

**Before the  
Federal Communications Commission  
Washington, DC 20054**

**In the Matter of:**

**Delete, Delete, Delete: Seeking public input )  
on identifying FCC rules for the purpose of ) GN Docket No. 25-133  
alleviating unnecessary regulatory burdens )**

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**Addressing Regulatory Burdens of the E-Rate Program  
Reply Comments of the American Library Association**

On April 11, 2025, the American Library Association (ALA)<sup>1</sup> filed comments in the Commission's Delete Notice.<sup>2</sup> Our comments focused on suggested regulatory changes to the Commission's E-Rate program. In a follow-up to our April filing, we have reviewed the initial comments on the E-Rate program submitted by other parties and offer these Reply Comments.

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*Below are comments filed by several organizations related to the E-Rate program that ALA generally supports.*

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<sup>1</sup> 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 more than 140 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.

<sup>2</sup> American Library Association Comments filed April 11, 2025, to the Delete, Delete, Delete Notice, GN Docket No. 25-133.

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*Schools, Health & Libraries Broadband (SHLB) Coalition.*<sup>3</sup> SHLB filed comments offering many commonsense suggestions on reforms to the E-Rate program. We agree with SHLB's suggestions. For example, SHLB recommends deleting the Form 486 and allowing applicants to make mid-year increases in their bandwidth. We also made these same two suggestions in our initial comments. In addition, SHLB offers several other recommendations that ALA did not include in its initial comments but that we very much support. For example, SHLB recommends eliminating the Form 470 drop-down menu categories. The dropdown menus on the 470 have been a cause of applicant confusion for years. As SHLB states, "many applicants have made mistakes and lost funding due to selecting the wrong services from this [dropdown] list." We hope the Commission will finally address this issue.

*Los Angeles Unified School District (LAUSD).*<sup>4</sup> The school district asks "if there is any need for E-Rate program competitive bidding requirements when applicants must already adhere to state and local requirements." Eliminating E-Rate bidding requirements was a major recommendation ALA made in its April comments. LAUSD also states there is a need for more Category 2 (C2) funding and it supports increasing the maximum C2 percentage discount from 85 to 90%. We support the district in its C2 recommendation.

*On-Tech Consulting, Inc.*<sup>5</sup> We are pleased to see On-Tech Consulting supports the elimination of Form 486 and—more significantly—supports eliminating the E-Rate bidding requirements. This latter issue supports a major recommendation we made in our initial comments. Furthermore, the company also supports our recommendation that E-Rate purchases under \$10,000 not require compliance with the program's complex bidding regulations. On-Tech Consulting also supports our recommendation that there be no fixed Category 2 application timeline. But the company goes further and suggests there be no application timeline for Category 1 either. We are not prepared to go this far but do suggest the Commission review the possibility of having no rigid application timeline for the whole program. Another recommendation On-Tech Consulting makes is to publish the application review procedures used by USAC's Program Integrity Assurance (PIA) unit to review all applications. We think doing this will reduce the number of errors applicants make and thus we support this recommendation.

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<sup>3</sup> Schools, Health & Libraries Broadband Coalition Comments filed April 11, 2025, to the Delete, Delete, Delete Notice, GN Docket No. 25-133.

<sup>4</sup> Los Angeles Unified School District Comments filed April 11, 2025, to the Delete, Delete, Delete Notice, GN Docket No. 25-133.

<sup>5</sup> On-Tech Consulting Comments filed April 11, 2025, to the Delete, Delete, Delete Notice, GN Docket No. 25-133.

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*Corporation for Education Network Initiatives in California (CENIC).*<sup>6</sup> Like many parties, CENIC supports eliminating Form 486. Another recommendation is to make the application process easier for consortia. While ALA did not remark on consortium issues in our initial comments, we very much support CENIC's recommendations on simplifying consortium applications and the post-application review process.

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*Below are comments filed by several organizations related to the E-Rate program that ALA generally opposes.*

*Competitive Enterprise Institute (CEI)*<sup>7</sup>. The first issue that CEI addresses in its comments is that the Commission should repeal the off-campus wi-fi hotspot program. The institute takes a strict constructionist view of the statutes to support its position. ALA very much thinks the wi-fi hotspot program is within the language of the statutes and thus we oppose this recommendation.

*Heritage Foundation.*<sup>8</sup> Like the Competitive Enterprise Institute, the Foundation claims the Commission lacks the statutory authority to provide off-campus wi-fi hotspots. As we state above, we think the wi-fi hotspot program is on sound legal ground. But more glaring is the first sentence in the foundation's comments which says, "The E-Rate program is ripe with waste, fraud, and abuse." To buttress this claim, it provides various broadband costs that are being charged to some E-Rate eligible preschools. It claims the amounts charged "grossly exceeds the market rate of advertised business broadband rates. In reviewing the article it cites in footnote #2, we agree that the costs listed on page 6 of the article appear to be remarkably high and thus may violate the Lowest Corresponding Price (LCP) rule. However, in querying USAC broadband cost data for one site in the article (Head Start of Rockland) we did not see exorbitant costs. USAC data shows that Rockland was paying about \$220/month for 1Gbps of service in

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<sup>6</sup> Corporation for Education Network Initiatives in California Comments filed April 11, 2025, to the Delete, Delete, Delete Notice, GN Docket No. 25-133.

<sup>7</sup> Competitive Enterprise Institute Comments filed April 10, 2025 to the Delete, Delete, Delete Notice, GN Docket No. 25-133.

<sup>8</sup> Heritage Foundation Comments filed April 11, 2025, to the Delete, Delete, Delete Notice, GN Docket No. 25-133.

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FY 2023.<sup>9</sup> This is less than the USAC median cost of \$1.18 per megabit in FY2023.<sup>10</sup> But because we only did a very limited review of the broadband cost for one site, we encourage the Commission to investigate the broadband costs cited by the foundation in its filing and related article.

*U.S. Chamber of Commerce (Chamber).*<sup>11</sup> Among various recommendations, including that the Commission take action to improve internet connectivity on cruise ships, the Chamber also proposes to eliminate the E-Rate’s Lowest Corresponding Price (LCP) rule. It claims that “market competition should dictate the prices and rates” charged to libraries and schools. ALA opposes removing the LCP. In many rural communities there is no competition and the LCP provides all applicants with assurance they are being charged a reasonable price for their Category 1 and Category 2 purchases. And the need to retain the LCP is graphically illustrated in the above broadband cost examples cited by the Heritage Foundation.

In conclusion, the American Library Association appreciates the opportunity to submit these Reply Comments to the Commission’s Delete Notice. We hope that any changes made to the E-rate program will result in further program simplification to the benefit of our libraries, schools, and service providers.

Respectfully submitted,

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<sup>9</sup> The data are from the USAC report, “E-Rate Recipient Details And Commitments,” at [https://opendata.usac.org/E-Rate/E-Rate-Recipient-Details-And-Commitments/avi8-svp9/data\\_preview](https://opendata.usac.org/E-Rate/E-Rate-Recipient-Details-And-Commitments/avi8-svp9/data_preview). This USAC report is cited in the article as one of the sources used.

<sup>10</sup> See page 18 in the USAC Schools and Libraries Committee April 2024 Briefing Book, at: <https://www.usac.org/wp-content/uploads/about/documents/leadership/materials/sl/2024/2024-04-29-SL-Briefing-Book-Public.pdf>.

<sup>11</sup> U.S. Chamber of Commerce (Chamber) Comments filed April 11, 2025, to the Delete, Delete, Delete Notice, GN Docket No. 25-133.