed to be sustainable and predictable, allowing libraries and schools to make confident and informed

[10] In paragraphs 25 and 26, the NPRM asks if E-Rate should be limited to rural areas. This would jeopardize funding for libraries and communities that need support in non-rural locations that are still eligible based on the NSLP.
[11] Over the years, ALA has provided written comments on various rulemakings and comment periods as the FCC has shaped program rules. See ALA's comments on E-Rate modernization (WC Docket No. 13-184. September 2013. https://www.fcc.gov/ecfs/document/6017467492/1); tribal libraries (CC Docket No. 02-6, 96-45, 97-21. April 2023.https://www.fcc.gov/ecfs/document/10424105807214/1); and "Delete, Delete, Delete," (GN Docket No. 25-133. April 2025 https://www.fcc.gov/ecfs/document/10411336522445/1) as a few examples.

decisions about budgets, staff, operations, and programs. The Commission asks if the success of E-Rate indicates that the program has run its course;[12] the short answer is a resounding "No." Broadband is not a discretionary expenditure for libraries. Broadband is needed consistently, every day, to support library functions from cutting edge technology to checking out physical books. And the demand for broadband bandwidth continues to grow each year, as modern life requires increased connectivity to participate in the workforce, school, and society. The sustainable, predictable, and reliable nature of E-Rate is a feature, not a bug, of the program.[13]

Even as E-Rate has been highly successful in maintaining broadband connections, many libraries still do not yet have sufficient access to the bandwidth necessary for their patrons to use the full suite of online services. The 2023 Public Library Technology Survey tells us that library internet download speeds are increasingly common at 100 Mbps or 1 Gbps but still 28.4% of libraries overall and 35.4% of town/rural libraries reported subscribing to internet connections that do not meet the 2024 federal definition of broadband (100 Mbps download and 20 Mbps upload).[14] The National Broadband Plan (issued in 2010)[15] and the Broadband Equity Access and Deployment Program (enacted in 2021)[16] both recognized that libraries and other anchor

[12] NPRM. Para. 12.
[13] As with constructing the library building itself, even after the structure is built, regular maintenance is required to ensure the building meets users' needs today and into the future. This includes general upkeep, such as repairing the roof, mowing the lawn, changing lightbulbs, replacing broken furniture and equipment, and eventually replacing end-of-life systems, including the roof, heating, and cooling systems. This essential maintenance ensures the building's long-term function and integrity. It also entails ongoing costs. The same is true for broadband; even once the network is built out, the network provider must still charge a fee for its use. The library will eventually need to replace essential equipment like routers, switches, and uninterruptible power supply battery backups. E-Rate is critically important both for building out and for maintaining the network.
[14] Public Library Association. "2023 Public Library Technology Survey: Summary Report," 2024. https://www.ala.org/sites/default/files/2024-07/PLA_Tech_Survey_Report_2024.pdf
[15] Federal Communications Commission. "National Broadband Plan," March 17, 2010. https://www.fcc.gov/general/national-broadband-plan
[16] National Telecommunications and Information Administration." Broadband Equity Access and Deployment Program," 2023. https://broadbandusa.ntia.gov/funding-programs/broadband-equity-access-and-deployment-bead-program

institutions should have gigabit speed bandwidth, but only a small percentage of libraries have gigabit access today.

The FCC has made a significant impact on broadband connectivity through the E-Rate program, but there is more and ongoing work to be done toward the goal of universal service. Importantly, E-Rate continues to play a pivotal role in connectivity. Connectivity status is not fixed, and without a sustained and consistent funding source, communities that currently benefit from high-speed broadband at the library could find themselves without the service they need or the ability to have sufficient access to address the needs of community members.

c. Americans rely on library internet access

Nationwide, American households rely on the broadband connection their local public library provides. For those who do not have home internet access, the library is the primary place where they access the internet to pay bills, register for school, apply for jobs, and complete coursework. According to the 2024 Census Bureau's American Community Survey, 6.7% of U.S. households have no internet subscription at home, and among the 93% that do, 12.6 % rely on a cellular data plan. Low-income households are more likely to lack an internet subscription: 19.3% of households with annual incomes under $20,000 are without an internet subscription at home, compared to only 2.6% of households with annual incomes of $75,000 or more.[17] The library supports those who lack reliable access because of no, low or insufficient internet bandwidth, and/or lack of access to a reliable computer. Libraries serve an essential educational purpose for their communities, and E-Rate helps them fulfill this purpose. Libraries provide direct broadband

[17] U.S. Census Bureau. "Types of Computers and Internet Subscriptions." American Community Survey, ACS 1-Year Estimates Subject Tables, Table S2801, 2024. https://data.census.gov/table/ACSST1Y2024.S2801?q=broadband&g=010XX00US

access to the public, and also classes and programs, books, databases, and other resources, and meeting, studying, and working space. For instance,

- The Washington State Library's workforce development program supports 60 public library systems and 470 library buildings by providing free digital skills training and professional certifications that create pathways to living-wage jobs.[18]
- Emporia Public Library (Kansas), the largest public library in the mostly rural Lyon County, has received $35,737.25 since 2023. E-Rate allows it to provide online homework help and workforce development support, as well as in-person digital literacy workshops and drop-in sessions where staff help patrons, including seniors, diagnose and resolve device problems.[19]
- Huron Public Library (Ohio), which serves over 10,000 patrons, offers programs such as Girls Who Code and Maker Studio that rely on the library's internet access.[20]
- Marysville Public Library (Kansas) received $1,016.88 through E-Rate in 2026. Last year, roughly 22,000 visitors came through its doors; the network supported 4,000 public computer sessions and 19,500 Wi-Fi sessions. The library's internet service enabled a recently laid-off patron to search for and apply for jobs online. College students who struggle with unreliable home internet come to the library each week to attend remote

