

**STATEMENT OF
COMMISSIONER MIGNON L. CLYBURN**

Re: Modernizing the E-rate Program for Schools and Libraries, WC Docket No. 13-184, Connect America Fund, WC Docket No. 10-90.

Superintendent Dance, Principal Dyer Duerr, Teachers Warlick Hawkins, Director Reyes-Gavilan, and students, welcome to the FCC, and thank you for this morning's presentations. You have reaffirmed how truly connected schools and libraries can enable customized teaching and planning, unprecedented academic gains, and 21st century relevance for the users of our centers of learning.

The reasons I have been an unwavering supporter of this item, which I proudly launched by circulating a Notice of Proposed Rulemaking for my colleagues' consideration in July of last year, can be summed up in two ways. I grew up in a household, where everyone except me, spent some or all of their careers as teachers, either in a classroom or in a library. My parents, both sisters, my Aunts and a host of relatives, viewed education as the best tool for upward mobility, so much so that they made commitments and, at times, economic sacrifices to help shape and mold young minds. I still get stopped by people who say that while they may have cut every other class, they never considered missing James Clyburn's class because he not only made history interesting, but that there would be price to pay, if they failed to show.

Many young adults sing praises about my middle school teacher Jennifer, and my Aunts, crediting them as playing roles in their current success. My passion for enhanced educational opportunities for all is not new or trivial for me. It is completely woven into my personal fabric.

They all would be moved like I was by the experiences of Joey Cabrera, a high school sophomore in the Bronx, New York. After school, Joey walks to Clason's Point Library to complete his homework, and do what other teenagers do: connect with friends on social media. When the library closes at either 6 or 7 pm during the school week, he sits on the steps near the doors and tries desperately to get a faint WiFi signal until sunset, when it is still safe to walk home.

Two things are immediately made clear by this New York Times story: (1) it was written before daylight savings time, because sunset is now before 5pm, and (2) like an estimated 2.9 million other New Yorkers, Joey is stuck in the digital dark, forced like too many others to sit outside, in parking lots, to get free access to the Internet for better educational, employment, healthcare, and e-commerce opportunities and engage through social media because of the absence of connectivity at home.

I honestly believe that broadband is the greatest equalizer of our time but this only holds true if everyone has access. High poverty schools and libraries will never have comparable resources to their more affluent counterparts. This is why visionaries in Congress, including Senators Rockefeller and Markey, and former Senator Snowe, can be proud of this item today. They recognized early on that access to world-class technology is needed to succeed.

As the lead agency, the FCC realizes that only through a modernized E-rate, will we enable schools, libraries and communities to have access to world-class broadband. This is potentially life changing for communities too often relegated to minimally adequate educational opportunities, old books and outdated technology.

As we prepare to vote on this item, it is equally important for us not to view this through a narrow lens, but as a three-legged stool where all pieces need to be present for success: broadband at school, broadband in the library and broadband at home. Absent one leg, the stool does not stand.

There are many positive aspects of this Order that help to achieve our goals, but I want to highlight two in particular. First, I am pleased that it increases the per square foot allocation for WiFi in urban libraries to \$5.00. In July, when the Commission voted to approve the reforms to the internal connections for WiFi funding, I raised concerns that the proposed \$1 per square foot for all libraries was too low. I appreciated the Chairman's willingness to address this by increasing the per square foot allocation for libraries to \$2.30. But, the record in response to the July Further Notice makes clear that

such allocation was not sufficient for urban libraries, which may account for only 5% of the nation's libraries but boast 65% of the total public WiFi use. So, I am delighted that we increased the allocation to ensure that the libraries have robust WiFi to satisfy demand.

Second, I am pleased that the item implements the expectation from the 2011 *USF/ICC Transformation Order*, that eligible telecommunications carriers offer broadband to community anchor institutions, including schools and libraries.¹ For too long, the FCC has viewed its universal service programs in silos, failing to leverage efficiencies that could be gained by coordinating across our universal service programs. For this reason, I advocated for the inclusion in the *Transformation Order* that those eligible telecommunications carriers serve community anchor institutions, something that the Commission unanimously supported but has largely sat idle on paper, until today. It is the right thing to do – we should leverage our universal service programs, to extend the reach of each universal service dollar.

The Order leaves open the question of how ETCs connect other community anchor institutions, which the Commission defined to also include “medical and healthcare providers, public safety entities, community colleges and other institutions of higher education,” as well as “organizations and agencies that provide outreach, access, equipment, and support services to facilitate greater use of broadband service by vulnerable populations, including low-income, the unemployed, and the aged.”² The FCC has universal service programs devoted to rural health care and low-income populations and it is good governance to extend the reach of each universal service dollar. To the extent entities in rural, high cost areas receive support to build and maintain broadband-enabled networks, I strongly encourage the Chairman to direct the staff to evaluate how to better leverage these programs.

In short, today's item makes major and long awaited strides but we will not completely fulfill our vision of ensuring world class educational opportunities for all unless everyone has access to all three legs of that stool. Reforming the FCC's Lifeline Program is key to this and should be a major priority for the Commission, schools, libraries and the education community. Absent the ability to close the affordability gap for broadband everywhere, the laudable reforms we are poised to launch today will not completely bring Joey and others like him out of the digital darkness.

I want to thank the dedicated team of the Wireline Competition Bureau, Office of Managing Director, and Office of Strategic Planning & Policy Analysis for their tireless work on this item.

¹ See *Connect America Fund et al.*, WC Docket Nos. 10-90 et al., Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663, 17700, para. 102 (2011) (USF/ICC Transformation Order), *pets. for review denied sub now*. In re FCC 11-161, 753 F.3d 1015 (10th Cir. 2014); see also *id.* at n. 164 (“acknowledge[ing] that community anchor institutions generally require more bandwidth than a residential customer, and expect that ETCs would provide higher bandwidth offerings to community anchor institutions in high-cost areas at rates that are reasonably comparable to comparable offerings to community anchor institutions in urban areas.”).

² See *id.* at n. 163.