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Submitted via www.regulations.gov

Brendan Carr
Chairman
Federal Communications Commission
45 L Street NE
Washington, DC 20554

RE: FCC To Review E-Rate Program to Ensure Congress's Vision

Chairman Carr:

On behalf of the approximately 3 million members of the National Education Association (NEA), we submit the following comments in response to the Federal Communications Commission's (FCC) proposed rule, *FCC To Review E-Rate Program to Ensure Congress's Vision*, published in the Federal Register on August 14, 2026. **We urge the FCC to preserve and protect the E-Rate program and to oppose any proposal that would reduce, limit, or sunset this vital source of support for schools and libraries that millions of students depend on every day. The E-Rate program is not merely a historical bridge to connectivity; it is an ongoing affordability mechanism that allows schools and libraries to obtain and sustain the broadband and internal network services on which modern educational systems depend. The fact that E-Rate has helped produce near universal connectivity should be understood as evidence of the program's success, not as evidence that its work is finished.**

As the nation's largest labor union and professional association, our members work in the more than 14,000 communities that this program serves. The longevity of E-Rate is critical to our students, educators, and communities. E-Rate is the fifth largest stream of federal funding in the nation's schools and serves students in 3,174 of the nation's 3,235 counties.¹ Of the country's 100,083 public schools, 96,416 receive E-Rate support, with fewer than four percent of public schools operating without its services.²

¹ <https://opendata.usac.org/stories/s/E-rate-Tools/bneq-mh8b/>

² <https://www.fundsforlearning.com/news/e-rate-keeps-schools-and-libraries-connected/>

The premise that E-Rate has completed its mission because most schools now report having broadband and Wi-Fi rests on a fundamental misunderstanding of what the program accomplishes. Schools and libraries are connected in substantial part because E-Rate has made connectivity affordable and sustainable. E-Rate is not a one-time capital investment that becomes unnecessary once a connection is installed. Broadband service, managed Wi-Fi, internal network capacity, maintenance, upgrades, and other connectivity needs represent ongoing operational costs.

The most relevant question is not simply whether a school has internet connection today. It is whether that school can continue to afford an adequate, reliable, and sustainable connection tomorrow. If the E-Rate program is reduced or eliminated, schools and libraries will be forced to absorb higher broadband and connectivity costs, jeopardizing internet access for many students, educators, and families. Local budgets that are already constrained will face even greater pressure, communities will struggle to upgrade and maintain network infrastructure, and disparities between communities with differing levels of access to resources will widen.³

NEA shares the underlying concern about the effects of unstructured screen use on children. Our members often are the strongest advocates for device-free instructional time and developmentally appropriate technology use. That said, we cannot conflate concerns over screen time limits with connectivity and broadband access. Withdrawing support of E-Rate will leave millions of students behind and further exacerbate the digital divide that we saw magnified during the COVID-19 pandemic.

The distribution of E-Rate support also matters. E-Rate's discount structure is designed to direct the greatest assistance toward schools and libraries serving communities with the greatest need. The highest poverty and most rural institutions receive the largest discounts, making the program an important equity mechanism rather than simply a general subsidy for internet service. In FY25, approximately 31.2 million of the 52 million students served by E-Rate supported schools, nearly 60 percent, were eligible for the National School Lunch Program.⁴ Among institutions receiving the highest discount levels, the concentration of low-income students is even greater.

Any effort to narrow eligibility or reduce discounts therefore cannot be evaluated solely by looking at aggregate connectivity rates. The Commission must examine who will bear the resulting costs. A reduction in E-Rate support would fall hardest on students, schools, and communities with the least ability to replace federal support with local resources.

Section 254(h) Does Not Authorize the Commission to Sunset E-Rate

NEA does not believe that Congress's directive in Section 254(h) has been satisfied, nor does it

³ https://www.aasa.org/docs/default-source/advocacy/aasa-erate-nprm-summary-august-2026.pdf?sfvrsn=16ac9e8d_2

⁴ <https://opendata.usac.org/stories/s/E-rate-Tools/bneq-mh8b/>

believe the Commission has the authority to limit or sunset the E-Rate program.

Nothing in Section 254(h), as reflected in the statutory framework establishing E-Rate, identifies a connectivity benchmark at which the program's mandate expires, establishes a terminal date for the program, or expressly authorizes the Commission to declare Congress's directive satisfied and terminate the program. The Commission therefore must not infer from today's higher connectivity rates an authority to sunset a program that Congress established as part of the permanent universal-service framework.

