



OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

January 14, 2021

The Honorable Joe Manchin  
United States Senate  
306 Hart Senate Office Building  
Washington, DC 20510

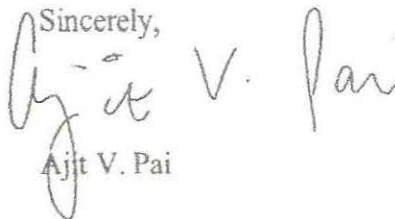
Dear Senator Manchin:

Thank you for your regarding the Commission's decision in the December 2019 *Category Two Report and Order* to eliminate the need for schools or school districts to count part-time students for purposes of calculating their category two budgets under the Commission's E-Rate program.

As you note, Infinity Communications & Consulting, Inc. filed a petition for Commission to reconsider the FCC's decision to base student counts on full-time enrollment only. The Commission's staff sought comment on Infinity's petition, and the comment cycle on the matter has closed. Our staff are now carefully reviewing the record in the proceeding. Please be assured that we will take into consideration the issues and concerns presented by all stakeholders—including those of your constituents—as the Commission deliberates on the appropriate course of action.

In addition, the Wireline Competition Bureau has issued guidance addressing how schools that are not a part of the school district (i.e., independent schools) and with only part-time students are to count these students. Specifically, per the Bureau's October 2020 Public Notice, "independent schools that are attended by students from multiple districts on a part-time basis only (such as vocational schools that are not part of a school district), and which were not addressed in the Category Two Report and Order, should continue to count these students as full-time students consistent with previous guidance provided under the prior category two budget rules." I encourage any school with questions to reach out to Bureau staff to discuss its individual circumstances.

Please let me know if I can be of any further assistance.

Sincerely,  
  
Ajit V. Pai