

**STATEMENT OF
COMMISSIONER MIGNON L. CLYBURN**

Re: Modernizing the E-rate Program for Schools and Libraries, WC Docket No. 13-184.

While perfection may be the enemy of the good, some may question whether this item rises to that level. It certainly is not perfect, and there are key aspects I would have approached differently, but the Order makes a number of improvements that streamline and modernize the E-rate program, and, at the end of the day, that is good.

To say that there has been a lively debate leading up today's meeting is an understatement but I fear some may have lost sight of the forest for the trees. If my sister, a middle school teacher, read only the press coverage of the last few weeks, I am not sure that she would have a full appreciation of why we are here today. For what gets lost in all the talk about numbers, per square foot budgets, and lists of services – some of which may require a dictionary to decipher – is how this item could improve my sister's ability to teach her students at Dent Middle School or how our local library could better serve the community.

Setting aside all the rhetoric, this item is fundamentally about the educational forest surrounding our children and their communities. It is about ensuring that our youth have the tools needed to be the leaders of tomorrow; it is about providing our country with the means to be an enabler of excellence; it is about breaking down barriers of poverty and demographic differences through our schools and libraries by making sure they have access to world-class broadband and WiFi.

This is why we have E-rate. And because of those visionaries in Congress, including Senators Rockefeller and Markey, and former Senator Snowe, many of our schools and libraries, particularly in rural and high poverty areas have the world-class technology they need to succeed.

For me and so many others, broadband is the greatest equalizer of our time. It has the power to break down decades of barriers and provide children from Moncks Corner, South Carolina, to Tysons Corner, Virginia, with access to many of the same world-class digital learning and tools they will need to thrive.

But the fact is that the schools and libraries in Moncks Corner do not have the same means or resources as those in Tysons Corner, and, absent the FCC's E-rate program, schools and libraries in rural and higher poverty areas likely would not even begin to have the means to purchase high capacity robust broadband to and within their learning centers. I have seen and spoken about how robust connectivity and 1:1 initiatives can transform communities from Loris Elementary in South Carolina, to Muir Middle School in South Central Los Angeles, and this is why we are here.

We are here because we would be derelict if we leave our most vulnerable children and communities without the infrastructure they need to be successful. And while today's item does not make all of the changes necessary to achieve each and every goal, it does make noteworthy steps in the right direction.

I noted from the start that, in my opinion, this item is not perfect. At this juncture, I wish to highlight what is good about the Order.

First, we take a significant step in addressing the concerns regarding affordable access to internal connections or WiFi. Although many schools and libraries have sufficient capacity to the building, some cannot take full advantage of that capacity because they do not have the resources to purchase internal WiFi connections.

The item's approach to closing this gap is not necessarily the one I would have taken, and I must admit I have reservations about a per-student or a per-square-foot metric to allocate support. I would have preferred a narrower framework grounded on the needs of the community that takes into account the gaps that exist in the highest poverty centers. But I appreciate the Chairman's willingness to address

those concerns, by increasing the per square foot allocation for libraries to \$2.30, raising the school and library floor, and adjusting the discount for Category Two services to 85%, for the highest poverty schools. These changes make me more comfortable with this approach as an initial step to close the gaps.

Second, the item phases out or eliminates support for certain services. This is a step in the right direction because we must continue to update services eligible for support and focus foremost on broadband and connectivity. E-rate funds are finite so funding should be directed only to those services that are enablers of a robust broadband infrastructure.

But when we make changes, no matter how sound, there are impacts to stakeholders and I was concerned about the effect these changes would have on our most vulnerable schools and libraries, which serve high poverty areas where buildings are often old and budgets are almost always tight. I wondered if they would they have enough time to adjust because abrupt, significant changes could bring them disproportionate harm and result in districts cutting teachers or other essential services.

Staff's projections indicate that, over the next two years, the new funding for WiFi should more than offset the reductions in voice and legacy services for these schools and libraries. The WiFi support in Category Two will largely be new funding for these learning centers and will enable the purchase of high quality WiFi on par with our country's most wealthy school districts. After two years, the Bureau will report on the impact of the phase down of voice services to help ensure that these projections are accurate.

Third, the Order significantly increases transparency, which is good, and will not only help the FCC but also schools and libraries. Learning centers will be able to compare their prices to what their neighbors receive and question if and why their rates, differ. This will provide us with useful data and help us to monitor the program as we make sure that each dollar going to E-rate is maximized.

Fourth, the item takes initial steps to streamline and reduce administrative burdens and leaves room for us to evaluate and introduce additional steps.

But the promise of robust WiFi will only become a reality if schools and libraries have adequate connectivity to their buildings. In the beginning, I must admit I was concerned that WiFi connectivity could negatively impact the Priority One (now Category One) funding base, but the item makes clear that the Category Two funding for WiFi will not be prioritized over the funding for Category One support.

However, I do not believe this change alone is quite enough. The staff analysis shared with my office indicates that only 20 percent of our nation's libraries have fiber. And, while I will admit that we may need more data, and perhaps not all libraries need fiber, I certainly believe that that more than 20 percent of our libraries are in need of such capacity. The number of schools that have fiber is significantly higher but I am afraid even those numbers are not ideal.

So our work is not done and we will continue to contemplate how to close these gaps and ensure that all schools and libraries have affordable access to the connectivity to and within their buildings.

Now I end as I began asking rhetorically, why are we here? We are here because there are a number of positive directives in this Order that will help our children and our communities, and, as Benjamin Franklin said, "An investment in knowledge pays the best interest."

So, thank you, Mr. Chairman, for working with my office to address our key concerns. Thank you, Commissioner Rosenworcel, for your passionate advocacy that goes back to your days as a staffer on the Hill. And, many thanks, of course, goes to the incredibly dedicated and overworked staff of the Wireline Competition Bureau, the Office of Managing Director, the Office of Strategic Planning & Policy Analysis. There are too many to name but I wish to thank Jonathan Chambers, Jon Wilkins, Trent Harkrader, Lisa Hone, my law clerks, Adrian Peguese and Laura Arcadipane, and last but certainly not least, to my fatigued but ever dedicated wireline adviser, Rebekah Goodheart, I thank you for your advice, wise counsel, and dedication to this agency's mission and for the people we serve.