[18] Public Libraries of Washington. Comments on: "Ensuring Children's Safe Use of Screens and E-Rate-Funded Service," WC Docket No. 26-133 s, August 31, 2026. https://www.fcc.gov/ecfs/document/26110073624/1
[19] Emporia Public Library. Comments on: "Ensuring Children's Safe Use of Screens and E-Rate-Funded Services," WC Docket No. 26-133, August 24, 2026. https://www.fcc.gov/ecfs/document/26110072840/1
[20] Huron Public Library. Comments on: "Ensuring Children's Safe Use of Screens and E-Rate-Funded Services", WC Docket No. 26-133, August 20, 2026. https://www.fcc.gov/ecfs/search/search-filings/filing/26110072392

classes. The library also offers classes in basic computer and internet skills to help community members build their digital literacy.[21]

- Suffolk Cooperative Library System (New York), which has member libraries across Suffolk County, received $373,569 from E-Rate in 2025. The library provides free services every day to patrons in the community who rely on high-speed broadband, including job search assistance, early literacy programs, research, and access to digital media.[22]
- A commenter from Georgia shared her experience using the library internet while she was experiencing homelessness. She searched and applied for jobs and housing opportunities, including short-term shelters, at the library.[23]

Combined, each of these functions advances the educational purpose[24] required by the E-Rate program and the impact of public libraries on communities nationwide.

d. There is no replacement for E-Rate

No program can adequately substitute for E-Rate. E-Rate is the foundation of the nation's library internet infrastructure and enables federal, state, and local programs to build upon existing library internet connectivity and extend libraries' digital services. No other federal, state, or local program matches E-Rate's national scale, funding consistency, or dedication to library

[21] Marysville Public Library. Comments on: "Ensuring Children's Safe Use of Screens and E-Rate-Funded Services", WC Docket No. 26-133, August 20, 2026. https://www.fcc.gov/ecfs/search/search-filings/filing/26110072392 https://www.fcc.gov/ecfs/search/search-filings/filing/26110072392
[22] Suffolk Cooperative Library System. Comments on "Ensuring Children's Safe Use of Screens and E-Rate-Funded Services", WC Docket No. 26-133, October 8, 2026. https://www.fcc.gov/ecfs/document/26110080076/1
[23] Stefanie Desruisseaux. Comments on Ensuring Children's Safe Use of Screens and E-Rate-Funded Services, WC Docket No. 26-133, September 27, 2026. https://www.fcc.gov/ecfs/search/search-filings/filing/26110078455
[24] In the case of libraries, "educational purposes" is defined as activities that are "integral, immediate, and proximate to the provision of library services to library patrons." Schools and Libraries Second Report and Order, 18 FCC Rcd at 9208, para. 17; 47 CFR § 54.500.

connectivity. The NPRM asks about library and school access to other funding sources.[25] Programs such as the Broadband Equity, Access, and Deployment (BEAD) program are an historic investment in broadband infrastructure with a goal of reaching every un- and underserved location.[26] But BEAD is a one-time fund for build-out, and what's more, BEAD's success hinges on sustainable funding like E-Rate; deploying broadband network infrastructure does not replace the need for ongoing monthly subscription costs supported by E-Rate. E-Rate's sustainable and reliable nature expands the opportunity for BEAD to succeed.

E-Rate is also essential to upgrading technology to keep pace with changing needs, ever increasing speed requirements of modern applications, network maintenance and new security threats. Without these kinds of upgrades, the existing infrastructure would rapidly degrade and, eventually, become unusable. While E-Rate connects libraries to the internet, it also supports the equipment considered necessary to transport and distribute the broadband service to and inside the library. The program's Category 2 funding supports in-building networking equipment like routers, switches, wireless access points, and cabling. This equipment is necessary to ensure the internet is distributed throughout the building to all who need it, to keep the network reliable, to support today's technological needs, to allow the system to grow to meet evolving requirements, and to do so safely and securely, enabling users to achieve their goals online without interruption.

For example, without Category 2 funding, the small and rural libraries of Northeast Kansas Library System would not have been able to build an enterprise-level network which is

[25] NPRM. Para. 19.
[26] National Telecommunications and Information Administration. "Broadband Equity, Access, and Deployment Program." https://broadbandusa.ntia.gov/funding-programs/broadband-equity-access-and-deployment-bead-program

reliable and provides stable Wi-Fi and an infrastructure that supports the needs of the community.[27] Keeping network infrastructure up-to-date is not a one-time process which is why continued funding is vital. Wireless/Wi-Fi equipment needs to be upgraded every 3-5 years, as the FCC recognizes in its five-year budget cycle for these internal connections. Without this reliable funding source, libraries wouldn't have the budget to make needed network upgrades. Eliminating Category 2 would also be economically disadvantageous. According to a model created by the Brattle Group, eliminating Category 2 alone (approximately $1.2 billion in annual support), would produce an estimated $2.5 billion decline in GDP, a $1.6 billion reduction in real wages, and a $0.9 billion reduction in tax revenues.[28]

Over 25 years of effort to bring affordable broadband to rural, inner-city, and low-income communities has still not fully bridged the digital divide, and while BEAD investments will connect more people in the community, libraries' broadband connections remain vital to keeping those people connected if they do not have a connection at home. For example:

- Carbondale Public Library, a small city of about 21,800 residents in southern Illinois, received almost $10,000 in E-Rate support last year. "More than a third of Carbondale residents live below the poverty line, and a meaningful share of local households lack a home broadband subscription, which makes the library's internet access essential rather than optional for many of our patrons."[29]

[27] Northeast Kansas Library System Comments on: "Ensuring Children's Safe Use of Screens and E-Rate-Funded Services." WC Docket No. 26-133, August 24, 2026. https://www.fcc.gov/ecfs/document/26110072868/1
[28] The Brattle Group. "The Economic Impact of the E-Rate Program," October 2026. p. 3, https://www.shlb.org/e-rate-economic-study
[29] Carbondale Public Library. Comments on: "Ensuring Children's Safe Use of Screens and E-Rate-Funded Services", WC Docket No. 26-133, August 20, 2026. https://www.fcc.gov/ecfs/document/26110072446/1

