July 22, 2019

The Honorable Ajit Pai

Chairman

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

Re: Notice of Proposed Rulemaking in the Matter of Universal Service Contribution Methodology WC Docket No. 06-122

Dear Chairman Pai:

On behalf of the 1,025 school districts in Texas, the Texas Association of School Boards (TASB) would like to submit comments to the Federal Communications Commission (FCC) on the Notice of Proposed Rulemaking in the matter of the Universal Service Contribution Methodology. TASB is concerned with the proposed rule to establish an overall cap for the Universal Service Fund (USF) or combine the cap of any USF programs that could result in an unnecessary reduction in funding to critical telecommunications infrastructure programs.

The FCC is charged with advancing access to broadband services. 47 U.S.C §254(b) requires the FCC to ensure “consumers in all regions of the Nation, including those in rural areas have access to telecommunications and information services [[…](http://uscode.house.gov/view.xhtml?req=(title:47%20section:254%20edition:prelim)%20OR%20(granuleid:USC-prelim-title47-section254)&f=treesort&edition=prelim&num=0&jumpTo=true)], and that schools and health care providers have access to advance telecommunications services.” To address these critical needs, the FCC established four USF programs: The Connect America Fund; the Low Income Support Program (Lifeline); the Rural Health Care Support Program; and the Schools and Libraries Program (E-Rate).

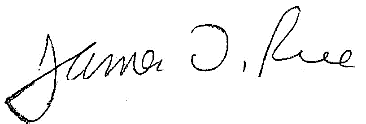
Each of the four programs serves a distinct and critical purpose, and already have their own caps in place to ensure funds are being utilized in an efficient manner. Providing an overall cap on the USF would lead to competition among the four programs, which is contrary to the intent of Congress. The legislative goal of the Telecommunications Act of 1996 was to provide four distinct programs, each with specific funding, not one pool where the four programs might receive disproportionate support. The U.S. House of Representatives expressed their strong opposition to this effort through the recent unanimous passage of House Amendment 483 to H.R. 3351, the FY2020 Financial Services and General Government Appropriations Act, which prohibits the FCC from implementing this rule.

E-Rate has made a tremendous difference in helping students connect to the world through broadband access in schools and libraries. TASB, in collaboration with the State of Texas, has helped to promote this program and access to the internet for the 5.4 million school children in Texas. In 2015, the Texas Legislature appropriated $25 million to upgrade or install new fiber-optic cable in public schools – a fast, reliable, and scalable form of internet access. In return, the federal government matched, dollar-for-dollar, the state’s investment through the E-rate program. By 2018, 97 percent of school districts had access to internet speeds of at least 100 Kbps/student.

But that’s just the beginning; the FCC has a goal to have 1 Mbps/student to support digital learning in every classroom. Texas school districts are halfway to reaching the FCC’s goal. Instead of proposing new rules that could limit broadband access in schools and in libraries, the FCC should be exploring ways to strengthen E-Rate and expanding other opportunities for students to connect to high-speed broadband in and out of school to help close the digital divide in education. Therefore, TASB strongly opposes the proposed rules in the matter of the Universal Service Contribution Methodology.

Thank you for the attention to this matter.

Sincerely,



Jim Rice

Chair, TASB Legislative Committee

Vice President, TASB Board of Directors

Trustee, Fort Bend Independent School District

Cc: The Honorable Brendan Carr, Commissioner, FCC

The Honorable Geoffrey Starks, Commissioner, FCC

The Honorable Michael O’Reilly, Commissioner, FCC

The Honorable Jessica Rosenworcel, Commissioner, FCC