

Congress of the United States
Washington, DC 20510

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July 18, 2016

Tom Wheeler
Chairman
Federal Communications Commission
445 12th Street Southwest
Washington, DC 20554

Dear Chairman Wheeler,

We are writing regarding the appeal filed by the Sweetwater City Schools Consortium on behalf of 45 school districts across the State of Tennessee that participate in the E-rate program.

On May 21, 2015, the Universal Service Administrative Company denied the past three E-rate funding years – 2013, 2014 and 2015 – for 45 of Tennessee's school districts that are members of the Sweetwater City Schools Consortium. The total impact on these schools is approximately \$60 million. We have enclosed a letter from the Superintendent of Athens City Schools in which she outlines the consequences of USAC's proposed actions on Tennessee's students and school districts.

Resolving the Consortium's appeal in a timely manner is critical for these Tennessee school districts. We understand that the time period established by Commission rules, would set the deadline for a decision as August 8, 2016. *See* 47 C.F.R. § 54.724. Please let us know at your earliest convenience if your review will be completed within this time period, or, if it will not be, the reasons for the delay, and an expected timeline for a decision.

We appreciate your consideration of our request.

Sincerely,



Lamar Alexander
United States Senator



Bob Corker
United States Senator

Enclosure

cc: Commissioner Mignon Clyburn
Commissioner Michael O'Rielly
Commissioner Ajit Pai
Commissioner Jessica Rosenworcel



David P. Roe, M.D.
Member of Congress



John J. Duncan
Member of Congress



Chuck Fleischmann
Member of Congress



Dr. Scott DesJarlais
Member of Congress



Jim Cooper
Member of Congress



Diane Black
Member of Congress



Marsha Blackburn
Member of Congress



Stephen Fincher
Member of Congress



Steve Cohen
Member of Congress



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Dr. Melanie Miller, *Director of Schools*

July 8, 2016

The Honorable Lamar Alexander
United States Senate
455 Dirksen Office Building,
Washington, DC 20510

Dear Senator Alexander,

I am writing you to provide an update on an issue of critical importance to hundreds of thousands of schoolchildren in Tennessee.

As you may recall, the Universal Service Administrative Company (USAC) has denied 45 Tennessee school districts nearly \$60 million in funds from the E-rate program. The Federal Communications Commission is now considering our appeal of these denials.

Because of these denials, which were unwarranted as the districts did not violate any Commission rules, the districts are suffering – and will continue to suffer – from the significant financial impact of the loss of funding. During the past school year, the affected districts had to start paying the full amount of their Internet access costs instead of just their matching share under program rules. The districts will also be responsible for paying for services for the previous years for which funding was denied.

As a result, due to tight budgets at the local level, the districts already have cut staff, including teachers; deferred maintenance on buildings and equipment; cut technology budgets; and cut important programs. More severe cuts are planned in the near future – without immediate relief from the FCC.

Specifically, for example, my own school district in Athens has accrued a debt of more than \$552,000, out of a budget of \$14 million a year. This school year, we will have to eliminate four staff positions, which will result in the suspension of our art and music programs. We will also defer a much-needed roof replacement at one of our elementary schools and eliminate our enrichment and intervention programs. Perversely, we will also have to postpone necessary upgrades to network infrastructure and internal connections, which will delay the implementation of our initiative to provide each student with an individual device to access the Internet and instructional materials.

Other districts are being forced to make the same reductions to educational programs that directly affect students. In Humphreys County, the district plans to cut 10 teachers, delay capital repairs, and postpone the purchase of new school buses. Hardin County is eliminating five teachers and two other positions at its high school, cutting technology purchases, and eliminating the purchase of



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library books and other instructional materials. As each of the 45 districts faces similar cutbacks, the quality of public education in Tennessee will diminish while the FCC fails to act. Further, the FCC is usurping the role of local decision-makers in the competitive bidding process – a process the FCC itself established.

As you can readily see, the unexpected loss of funding as a result of a decision made by USAC three years after the start of the contract has been – and will continue to be devastating to our children. As the damage suffered by a student in one year reverberates in future years, our students will suffer lasting harm caused by the elimination of vital programs and teachers. The agreement for services has fully achieved Congressional goals for the E-rate program; these districts are able to access quality broadband services at a reasonable cost.

On behalf of Athens City Schools and the other 44 Tennessee school districts, I ask that you help us to obtain this essential funding. Thank you for your understanding, support and consideration of our request.

Very truly yours,

Dr. Melanie Miller
Superintendent of Schools
Athens City Schools