**Comments to FCC, NPRM, WC Docket No. 13-184**

**E-Rate program Category 2**

**August 9, 2019**

We represent 4 Maryland county school districts and 1 county library system. Regarding the proposed rulemaking for E-Rate Category 2 funding, we offer these comments and suggestions:

1. Category 2 budgets should apply to the entire school district or library system, not to the individual buildings. This is essential to allow applicants to allocate Category 2 funds where they are most needed and will reduce the paperwork and confusion created by the current system of allocation by building. The age of school and library buildings varies considerably as do their technology needs. It is best left to the applicant to determine where E-Rate funds can be used most efficiently.
2. The Eligible Service List for Category 2 should be expanded to include funding for services that are currently ineligible but are essential for security, protection of student data, CIPA compliance, and proper maintenance and management of information technology systems. These services should include, but not necessarily be limited to:

Virus definitions

Content filtering

Malware protection

Threat detection

Redundant and backup features

Advance hardware/parts replacement

1. Contracts for Basic Maintenance of Internal Connections (BMIC), such as technical support, telephone and/or web portal access, software upgrades, configuration changes, etc., are much more cost effective when purchased as multi-year contracts rather than single-year contracts. This cost savings benefits both USAC/SLD and the applicant. The full amount of these multi-year contracts must be paid by the applicant in the contract’s first year. However, current E-Rate program rules require that the pro-rated portion of the contract cost must be applied for reimbursement in each subsequent year of the contract to receive the total funding. This discourages applicants from entering into multi-year BMIC contracts that are cost effective to both USAC/SLD and the applicant. We request that applicants be permitted to apply for and receive reimbursement of E-Rate funding for the total eligible multi-year cost in the first year of the contract.
2. The FCC needs to resolve the issue of Licenses vs. BMIC, especially for bundled products that include some elements of both service categories. Sometimes USAC/SLD determines that these products are in the Internal Connections category, and sometimes that they are in the Basic Maintenance of Internal Connections category. If the applicant lists the wrong category on its Form 470, then the funding request will be denied.
3. The Eligible Service List should be expanded to include Internet access services and WiFi service for school buses.

Respectfully submitted:

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