When Congress authorized E-Rate, it was framed as legislation that was critical for classrooms and libraries, and that would bar no one from the benefits of the information age. It is notable that Congress did not pursue the goal by appropriating funds for a one-time buildout but created a permanent discount mechanism. This choice reflects the understanding that connectivity is an ongoing operational cost that needs sustained support.

Near Universal Connectivity Does Not Eliminate the Need for E-Rate

The NPRM notes that "virtually all schools report having broadband connectivity and Wi-Fi." This is true, but it is a direct result of the E-Rate program. It is evidence that E-Rate works, not evidence that E-Rate is now unnecessary. A broadband connection is not a fixed asset that requires no further improvement or investment. Measuring success by whether a school has a connection, rather than whether it has an adequate and sustainable one, understates what continuous support accomplishes.

Moreover, the existence of a connection tells the Commission very little about whether that connection is affordable, sufficient, resilient, or capable of meeting the evolving needs of a modern school system. Connectivity requirements change as instructional practices, cybersecurity needs, student information systems, HVAC controls, and other school operations increasingly rely on network infrastructure.

The E-Rate supported network is therefore not an isolated classroom resource. It is foundational infrastructure for the broader operation of a school or library. Internet connectivity increasingly underpins basic district operations as well as classroom learning. Eliminating or substantially reducing E-Rate would require districts to absorb those costs elsewhere, potentially forcing difficult choices between connectivity and other essential educational priorities.

E-Rate Must Not Be Limited to Rural Areas or Areas With a Single Provider

The NPRM questions whether E-Rate should be limited to rural areas or to areas served by a single provider, and whether support should be phased out for those with the lowest participation rates. NEA would adamantly oppose either decrease in service.

The Commission must not equate the presence of multiple providers with the existence of affordable

broadband. Competition on paper does not necessarily translate into affordable or adequate service for a school district. The relevant question is not simply how many providers technically serve a location, but whether the district can obtain the level of service it needs at a price that it can sustain.

A limitation to only rural communities would strand high-poverty urban students. Large urban districts serving majority low-income student populations face the same affordability problems as rural districts, even when multiple providers are technically present. Competition among providers does not guarantee affordability. The discount provided by E-Rate, not the number of providers in the market, is what makes the service affordable. Tying support to current participation rates would likely incentivize districts to maximize requests simply to preserve future eligibility.

Nor should the Commission assume that a district's current participation rate is a reliable proxy for its needs. If federal support becomes contingent on maintaining a particular level of participation, districts could be forced to make application decisions based not on the educational and operational needs of the school system, but on preserving future eligibility. Such a structure could create arbitrary cliff effects and impose additional administrative burdens on precisely those districts with the fewest resources to absorb them.

Concerns About Children's Screen Time Do Not Justify Limiting E-Rate Infrastructure

NEA believes optimal learning environments are neither completely technology free nor wholly online and devoid of human interaction. Educators are not defenders of unlimited screen time but need to be involved in the decisions about use of screens or other digital technologies in the classroom. We have consistently argued that technology should be adopted because it serves instruction, not simply because it is available.

But the Commission must distinguish between the recreational and social media screen use that has generated legitimate concern among parents, educators, and policymakers and the instructional and operational uses of technology that E-Rate makes possible. These are not interchangeable categories. A student scrolling social media on a personal device is engaging in a fundamentally different activity from a student using an individually accessible device to conduct research, participate in an instructional activity, access assistive technology, or complete an assignment.

That distinction is particularly important because E-Rate does not itself fund a student's recreational screen time. E-Rate supports the broadband connections and internal networks that allow schools and libraries to provide educational and operational services. Conditioning that infrastructure support on broad restrictions on student technology use risks conflating network access with every possible use of the network.

Decisions about when and how to limit screen time must rest with educators who are best positioned to judge whether a given use of technology serves instruction. It's also important to note that across the board device access restrictions often carry real and uneven costs. Students with IEPs, 504 plans,

and multilingual learners often depend on assistive features built into their devices.

The research and policy discussion around screen use itself also recognizes that context matters, including a student's age, the type of screen use, the content, the purpose, and what the screen use may displace. A federal funding condition that treats all screen use as functionally equivalent would therefore be poorly aligned with the realities of classroom instruction and the professional judgment of educators.

The Commission must recognize that appropriate screen use is context dependent. There is a time and place for screens when they serve a clear educational purpose, and screen time shouldn't be seen as uniformly negative.

Head Start and Pre-Kindergarten Students Must Remain Eligible for E-Rate Support

NEA opposes any removal of Head Start and pre-kindergarten E-Rate support. E-Rate supports network infrastructure and connectivity for a building. The presence of an internet connection in a pre-K classroom does not cause the four-year-olds in it to consume bandwidth; the connection serves the building staff, administrative systems, and early childhood instruction.

