

12-04 **Holt, Lynne, and Mary Galligan.** 2012. "Is It Time to Recreate the E-Rate Program?"
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Is It Time to Recreate the E-Rate Program?

Abstract: The Schools and Libraries program, commonly known as the "E-rate" program, was created by the Federal Communication Commission ("FCC") in 1997, as authorized by the federal Telecommunications Act of 1996. The 1996 Act specified for the first time that schools and libraries are eligible to receive universal service support in furtherance of their education missions. Since authorization of the program and its implementation pursuant to the 1997 Universal Service Report and Order, much has changed in both the access to and use of Internet-based services. Connectivity is now available from more than just wireline telecommunications carriers – unlike the situation in 1997. Wireless connectivity is vastly more available. High speed Internet connections are available from satellite providers, cable companies, and dark fiber providers. Moreover, residential access to broadband services has expanded thereby changing the relationship between schools and residential Internet users; and libraries and both their on-site and off-site patrons. Homework assignments and other elements of the K-12 curriculum increasingly require access to broadband services as do a number of government transactions and the retrieval of online information available at libraries. These and other changes raise the question of whether the E-rate program, its priorities, and the form in which subsidies have been provided since the program's inception need to be revised. It is timely for Congress and the FCC to reconsider the E-rate funding priorities for schools and libraries and the way the support is provided. This paper describes how a new E-rate program might be shaped to serve the neediest schools and libraries.

The complete paper is available from the [*Federal Communications Law Journal*](#).

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