Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Modernizing the E-rate	)	WC Docket No. 13-184
Program for Schools and Libraries	)	
	)	
Petition for Expedited Declaratory	)	WC Docket No. 21-31
Ruling and Waivers Allowing the Use	)	
of E-rate Funds for Remote Learning	)	
During the COVID-19 Pandemic	)	

COMMENTS OF THE GIGABIT LIBRARIES NETWORK

In response to the Wireline Competition Bureau's *Public Notice*,[1] the Gigabit Libraries Network (GLN) respectfully offers these comments in support of the petition for declaratory ruling filed by SHLB et al.[2] and similar petitions seeking to permit off-campus uses of E-rate supported services during the COVID-19 pandemic.[3] The pandemic has demonstrated that the current approach to off-campus uses of E-rate supported services is outdated and fails to serve students and residents that must rely upon remote and virtual services for the foreseeable future. GLN supports an immediate waiver or declaratory ruling permitting off-campus uses of broadband services and equipment in order to provide remote learning and remote access, applicable to funding years 2020 and 2021. GLN also supports a supplemental filing window to permit eligible libraries and schools to submit funding requests for remote learning and remote access. Finally, GLN recommends that the FCC fulfill the goal from the 2010 National Broadband Plan to complete the build-out of fiber-to-the-library. This pandemic has shown the critical importance that libraries serve as anchor institutions to the community.

Both local schools and libraries have been forced by the COVID-19 pandemic to move to a remote learning environment. Libraries, like schools, have been forced to implement strategies to reach users who often lack internet resources at home. Indeed, in the case of libraries, one cen-

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[1] *Public Notice*, Wireline Competition Bureau Seeks Comment on Petitions for Emergency Relief to Allow the Use of E-rate Funds to Support Remote Learning During the COVID-19 Pandemic, WC Docket No. 21-31, DA 21-98 (rel. Feb. 1, 2021) ("Public Notice").

[2] Petition for Expedited Declaratory Ruling and Waivers filed by the Schools, Health & Libraries Broadband Coalition, et al., WC Docket No. 13-184 (filed Jan. 26, 2021).

[3] Additional petitions were identified in Appendix A to the Bureau's *Public Notice*.

tral function of library services has become providing internet access to the community.   Therefore, the Gigabit Libraries Network fully supports allowing immediate funding for off-campus broadband services to support pandemic-related changes in the delivery of both school and library services. We offer three specific supplemental recommendations to make the Commission's action more effective:
• Encourage school/library connections and collaborations
• Explicitly allow public libraries to extend access
• Complete the task of FTTL

Encourage school/library connections and collaborations

Public libraries are full and essential partners with schools in providing learning and information resources to students. Not only do K-12 students rely on libraries after hours and home-schooled children rely upon library resources for essential educational access, but preschool children are stimulated by an environment of books, learning and explorations into the vast world of knowledge and culture.

Moreover, the adult learning community relies on libraries to discover and learn new skills and find new opportunities to apply them. "Learning Gaps" exist in these communities, just as the "Homework Gap" exists among K-12 students.

By permitting libraries to use E-rate supported broadband to provide off-campus services during the pandemic, the Commission will enable stronger library collaborations with school systems and education networks in building out regional wired and wireless infrastructure to meet urgent community education and research needs.

Critically, providing off-campus remote learning does not have to be an either/or choice between a school or a library. There are immediate opportunities to bridge the resources of neighboring school systems, many of which are far better wired and staffed than their sister education institutions, the local library. We have seen projects, like in Plymouth, Nebraska (pop. 400), where the area school district, connected to the state gigabit education network, has partnered with the Plymouth library to serve the online learning and information needs of its 46 K-12 students who otherwise, because of Plymouth's poor internet availability, would have to travel four miles to the school parking lot just to download and/or upload lesson plans and reports.

In a low cost high return project funded through an Institute of Museum and Library Services (IMLS) grant, the school has been able to create a line-of-sight 400 Mbps wireless link to the Plymouth water tower, and from there a high speed down link to the library and three additional library "homework hotspots."[4] While not a perfect solution, it serves to mitigate the connectivity

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[4]   *See* http://giglibraries.net/SecondNets-Consortium.

gap of Plymouth. This model is highly replicable across rural America using an ever-widening array of connectivity technologies and access services.

The FCC need only clarify that sharing connectivity resources between e-rate eligible entities is entirely within the scope and purpose of the program, and that no cost allocation is necessary for such collaborative use of facilities. Either the school applicant or the library applicant should be eligible to seek funding. The Plymouth collaboration is an example of the type of innovative use that can benefit remote learning in a pandemic environment. These kinds of collaborations open doors to increase cooperation in meeting the wider learning and information needs of students both in and out of the school building.