- Nearly 10% of the households the Milwaukee Public Library (Wisconsin) serves do not have access to the internet and rely on the library for their internet service.[30]
- Chicopee Public Library (Massachusetts) is in an urban area with a population of 55,000. Depending on the neighborhood, up to 30% of homes lack an internet subscription, and up to 20% of households have a smartphone as their only available computer device. Last fiscal year, approximately 150,000 people visited the library system which supported over 23,000 public computer sessions and more than 10,500 public Wi-Fi sessions. The library offers formal one-on-one computer help to patrons twice a week, digital navigation classes, and assistance at the public desks.[31]
- Albert Lea Public Library (Minnesota), a rural community in Freeborn County, serves over 18,000 residents, including over 12,000 library cardholders. E-Rate provides up to 80% of the library's internet costs and 50-80% of its network equipment costs. Community members used the library's public computers over 8,000 times last year and logged into the public Wi-Fi over 12,000 times. In Albert Lea, and surrounding Freeborn County, approximately 1,700 households lack broadband internet, and roughly 1,500 households are considered underconnected.[32]

Finally, the NPRM raises questions about whether libraries and schools should be allowed to use E-Rate funding to "overbuild" an existing network.[33] This concern is misplaced. The E-Rate

[30] Milwaukee Public Library. Comments on: "Ensuring Children's Safe Use of Screens and E-Rate-Funded Services", WC Docket No. 26- 133, August 14, 2026. https://www.fcc.gov/ecfs/search/search-filings/filing/26110071315
[31] Chicopee Public Library. Comments on: "Ensuring Children's Safe Use of Screens and E-Rate-Funded Services", WC Docket No. 26- 133, September 15, 2026. https://www.fcc.gov/ecfs/search/search-filings/filing/26110076684
[32] Albert Lea Public Library. Comments on: "Ensuring Children's Safe Use of Screens and E-Rate-Funded Services", WC Docket No. 26- 133, September 5, 2026. https://www.fcc.gov/ecfs/search/search-filings/filing/26110075647
[33] NPRM. Para. 22.

program benefits from an open competitive bidding process that helps to drive costs down. All broadband providers, including incumbent providers, are encouraged to submit bids to provide service, and, per the program rules, the libraries and schools must choose the most cost-effective option. If an existing broadband company already has a suitable network that fills the library or school's needs, it is very likely to win the competitive bid. Sometimes, however, a new competitive provider may be able to serve the library or school's needs for higher technology (through special construction) that is both higher quality and lower cost than the incumbent. In this situation, the E-Rate applicant should be allowed to choose the more cost-effective technology, even if it comes from a new provider. The FCC's current rules properly allow libraries and schools to choose a new provider as long as they consider the offering submitted by an incumbent. Prohibiting the library or school from using the services of a new entrant would reduce competition and drive up costs for the library or school and for the program as a whole.

e. E-Rate contributes economic impact

Internet access at libraries yields significant economic benefits. Aspiring small business owners start creating their business plans and conducting market research at the local public library. Workers obtain new skills that enable them to find new employment or higher paying jobs. Programs to assist seniors or others with cybersecurity and fraud detection prevent theft and fraud. Libraries generate economic opportunity and economic impact. Studies show that for every $1 invested in public libraries, the community realizes more than $5 in economic benefit.[34] This benefit exceeds the direct cost of their internet connection and other budget line items.

[34] Library Research Service."Summary of Recent Public Library Return on Investment Studies." https://www.lrs.org/data-tools/public-libraries/return-on-investment/recent-studies/

The economic impact would be significant should the FCC choose to eliminate or reduce the program. A new report from The Brattle Group determined that eliminating approximately $2.6 billion in annual E-Rate support would reduce real GDP by approximately $4.2 billion annually, real wages by $2.8 billion, and tax revenues by approximately $1.5 billion. As the author explains: "the economic loss exceeds the amount of federal support removed because higher connectivity costs reduce resources available for other productive activities and propagate through suppliers, labor markets, household income, consumption, and tax revenues."[35] They further determine that the economic impact is likely understated because "educational attainment is one of the most economically significant inputs and contributes to higher lifetime earnings, increased labor productivity, greater workforce participation and stronger long-run economic growth."[36] This is reflected in our experience with library inputs and impact, as well, and underscores the educational purpose and intention of E-Rate in libraries and schools.

For example, the Vista Grande Public Library, in New Mexico, stated in its comments that cuts to E-Rate would hinder the opportunity for job searches and strain productivity and other societal participation in their community.[37] Similarly, the Springfield City Library, in Massachusetts, noted that if patrons could no longer access the internet at the public library, the community would suffer real consequences for individuals including unemployment, lack of housing, and poverty.[38] Jobseekers, entrepreneurs, and workers all rely on broadband internet

[35]The Brattle Group. "The Economic Impact of the E-Rate Program," October 2026. p. 3, https://www.shlb.org/e-rate-economic-study
[36] ibid.
[37]Julia Kelso, Vista Grande Public Library. Comments on: "Ensuring Children's Safe Use of Screens and E-Rate-Funded Services," WC Docket No. 26- 133, August 28, 2026. https://www.fcc.gov/ecfs/search/search-filings/filing/26110073631)
[38] Lee Moonan. Comments on: "Ensuring Children's Safe Use of Screens and E-Rate-Funded Services," WC Docket No. 26- 133, August 25, 2026. https://www.fcc.gov/ecfs/search/search-filings/filing/26110073024)

connectivity, and thriving communities depend upon these very opportunities for business, work, and advancement.

