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Commission Secretary
Office of the Secretary
Federal Communications Commission Headquarters
Washington, DC 20554

September 3rd, 2014

RE: DA 14-1130 (WC Docket No. 13-184; CC Docket No. 02-6 and GN Docket No. 09-51)

Thank you for the opportunity to comment on the draft revised FCC E-Rate eligible service list. (http://transition.fcc.gov/Daily_Releases/Daily_Business/2014/db0804/DA-14-1130A1.pdf).

While I am involved with numerous cyber security and education-related organizations, and participate as a member of FCC CSRIC IV, the comments offered below are offered purely in my individual capacity.

There are five aspects of the proposed rule that are of concern to me, and which I urge the Commission to reconsider.

1) On page 2 of 12 in the FCC PDF document, the Commission states that

"The proposed ESL removes WEB HOSTING, voice mail, and EMAIL because the Commission determined that these services use broadband as a delivery mechanism but do not connect schools and libraries to high-speed broadband themselves." [emphasis added]

This decision fails to recognize that broadband, by and of itself, doesn't help teachers to teach, or children to learn. Rather, it is the **services** that are delivered OVER broadband, including particularly email and web services, that are essential to teaching and learning.

The Commission's order is also inconsistent in that it:

- allows funding for voice communications (a service delivered on top of the network, like email),
- but not for email (a communication service that is also delivered on top of the network).

This is particularly troubling when one considers that email (or text messaging) is the equivalent of voice communication for the nation's deaf and hard of hearing students (for whom voice communication may be difficult or impossible).

Why pick technology winners and losers, particularly when some of those choices negatively impact the handicapped? Answer: you shouldn't. If you allow funding for voice, you should also allow funding for email.

2) On PDF page 8, I am concerned that the Commission proposes to continue financial support for "Telephone dial-up" access, a mind-bogglingly-antique communication service that fails to constitute "high-speed broadband service" by any realistic definition of that term. Funding for telephone dial-up access should be discontinued as inconsistent with the goal of promoting high-speed network access.

3) Also on PDF page 8, I was surprised to see that "off-campus use" of "Wireless Internet access and mobile hotspot service plans for portable devices" will not be eligible for support even if used for an educational purpose. (So much for WiMAX-type next generation cellular broadband services, or treating the world as our classrooms, I guess). I would urge you to reconsider any narrowly drawn boundary for where teaching can take place, or learning can happen. Don't cripple the adoption of technology that may cross campus boundaries, and enable

teaching and learning to take place wherever teachers and students may find it, including things like off-campus museums, archives, and other community resources.

4) Likewise on page 8, I'd flag the fact that "Wireless telephone service including cellular voice" service is eligible for funding BUT "data and text messaging" are explicitly excluded (once again ignoring modern technology, and disadvantaging students with disabilities who may not be able to take advantage of voice services (example: many in the deaf community, including deaf students, rely heavily on texting services for basic communication)). Please do not exclude funding for data and text messaging.

5) And on page 9, I'd note that

Eligible Internet access may include basic firewall protection, domain name service and dynamic host configuration when these features are provided as a standard component of a vendor's Internet access service. Firewall protection may not be provided by a vendor other than the Internet access provider and may not be priced out separately. Examples of items that are ineligible components of Internet access include applications, FILTERING, content, e-mail, and equipment such as computers, laptops, tablets and all other end-user devices. [emphasis added]

This provision is also profoundly flawed as drafted.

a) It promote the continuance of "bundling," permitting funding of some services IF provided by an Internet access service, while forbidding an equivalent purchase with covered funding if purchased from a third party.

This is anticompetitive and makes little sense on its face. If a service is worthwhile, and worth underwriting with federal funds, provide procurement flexibility so that federal money may be spent to obtain the best service available from the market -- and in the most locally relevant and cost efficient way -- not just whatever service happens to be bundled by an Internet access service provider. Encourage choice, not vendor lock-in.

b) Similarly, this provision allows "firewall protection" but not "filtering." What is a firewall, when closely examined, except a traffic "filter?" If the intent is to promote the cyber security of our nation's schools, and the safety of our children and teachers, surely filtering solutions of all types, as local technology experts may deem necessary or appropriate, should be explicitly and unambiguously allowed to be funded?

Thank you for considering feedback on these five important points.

Don't hesitate to contact me if you have any further questions that I can help to address.

Sincerely,

/s/

Joe St Sauver, Ph.D.