Explicitly allow public libraries to extend access

GLN supports SHLB's request that the Commission clarify "that, for the duration of pandemic, applicants do not have to forgo E-rate funding on the costs of services used outside of the school or library campus when those services are used for remote learning."[5] As SHLB and others have pointed out, the E-rate program permits funding for "educational purposes," and the Commission need only remove any doubt that off-campus programs designed to enhance remote learning and remote access are "educational purposes" as well. Such uses should be eligible for funding for the duration of the pandemic.

Libraries are, as ever, doing their best to help students of any age and at any stage to get online. They lead the nation in assuring access to public information and services, including the open internet. According to data from the American Library Association, 100% of public libraries offer internet access, with 98% offering free public Wi-Fi services.[6] Libraries often are the sole source of no-fee pubic internet access in a community. However, libraries can do more to connect people to internet and other resources, particularly beyond the boundaries of their physical buildings. The Commission should make sure any action it takes to allow schools to use E-rate funds to connect students beyond school campuses will explicitly apply to libraries serving their patrons as well. The Commission has long recognized the benefits that libraries offer, and it should continue to do so in response to the COVID-19 pandemic.

Before the pandemic approximately 80 million people relied wholly or in part on libraries for internet access.[7] However, they all needed to be in or just beside one of the only 17,000 library facilities to be assured funding under USAC's pre-pandemic interpretation of "educational purposes."

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5   SHLB Petition at 11.
6   http://www.ala.org/news/state-americas-libraries-report-2019/public-libraries.
7   https://www.gatesfoundation.org/Media-Center/Press-Releases/2010/03/Millions-of-People-Rely-on-Library-Computers-for-Employment-Health-and-Education.

Libraries are stepping up in response to the pandemic, but uncertainties in E-rate funding could limit their ability to pursue programs. For example, the Navajo Nation describes in its petition two instances where library facilities can be used to deliver internet access far beyond the library building. As described in the petition, the Navajo Nation is exploring the installation of "super-hotspots" at locations including the Nation's Chapter Houses (which house its libraries) in order to enable Wi-Fi access in a 200 yard radius of the location.[8] The Nation also seeks to enlist 300 school buses as "digital bookmobiles" to offer Wi-Fi access to targeted off-campus locations.[9] Demand for these and other digital services has mushroomed 50% or more as a confined and economically stressed population has less money to spend on cultural and even educational content.[10]

Libraries offer a respected, trusted authority and the pre-existing infrastructure to rapidly scale public access options to the internet and other digital services for the greatest benefit to the widest number of people for the least public investment in the shortest time.

We propose that libraries, like schools, also be specifically permitted to reach beyond the walls to serve urgent community learning and information needs. Thus, the Commission should be careful in discussing remote learning that all learning scenarios, including those offered by libraries, be included in the Commission's ruling.

We further urge the FCC to adopt a base line definition of an E-rate eligible kiosk, which like bookmobiles are already eligible.[11] In this context, a "kiosk" should include any facility employed by a eligible library to offer access to its collection and services. We recommend the definition published by the Library of Michigan as a model for the Commission's own rules:

*An "**eligible library kiosk**" is a facility that meets the following criteria:*
1. *Must be created and maintained by a legally established Michigan public library*
2. *Is a library point of service maintained outside of an administrative entity or branch library*
3. *Is a library point of service that has Internet connectivity and has electronic equipment or other material physically available to provide access to library resources including the library catalog and patron accounts*
4. *The kiosk may be within another structure or stand alone and it may be temporary, semi-permanent or permanent*
5. *Kiosk must be placed such that all members of the community may approach it without cost*

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8 Navajo Nation Petition for Waiver, at 6.

9 *Id.* at 9.

10 https://www.dispatch.com/story/news/local/2021/02/08/digital-downloads-rose-last-year-library-closures-due-covid/4380536001/

11 *Modernizing the E-rate Program for Schools and Libraries*, WC Docket No. 13-184, Report and Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 8870, 8933 ¶ 153 (2014) (*First E-rate Modernization Order*).

- *A selection of books or other physical material placed in a facility by the library which is unstaffed and there are no other services provided shall not be considered a kiosk.[12]*

However, one further modification of this definition is appropriate for the COVD-19 pandemic. Given that it may be impractical to provide "electronic equipment or other [physical] material…" (see item 3 above) and to comply with local and CDC recommendations for COVID-19 precautions, we urge forbearance on this one stipulation until such time as health and safety permits.

It is in the public interest to allow libraries to use E-rate funds to support new neighborhood outlets such as fixed library access stations or kiosks. Installing these stations in every neighborhood will serve as an interim, if partial, solution for those waiting for new home connections and importantly, serve as a public backstop addressing the digital divide in our most vulnerable communities.