The study also noted that economic loss from inefficiency (the study assumed a very high 10% of failed E-Rate support) is still far smaller than the loss from eliminating the program ($428.4 million GDP loss compared to $4.2 billion GDP loss, respectively).[39]

II. The FCC Does Not Have the Authority to Terminate the E-Rate program

The E-Rate program, as part of the USF programs, was created by Congress in the Telecommunications Act of 1996. Congress directed the FCC to administer and steward the four USF programs toward their goals and with the guiding principles of universal service. The principles are timeless: they speak to quality, reasonableness, and affordable access to advanced services. They do not preference specific technologies or sectors in ways that could limit flexibility or stymy innovation. Any evaluation of the USF programs should be built on and reflect these Congressional directives.[40]

[39] The Brattle Group. "The Economic Impact of the E-Rate Program," October 2026. p. 3, https://www.shlb.org/e-rate-economic-study

[40] The principles are: "Promote the availability of quality services at just, reasonable, and affordable rates for all consumers; increase nationwide access to advanced telecommunications services; advance the availability of such services to all consumers, including those in low-income, rural, insular, and high-cost areas, at rates that are reasonably comparable to those charged in urban areas; increase access to telecommunications and advanced services in schools, libraries, and rural health care facilities; and provide equitable and non-discriminatory contributions from all providers of telecommunications services to the fund that supports universal service programs." Federal Communications Commission. "Universal Service." https://www.fcc.gov/general/universal-service

a. The E-Rate program is required by federal statute

Importantly, the FCC does not have the authority to terminate the E-Rate program. The E-Rate program is mandated by Congress, and the FCC is responsible for administering it. Section 254 of the statute does not include an expiration date or a benchmark goal that would indicate a time for termination. There is no specific timeframe referenced. Further, an agency's general rulemaking authority under section 254(h) gives the Commission the authority to implement the statutory scheme that Congress enacted, not authority to dismantle it.[41]

b. E-Rate should not be limited to rural areas or otherwise limited

The NPRM asks if support should be "limited to rural areas or to areas served by a single provider."[42] Nothing in section 254(h)'s text conditions eligibility based on locale (*e.g.*, urban, suburban, rural) or provider count. Significantly, section 254's legislative history makes clear that Congress never intended such a result. The Joint Explanatory Statement accompanying the Telecommunications Act of 1996 explained that "new subsection 254(h) is intended to ensure that … elementary and secondary school classrooms, and libraries have affordable access to modern telecommunications services that will enable them to provide … educational services to *all parts of the Nation*."[43] We know that libraries across the country still need E-Rate support. We believe the National School Lunch Program data continues to work well to determine eligibility and discount rate.

[41] NPRM. Para 13; 47 U.S.C. § 254(h).
[42] NPRM. Para 26.
[43] Joint Explanatory Statement at 132 (emphasis added).

c. The consequences of terminating the program would be devastating

Eliminating E-Rate would cause irreparable and unnecessary harm for public libraries and their patrons.[44]

Without E-Rate support, libraries would be forced to cut staff or programs or degrade internet access to compensate for loss of funding. In the alternative, libraries may choose to forgo needed maintenance and network upgrades as a way to retain staff, instead choosing to operate on unsafe, outdated digital infrastructure.

Already in the docket, libraries have expressed concern related to the loss of E-Rate and the consequences in their library and community:

- The Northland Public Library, in Pittsburgh, PA, with a service population of approximately 87,000 patrons, notes that their patrons used library-provided Wi-Fi and public computers for 90,000 hours in 2025. “Every one of those minutes represents an individual choosing or needing to use the library’s technology infrastructure.”[45]
- The Toledo Lucas County Public Library in Ohio found that 12% of all households in Lucas County do not have access to an internet-ready device, while 16% do not have a home internet connection. Cuts to E-Rate would force the library to reduce its “technology- and internet-based programs and services – a true disservice to the taxpayer,”[46] and the patrons that do not otherwise have reliable access.

[44] NPRM. Para 18.
[45] Northland Public Library. Comments on: ”Ensuring Children’s Safe Use of Screens and E-Rate-Funded Services”, WC Docket No. 26-133, August 28, 2026. https://www.fcc.gov/ecfs/search/search-filings/filing/26110073611
[46] Toledo Lucas County Public Library. Comments on: ”Ensuring Children’s Safe Use of Screens and E-Rate-Funded Services”, WC Docket No. 26-133, August 28, 2026. https://www.fcc.gov/ecfs/search/search-filings/filing/26110073539

- The Craig Public Library, a rural island community in southeast Alaska, credits the E-Rate program for its fiber internet. Without E-Rate, the library would be forced to reduce programs, limit hours, or find a way to absorb costs that are not manageable within a small municipal library budget. The library notes that some patrons travel more than an hour each way to access the library and use the internet.[47]
- The W.G. Rhea Public Library in Paris, TN, reports that cuts to E-Rate would jeopardize its plans to increase bandwidth and upgrade to high-speed fiber internet to better support its growing county and small business community.[48]
- The Northeast Georgia Regional Library System would be forced to reduce internet access speed from 1GB to 100MB, significantly limiting the technology services available to patrons. The reduced bandwidth would also hinder library operations such as the Integrated Library System, which is used for checking in and out materials and searching the collection, which operates online.[49]

These examples make it clear that E-Rate enables the fundamental operations of a library necessary to provide the direct services communities rely on.

E-Rate also supports libraries' modernization efforts, which are necessary in a rapidly changing technological landscape. Because E-Rate makes internet affordable, libraries can, in turn, use greater portions of their limited budgets for adequate staffing, community

[47] City of Craig, Craig Public Library. Comments on: "Ensuring Children's Safe Use of Screens and E-Rate-Funded Services", WC Docket No. 26-133, August 26, 2026. https://www.fcc.gov/ecfs/document/26110073401/1
[48] Stephanie Hart, W.G. Rhea Public Library. Comments on: "Ensuring Children's Safe Use of Screens and E-Rate-Funded Services", WC Docket No. 26-133. https://www.fcc.gov/ecfs/document/26110073259/1
[49] Northeast Georgia Regional Library System (NE GA RLS). Comments on: "Ensuring Children's Safe Use of Screens and E-Rate-Funded Services, WC Docket No. 26-133, August 20, 2026. https://www.fcc.gov/ecfs/search/search-filings/filing/26110072460

programming, and information resources—including the services that help patrons learn how to maximize the benefit of internet connectivity.

III. The FCC lacks the authority and expertise to regulate screen time or determine educational outcomes

We do not dispute that studies have found that excessive screen time can negatively impact children, but the Commission does not have authority within the framework of the Children's Internet Protection Act (see below) or outside of it to regulate screen time in libraries or schools. The E-Rate program is a connectivity program. It supports the critical and foundational access that libraries and schools rely on to serve their missions of education and information access for their students, staff, and library patrons. Managing screen time more appropriately falls under the jurisdiction of local education agencies and school boards, and local library commissions and boards. Libraries and schools, in concert with their larger community of stakeholders, build their curriculum, programming, resources, and other offerings from the foundation of their broadband connectivity. The E-Rate program is critical in supporting this foundation, but the E-Rate program does not give the FCC the authority to regulate goals for internet use or the uses to which they are intended (i.e. content).