The Commission must therefore be cautious about treating eligibility for a facility's network infrastructure as equivalent to the amount of screen time experienced by individual students. A school or early childhood facility does not cease to need connectivity because some students spend less time using screens. The same network supports educators, administrators, family communications, student records, attendance systems, professional development, safety and security systems, and other essential functions.

These educators use connectivity for things including but not limited to taking attendance, communicating with families, documenting IEPs, and completing professional development. None of these are screen time for a young child. Additionally, the administrative burden of cost allocation would be significant and likely fall on the schools least equipped to handle it.

The proposed cost-allocation requirement could also create a substantial administrative exercise without producing a corresponding educational benefit. The Commission must not impose a complicated new accounting requirement on schools simply because a facility serves young children when the underlying service is shared network infrastructure used throughout the institution.

The Commission Can Strengthen Program Integrity Without Undermining E-Rate

NEA generally supports the program integrity objectives outlined by the Commission. Our members have direct interest in E-Rate dollars reaching classrooms and libraries. The GAO's findings on consultant influence are serious and should be addressed.

Importantly, however, concerns about program administration and isolated instances of misuse should not be conflated with the broader question of whether the E-Rate program remains necessary. The Commission can strengthen oversight, improve transparency, and ensure that applicants receive cost-effective services without undermining the underlying statutory commitment to affordable connectivity.

We would encourage the Commission to focus oversight resources on contracts with the largest disparities between requested and market-rate pricing, as opposed to imposing new burdens on all applicants regardless of contract size. This approach risks putting undue burden on the small and rural districts with the least administrative capacity to absorb them.

The Commission must likewise consider the capacity of applicants when designing new compliance requirements. Consortia and other shared administrative arrangements can be particularly important for smaller districts and libraries that lack the personnel needed to navigate complex federal application processes independently. New requirements must therefore be targeted, proportional, and designed to address demonstrated risks rather than creating additional procedural barriers for all participants.

Conclusion

E-Rate is among the clearest federal education program successes. It reaches 96 percent of public schools, nearly three-quarters of public library locations, and 98 percent of American counties.⁵ It serves 52 million students, nearly 60 percent of whom are from low-income households.⁶

The NPRM questions whether the success of the program is a reason to wind it down. It is undoubtedly not. Congress chose a recurring discount mechanism because connectivity is a recurring cost. Withdrawing support would not preserve these substantial gains. Instead, it would reverse them—first in the communities that gained the most, including rural districts and high-poverty urban schools.

The record before the Commission must therefore be evaluated not merely by asking whether schools have connectivity, but by asking who can afford that connectivity, whether it is sufficient to meet current educational and operational needs, and what would happen to students and communities if federal support were withdrawn. The available evidence points toward higher costs for schools and libraries, greater pressure on local budgets, reduced capacity to upgrade infrastructure, and greater disparities between communities with different levels of resources.

The same principle applies to the Commission's consideration of screen time. The appropriate policy response to concerns about children's technology use is not to undermine the infrastructure that supports educational technology. Schools need the ability to make context-specific decisions about

⁵ <https://www.fundsforlearning.com/news/e-rate-keeps-schools-and-libraries-connected/>

⁶ <https://opendata.usac.org/stories/s/E-rate-Tools/bneq-mh8b/>

when technology enhances learning and when it does not. Those decisions are best informed by educators, families, and school leaders—not by a federal funding condition that treats instructional and recreational technology use as equivalent.

Regarding children's online safety, NEA shares the concerns of the Commission and welcomes federal attention to it, but the evidence and mechanisms the Commission proposes reach beyond its statutory authority.

Rather than asking whether this program should continue to exist, the Commission should be asking how to make it work better for students, educators, and communities. Broadband is essential infrastructure for school systems, and E-Rate is one of the primary mechanisms through which schools and libraries obtain it. The remarkable expansion of school connectivity over the past three decades is not evidence that E-Rate has outlived its purpose; it is evidence that a sustained federal commitment can produce precisely the universal access Congress sought.

NEA respectfully urges the Commission to decline to narrow or sunset the E-Rate program, to preserve the existing framework, and to proceed with the program integrity measures proposed in the notice. Please do not hesitate to contact me or Justin Thompson at JThompson@nea.org should you have any questions.

Sincerely,

A handwritten signature in black ink, reading "Daaiyah Bilal-Threats" with a long horizontal flourish extending to the right.

Daaiyah Bilal-Threats
Senior Director, Education Policy and Implementation Center
National Education Association