Such access can be provided from existing E-rate funding, including use of existing E-rate reserve funds From the work of the Gigabit Libraries Network and others over the past few years in supporting hundreds of such new installations, we estimate the average cost for a single library kiosk at between one and a few thousand dollars per station, depending on configuration and connectivity costs. Once installed these library service portals would become a permanent supplement to the nation's connectivity infrastructure that increases access, equity and resilience in every community. In every neighborhood!

Of the dozens of IMLS-funded projects expanding library access in communities, a good example for the question at hand is the Community SecondNets project. Under this initiative, libraries partner with schools as second responders, installing dual use, wide area wireless networks, to expand inclusion and in pandemic response though support of new "neighborhood library access stations."[13]

In Pottsboro, TX, a local WISP is collaborating with area educational institutions and utilizing EBS sub-licenses to reach students at home. The local library negotiated a special price to support a few new "neighborhood access stations."[14] The library director relays one family's story in using this supplemental access:

> *"One of our regular patrons talked about how access to the internet would be the difference between her five children missing a year of school and having those same children thrive. […] They do not have internet in their rural neighborhood…. The children need specialized education that the mom doesn't feel equipped to provide. She earned her GED three years ago and needs job skills. How could we help those children? We were*

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12   *See* https://www.michigan.gov/libraryofmichigan/0,9327,7-381-88855_89735_89752-410820--,00.html.
13   *See* http://giglibraries.net/SecondNets-Consortium.
14   *See* https://dailyyonder.com/commentary-finding-partners-for-broadband-right-where-you-are/2020/12/03/

able to refurbish a donated computer from a local business, loan them a hot spot, and provide digital literacy training to the mother."[15]

What other action could be more expedient, more economical and more equitable than a library service hub in every neighborhood across the country?

Complete the task of FTTL

Further, beyond the immediate clarification of "educational purposes" during the pandemic, GLN urges the Commission to prioritize efforts during the pandemic to fulfill its promise in 2010 to bring fiber networks to every library. In 2007, the FCC participated in a workshop, sponsored by the American Library Association and the California State Library to initiate the Fiber to the Library (FTTL) campaign as the most economical, expedient and equitable way to deliver next generation broadband into every community. This concept was encoded into the National Broadband Plan of 2010 as Goal #4 to provide gigabit connectivity to libraries and other anchor institutions in every community.[16]

Now, 11 years later the work is yet to be finished and the goal still unmet. Even as there have been strides toward much higher levels of K-12 facility infrastructure upgrades, smaller, especially rural, public libraries have lagged in their ability to take advantage of E-rate resources, often due to a lack of administrative support to complete filings. Many rural libraries have connection speeds below even the FCC standard for homes. Despite federal recommendations that libraries serving up to 50,000 people should have at minimum a 100 Mbps internet connection, fewer than five libraries in the entire state of Montana meet this speed level.[17] In fact, 30 percent of Montana public libraries connect at speeds of less than 10 Mbps.[18] Perhaps nothing is more telling of this disparity than the Navajo Nation's admission that the Nation has not received any E-rate library funding in more than a decade.[19]

It is the obligation of governments at every level to assure access to public information and services, especially in the service of public educational objectives. As these public resources increasingly become less available offline or in paper formats, the need to take additional measures becomes critical for an informed society.

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[15] https://www.libraryjournal.com/?detailStory=Where-Are-We-The-Latest-on-Library-Reopening-Strategies-covid-19.

[16] Federal Communications Commission, *Connecting America: The National Broadband Plan*, available at https://transition.fcc.gov/national-broadband-plan/national-broadband-plan.pdf.

[17] *See* https://internet2.edu/montana-moving-toward-gigabit-libraries/

[18] *Id.*

[19] Navajo Nation, Emergency Petition for Waiver of the Commission's Rules by the Navajo Nation, WC Docket 02-6, at 4 (filed Apr. 30, 2020).

COVID-19 pandemic has turned the digital divide into a social, educational and economic crisis and connectivity disaster for the under and unserved. For reasons of cost savings and convenience, recent acceleration in the development of e-gov and e-learning applications and other online-only resources has had the unintended consequence of increasing the digital divide as many of these services are no longer or never were accessible in analog form. When challenged to address this oversight, typical red-faced responses have only been able to offer, "Go to the library. They'll help you." Indeed they will, but libraries never seem to share in any of these savings of automation even as they assume yet another public obligation.

The Commission can help libraries alleviate some of this critical, if accidental, disparity.

Respectfully Submitted,

Gigabit Libraries Network

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February 16, 2021