Congress was extremely clear about the scope of the FCC's authority. Section 254 of the Telecommunications Act directed the FCC to implement universal service under the guidance from the Federal-State Joint Board to "include a definition of the services that are supported by Federal universal service support mechanisms and a specific timetable for implementation."[50] It

[50] 47 U.S.C. Sec 254

directs the FCC to complete any proceeding to implement a subsequent Joint Board recommendation within one year. Congress lays out particular principles underlying universal service, none of which include educational outcomes.[51] Congress further directs the Commission to support advanced telecommunications services and access to information services (but not the information services themselves) and that the rules be "competitively neutral."[52] All of these guidelines focus on areas within the Commission's expertise, such as marketplace choices of consumers and establishing discount rates for services provided by telecommunications carriers. None of them nor any statutory language grants the Commission any authority over the educational goals of libraries and schools.

Additionally, the specific direction by Congress included in the Children's Internet Protection Act (CIPA) demonstrates that Congress was clear that without clear Congressional authorization, the FCC's authority is limited to managing the program as defined by law. Neither CIPA, NCIPA, nor any other federal statute governs screen time use at libraries. And any effort by the FCC to do so would be outside its authority and its area of expertise.

a. Educational outcomes are outside the Commission's expertise

Even if the Commission had authority, the NPRM poses many questions that reveal the complexity of trying to draft such regulations. For example, defining the differences between educational and recreational screen time is very difficult. The NPRM asks whether scrolling though photos is a recreational use.[53] But what if the student is scrolling through Matthew Brady pictures from the Civil War? Most content falls into a much broader middle area that defies a

[51] 47 U.S.C. Sec. 254(b), in response to NPRM Para. 28.
[52] 47 U.S.C. § 254(h).
[53] NPRM. Para. 51.

clear definition. No governmental agency has the Solomonic wisdom to accurately define the difference between educational and recreational screen time use. This is most appropriately determined by education professionals. And defining screen time use in libraries is even more difficult compared to schools. Library patrons legitimately use the internet differently, with different legal and constitutional rights, from students, and libraries are limited in the kinds of restrictions they can impose on adult users, even if they use the library's internet access for what the NPRM gives as examples of recreational use.[54]

Education pedagogy questions, including questions about educational outcomes, are out of scope.[55] While we believe that E-Rate enables state and local education agencies to advance educational outcomes, it is up to the local libraries and schools and stakeholders to make this meaning: the curriculum, teaching and learning, information resources, and other materials and programming that libraries and schools build upon the foundation of connectivity almost certainly promotes learning and advancement. The connectivity cannot be conflated with the outcomes or use cases. Furthermore, there is no language in the statute that in any way links the E-Rate program with better educational outcomes, nor the Commission with authority to evaluate educational outcomes.[56]

Not only does the FCC have no authority and no expertise over educational outcomes, but the federal agency that is responsible for education policy, the U.S. Department of Education, confirms that "The U.S. Department of Education believes these decisions [about screen use in

[54] In the case of libraries, "educational purposes" is defined as activities that are "integral, immediate, and proximate to the provision of library services to library patrons." Schools and Libraries Second Report and Order, 18 FCC Rcd at 9208, para. 17; 47 CFR § 54.500.
[55] NPRM. Para 28.
[56] 47 U.S.C. § 151.

instruction and learning] are best made by states and local communities, with input from parents and teachers." It directs states to "continue leading American education" while offering "considerations to encourage balanced policymaking, responsible innovation, and a continued focus on student outcomes." [57] Many experts on education pedagogy and policy have already begun developing and releasing evidence-based recommendations and guidelines on minor's use of the internet. For example, the Consortium for School Networking (CoSN) recently released a detailed report offering guidance to schools on establishing screen time policies.[58]

b. Connectivity should not be conflated with misuse

For all matters related to education pedagogy and library internet safety policies, local control is the best way forward to address concerns by families and communities. Local education agencies and library districts have regular opportunities to engage with their stakeholders, hear concerns, and identify needs. These existing channels are in place to support, as locally determined, implementation of possible screen time policies, and safe use of the internet and other technologies. As technology continues to evolve, we rely on local stakeholders to inform these decisions and create best practices for their communities. The FCC is a federal regulatory agency that provides support for connectivity to libraries and schools, but it does not have the expertise or the authority to regulate screen time in libraries and schools. What's more, the questions in the NPRM incorrectly conflate connectivity with screen time abuse. Less screen time for students and continued broadband connectivity are not mutually exclusive.

[57] Letter from the Federal Department of Education, Office of Elementary and Secondary Education. August 20, 2026. https://www.ed.gov/media/document/guidance-education-technology-and-screentime-schools-114386.pdf
[58] CoSN. "From Screen Time Mandates to Purposeful Technology Policies and Guidance," Summer 2026. https://www.cosn.org/from-screen-time-mandates-to-purposeful-technology-policies-and-guidance/

The Commission asks if libraries and schools should implement methods to supervise children and for reporting inappropriate use of E-Rate funded devices.[59] The Commission must recognize that libraries and schools fulfill their educational purposes differently. Libraries are not staffed in a way that would support constant supervision of all internet users, nor do library privacy policies or the First Amendment permit library staff to monitor and directly supervise patron activities. Forty-eight states and the District of Columbia have patron confidentiality laws.[60] All libraries have adopted internet safety policies that outline the permitted and unpermitted ways that library networks, resources, and technology can be used. These acceptable use policies are approved by a library's board and other local officials.

c. Re-examining CIPA

In reviewing the language in the Children's Internet Protection Act (CIPA), the Commission acknowledges that the law clearly applies only to library or school-owned computers; not computers owned by patrons or students.[61] This has been the position of ALA since the law was found constitutional for libraries in 2003. The Commission asks whether this interpretation fulfills CIPA's intended purpose and is consistent with the statute's plain meaning. Our answer is clear: Yes, it does.

While CIPA's language on computer ownership is clear, we do not believe its language is flexible enough to support the Commission drafting regulations imposing screen time limits on minors or restricting what content minors can access on the internet. As we state above,

[59] NPRM. Para. 32.
[60] American Library Association. "State Privacy Laws Regarding Library Records." https://www.ala.org/advocacy/privacy/statelaws
[61] For confirmation of this interpretation see paragraphs 111-113 in the Commission's *Report and Order Establishing Emergency Connectivity Fund to Close the Homework Gap,* WC Docket No. 21-93, May 11, 2021.

regulating screen time is the responsibility of local library and school authorities. And the NPRM acknowledges that the language in CIPA gives local library and school boards the authority to determine what online content is inappropriate for minors.[62] Thus, our advice to the FCC is to let local authorities do their job. Likely all library and school internet safety policies already address issues on screen time and content access.

The NPRM seeks comment on whether the filtering should take place at the network level. Where the filtering takes place is a local decision and thus ALA opposes any regulatory language stating otherwise. Some smaller libraries have just two or three computers with internet access and they still install filtering software on each workstation. This is often done because staff lack the necessary technical skills to install and manage filtering higher in the network.

ALA adamantly opposes any suggestion that libraries and schools should "prevent third-party owned devices from connecting to E-Rate-funded networks and services altogether."[63] Many libraries lack a sufficient number of library-owned computers to meet patron demand. Allowing patrons to use their own devices to connect to the library's Wi-Fi network is a critical way in which libraries address this issue. A Public Library Association report indicated that 99.4% of the nation's public libraries have Wi-Fi networks allowing internet access by patrons via their own devices (e.g., laptops, tablets).[64] Eliminating the ability of these patron devices to connect to the library's internet connection would be an unwarranted elimination of what is now a core library service. Minors are under the supervision of their parent or guardian, regardless of what device they are using to access the library's internet service.

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[62] 47 U.S. Code § 254. Section 254(l).
[63] NPRM. Para. 35.
[64] Public Library Association. "*2023 Public Library Technology Survey: Summary Report", 2024.* Page 11. https://www.ala.org/sites/default/files/2024-07/PLA_Tech_Survey_Report_2024.pdf

The Commission asks if it should revisit its 2011 conclusion "that social networking websites are not per se 'harmful to minors' under CIPA."[65] While the social networking environment has certainly changed over the past fifteen years, we think the Commission's conclusion is still valid and thus there is no need to revisit this. To decide that *all* such networks are harmful to minors would be a radical change and would totally ignore the fact that many social networks, or certain areas of social networks, have substantial educational and informational content of value to both children and adults.[66]

The NPRM asks if there is "any minimum or mandatory information that an internet safety policy should include?"[67] The Neighborhood Children's Internet Protection Act (NCIPA) already states clearly what must be in such a policy.[68] And the law clearly prohibits any federal agency from making determinations about what matter is inappropriate for minors. Section 254(l)(2) states:

> A determination regarding what matter is inappropriate for minors shall be made by the school board, local educational agency, library, or other authority responsible for making the determination. No agency or instrumentality of the United States Government may—
>
> (A) establish criteria for making such determination;
>
> (B) review the determination made by the certifying school, school board, local educational agency, library, or other authority; or

[65] NPRM. Para. 39.
[66] For example, the FCC maintains a YouTube page with informational and educational content. Many governmental agencies, the Office of the President, and members of Congress also leverage social media sites to reach their constituents and provide information.
[67] NPRM. Para. 43.
[68] 47 U.S. Code § 254, Section 254 (l)(1)(A). For example, an internet safety policy must address access by minors to inappropriate content on the Internet and must have measures to restrict minors' access to harmful materials.

(C) consider the criteria employed by the certifying school, school board, local educational agency, library, or other authority in the administration of subsection (h)(1)(B).

Also, there is no need for the Commission to collect every library and school's internet safety policy.[69] Most policies are already publicly available on the library or school's website. And if the policy is not posted, any member of the public can request a copy since these policies are public records.

The Commission correctly acknowledges that CIPA requires libraries and schools to issue a public notice on holding a public hearing to take comments on their internet safety policy.[70] However, paragraphs 45 - 47 in the NPRM asks a host of questions that were relevant in the early years of CIPA implementation but are now wholly out of scope in 2026. For example, the Commission asks if it should adopt a timing requirement to make certain that local library or school authorities have provided a public notice about reviewing the library or school's internet safety policy.[71] With CIPA being the law of the land for over a quarter century, we are certain libraries and schools held their required public hearing in the early 2000s. There is also no language in CIPA that requires additional public meetings to be held every time the library or school modifies its internet safety policy.

There are several areas in the NPRM where the Commission asks if there are differences between how libraries manage internet access compared to schools.[72] There are fundamental differences. ALA believes the Commission should not adopt any screen time restrictions, but if

[69] NPRM. Para. 43.
[70] NPRM. Para. 45.
[71] NPRM. Para. 45.
[72] NPRM. Para. 29, 35, 41, 42.

it does, ALA requests that any regulations resulting from this *Notice* be crafted in a manner that acknowledges these differences. First, it must be noted that acceptable internet use—whether in a school or library—is defined in each institution's internet safety policy. Second, from the perspective of students in schools and patrons in libraries, there is a major difference in internet use between libraries and schools. A key difference is defined by what party is responsible for overseeing internet use. For schools, it is teachers and other staff who—acting in *loco parentis*—are directly and legally responsible for monitoring student internet use. But for libraries, staff do not act in *loco parentis.* When minors are using the library's internet access, whether on a library computer or their own device, it is the minor's parent or guardian who is responsible for monitoring the minor's use. Thus, in libraries, staff have only an indirect role in monitoring patron use of the internet. Unless a patron is clearly doing something illegal or in violation of the library's internet safety policy, the role of library staff is not to directly oversee internet use of any patron. Another key difference is that student internet use in school is often linked directly to a class assignment or a class project of some type. There is obviously no directive of this type for patron use of a public library's internet access.

IV. Strengthening Oversight of Consultants and Consulting Firms

a. Establishing a Definition of a "Consultant"

The Commission proposes establishing a definition of a consultant.[73] We note that many applicants use consultants because of the complex nature of the E-Rate program. It seems that

[73] NPRM. Para 57.

every time the Commission adopts a rule with the intent to simplify the program, it adopts another rule that increases its complexity.[74] Thus, over a quarter century after the creation of the E-Rate program, consultants are still needed to help both large and small applicants manage the complexities of the program.[75]

Rather than create a new definition, we remind the Commission that a definition of "consultant" already exists.[76] We see no need to add more complexity to the current, straightforward definition. However, in responding to the Commission's proposals, ALA believes any revised definition of consultants should exclude state E-Rate coordinators. The NPRM's proposed definition states that a consultant "includes contractors or others *who are employed by the applicant or service provider* on a contract- or short-term basis… [emphasis added]."[77] State E-Rate coordinators are *not* employed by applicants or service providers on a contractual or any other basis. They are state government employees working for their state library agency (SLA) or their state education agency (SEA). As state employees, they are directly paid by state government, not by individual libraries or schools in their states. Furthermore, state E-Rate coordinators do not submit or certify forms which consultants often do. The NPRM asks, "Should our definition exclude certain individuals?"[78] Our answer is, yes, it definitely should.

[74] ALA, SHLB, and many other organizations listed ways to simplify the program in the Commission's *Delete* Docket. We encourage the commissioners and FCC staff to review those recommendations. *Delete, Delete, Delete* (GN Docket No. 25-133). March 2025.
[75] In the December 2014 *Modernization Order* Commissioner Ajit Pai stated that a simplified program would result in "a dramatic reduction in the amount of money applicants would spend on consultants…." This has not occurred.
[76] USAC. "Consultant Registration Numbers," https://www.usac.org/e-rate/applicant-process/competitive-bidding/consultant-registration-numbers/ (last visited Oct. 2, 2026).
[77] NPRM. Para 57.
[78] NPRM. Para 58.

Because state E-Rate coordinators are not employed by applicants or service providers, the Commission should exclude these individuals from the definition of a "consultant".[79]

b. Prohibiting percentage-based fee arrangements with consultants and clarifying the consultant-related documentation applicants and service providers should retain

ALA opposes an FCC ban on percentage-based fee arrangements with consultants. The Commission seems concerned that percentage-based fee arrangements, which are based on a percentage of the E-Rate funds a client receives, incentivize consultants to encourage applicants to request more funding than needed and does not take into account the budgetary realities facing many E-Rate applicants, including libraries. This concern is unwarranted. While E-Rate provides discounts to help libraries and schools obtain affordable telecommunications and internet access, applicants are still responsible for the non-discounted costs of eligible expenses. Libraries have constrained budgets, which limit their ability to "to request more E-Rate funding than needed." The FCC set up the E-rate rules so that libraries (and schools) must have some "skin in the game." As a result, the library's budget, not the consultant's plan, dictates the services the library will request. This budgetary reality diminishes the risk of abuse that the Commission's proposed prohibition is intended to address.

The fee structure should also reflect the institution's complexity. Larger institutions, such as multi-branch libraries and regional or state systems, have more complex needs and requirements that require more consultant time, expertise, and experience, and the consulting fee should reflect that complexity. USAC has safeguards in place to ensure that requested services

[79] In some states, the SLA or the SEA contracts for E-Rate support with an outside entity. We also think that in these circumstances the contracting entity should still not be classified as a "consultant". The important factor here is that the entity is under contract to the SLA or the SEA, not individual libraries or schools.

are eligible and necessary. Libraries and schools should be able to enter into consulting agreements that best align with their needs and comply with local, state, and organizational procurement requirements.

Any agreement between the Consultant and the Applicant needs to comply with local, state, and organizational requirements related to bidding and service contracts. Providing even more requirements as part of the E-Rate bidding or application process is overly burdensome for both the applicant and USAC and is a needless intrusion on what is a local library or school issue.

V. Further Streamlining E-Rate Administration

a. Use of Existing Contracts

The Commission proposes eliminating the use of an existing contract as a bid response to an applicant's Form 470.[80] It assumes that, after many years, applicants understand E-Rate's requirement to competitively bid all services through a timely filed Form 470. However, that assumption is not always correct. In conversations with state library E-Rate coordinators and ALA's E-Rate Task Force, it was apparent that applicants still need the option to use existing contracts. For example, a city technology director may issue a bid and sign a contract for an E-Rate-eligible service without first filing a Form 470. This can occur when there is staff turnover in the city technology department or at the library which causes E-Rate bidding requirements to be overlooked. Based on the current guidance, applicants seeking use of an existing contract must still evaluate any other bids received in response to their Form 470. The existing contract can be selected only if it receives the highest evaluation score. In many cases, the existing

[80] NPRM. Para. 73.

contract is likely to be the least expensive option. And thus, preserving this option can save E-Rate funds. Although the NPRM does not provide statistics on how often applicants use existing contracts, ALA assumes these situations are relatively uncommon. Nevertheless, a small number of libraries and schools still need this option and, therefore, the ALA asks the Commission to retain the *Kalamazoo Order on Reconsideration*.

b. Service Substitutions

We support the plan to amend § 54.504(d) of the Commission's E-Rate program rules to require that service substitutions be in writing and certified under penalty of perjury by an authorized person, and that the Administrator must approve the service substitution prior to reimbursement being made.

c. Form 479 Revisions

We do not support adding the certification statements found on the FCC Form 471 applications to the FCC Form 479. We also do not support requiring consortium members to submit the FCC Form 479 within EPC before the consortium lead certifies the FCC Form 471. We believe that this change would impose additional administrative burdens on both the consortium leads and consortium members.

Not all consortium members, especially smaller and rural libraries, maintain an active profile in EPC because they do not file for E-Rate services on their own. Submitting as a consortium ensures that all libraries, especially those lacking staff capacity, can benefit from E-Rate through their consortium. The consortium assumes the administrative burden for its member libraries. This change would require libraries to maintain their profiles. The consortium

would need to ensure that all libraries maintain their profiles and, in many cases, actively support them in this process, which would increase their administrative burden.

d. Other Form Revisions

We support the FCC's plan to incorporate all certifications, including those in FCC Forms 470, 471, 472, 473, and 474, into the CFR. We also support the plan to make the certification language used across all forms consistent, where applicable, to avoid confusion. We believe this will reduce confusion for the Applicant.

e. Cost-Effectiveness Requirements

The applicant should not be required to justify the higher cost of the reseller or be responsible for the price difference between the underlying carrier/manufacturer and the reseller. This is an issue for the FCC to address with the carrier/provider.

The Commission asks, "We are concerned about the ability to review the cost-effectiveness of contracts for managed internal broadband services (MIBS) and whether it should continue to be a supported service within the E-Rate program."[81] MIBS should remain an eligible service, and the Commission should not adopt additional rules related to competitive bidding as proposed in the Further Notice.

MIBS provides libraries, especially rural and small to mid-size, access to technical teams with specialized skills they can't hire internally, ensuring E-Rate-funded networks are maintained and provide a secure, stable, and reliable broadband infrastructure that meets community needs of today and into the future. For example, Kentucky public libraries rely on MIBS, and eliminating those discounts would disproportionately impact small and rural

[81] NPRM. Para. 84.

applicants. While not a large share of Category Two funding for Kentucky libraries --only $90,275.28 requested for FY 2026 -- 8 of the 9 libraries that requested MIBS funding do not have an IT manager on staff to manage the equipment themselves. All 8 of those libraries are small, rural applicants.

In SHLB's comments responding to E-Rate FY26 ESL,[82] they shared additional examples of how MIBS support has benefited applicants, including the Washington State Library's, which operates a consortium of primarily very small, single-site libraries in rural areas across the State that rely on MIBS to ensure the infrastructure remains functional and reliable over time.

f. Lowest Corresponding Price (LCP)

We have long supported the Lowest Corresponding Price (LCP) rule.[83] This regulation, while not perfect, offers a basic safeguard against providers inflating their costs for E-Rate eligible services. In its July 2014 *Modernization Order,* the Commission directed its Enforcement Bureau "to devote additional resources to investigating, and where appropriate, bringing enforcement actions against service providers who violate the LCP rule."[84] We are not aware that the Commission has released any comprehensive information on LCP enforcement, thus we do not know if this 2014 directive was ever implemented. Nor do we know if there has been an increase in LCP investigations. Notwithstanding the lack of LCP information, we continue to encourage the Commission to enforce this rule. As we noted in our Reply Comments in the

[82] Wireline Competition Bureau Seeks Comment on Proposed Eligible Services List for the E-Rate Program, WC Docket No. 13-184, Public Notice, DA 25-921 (WCB Sept. 30, 2025) (Proposed ESL).
[83] See page 25 in the ALA Comments on "Modernizing the E-rate Program For Schools and Libraries," WC Docket No. 13-184. Filed April 7, 2014.
[84] "Modernizing the E-rate Program For Schools and Libraries,". WC Docket No. 13-184. Para. 186. July 2014.

Delete docket, "the LCP provides all applicants with assurance they are being charged a reasonable price for their Category 1 and Category 2 purchases."[85] The LCP can be especially beneficial in rural areas where lack of competition may not give providers the incentive to offer reasonable prices.

To address the lack of LCP information—and to increase overall program and pricing transparency—we support several suggestions the Commission makes in the NPRM, including having service providers certify that they have policies and procedures in place to ensure compliance with the LCP rule.[86] To help enforce the LCP rules the Commission also asks whether adding an LCP certification of compliance to Forms 471 and 473 would be useful. We are doubtful such certifications will be of value, but instead, we support giving USAC the staff resources to enforce the Commissions' LCP rules and policies.[87]

VI. Deleting Emergency Connectivity Fund (ECF) Program Rules

We support deleting portions of the ECF program rules from the CFR that no longer serve an ongoing function. For the remaining ECF program rules, we support delegating to the Bureau the authority to delete those rule sections when they are no longer needed.

[85] See page 4 in the American Library Association Reply Comments in the "Delete, Delete, Delete Docket," GN Docket No. 25-133. Filed April 30, 2025.
[86] NPRM. Para. 86. Like support our long-term support of the LCP, the ALA has long supported pricing transparency too. On page 25 in our April 2014 comments, we urged the "Commission to continue to develop methods for ensuring prices offered for broadband services are transparent."
[87] NPRM. Para. 86. We note that in ALA's *Modernization* Comments (p. 26), filed September 16, 2013, we suggested that whenever a provider's bid for broadband service is above a certain threshold, that this activates a warning to application reviewers that the provider's cost deserves added scrutiny for a possible LCP violation. As stated above, because of a lack of LCP information, we do not know if this suggestion was implemented.

VII. Conclusion

ALA appreciates the opportunity to comment on this NPRM regarding the E-Rate program. Libraries across the country have leveraged E-Rate since its inception to provide sustainable and reliable connectivity to their communities toward our shard goal of universal service. Public libraries continue to be the primary place where many Americans access the internet for all the required functions of school, work, and civic participation.

Over the decades of the E-Rate program, ALA has appreciated the opportunity to work with the FCC on program improvements. We call again for continued improvements for applicants, including reduced administrative burden and streamlined program requirements. Specific to this NPRM, we reiterate our primary recommendations:

- To preserve the core tenets of the E-Rate program, that have connected libraries and schools and advanced the goals of universal service;
- To build upon the success of the E-Rate program with sustained funding and further outreach to public libraries across the country;
- To avoid conflating broadband connectivity and access with screen time abuse; and
- To leave matters of screen and device use to state and local education and library professionals.

Respectfully submitted,

/s/ Megan Janicki
Deputy Director, Public Policy and Advocacy
American Library Association

/s/ Robert Bocher
Senior Fellow, Public Policy and Advocacy

American Library Association

/s/ Michelle Frisque
Broadband Consultant, Public Policy and Advocacy
American Library Association