



August 4, 2020

Kris Monteith
Chief, Wireline Competition Bureau
Federal Communications Commission
445 12th St. SW
Washington, DC 20554

RE: In the Matter of Rural Health Care Universal Service Support Mechanism and Schools and Libraries Universal Service Support Mechanism, WC Docket No. 02-60, CC Docket No. 02-6

Dear Ms. Montieth,

On March 18, 2020, the Wireline Competition Bureau (WCB) waived the Federal Communications Commission's gift rules applicable to the Rural Health Care (RHC) and E-rate programs to assist rural health care providers and schools and libraries affected by the coronavirus disease, also known as COVID-19. The WCB granted this waiver through September 30, 2020. Because the COVID-19 crisis will continue well beyond September 30, the Schools, Health & Libraries Broadband (SHLB) Coalition, the Consortium for School Networking (CoSN), and the State Educational Technology Directors Association (SETDA) respectfully ask you to extend the gift rule waiver for both programs until June 30, 2021.

The COVID crisis is very likely to persist for several months and perhaps longer. On July 22, 2020, President Trump indicated that the virus "will probably unfortunately get worse before it gets better."¹ On July 25, 2020, the Secretary of Health and Human Services (HHS), Alex Azar, officially extended the Declaration of a Public Health Emergency due to the COVID-19 crisis.² Dr. Anthony Fauci, said to be the nation's top infectious disease expert, declared in April that "[w]e will have coronavirus in the fall. I am convinced of that."³ Dr. Deborah Birx, the White House coronavirus task force coordinator, said on Sunday, Aug. 2 that "[w]hat we are seeing today is different from March and April. It is extraordinarily widespread. It's into the rural as equal urban areas."⁴

As a result of the continued pandemic, schools, libraries and rural health care providers are facing unprecedented challenges. While schools had been preparing for a hybrid teaching regime in the fall, an increasing number of school systems are choosing to shift completely to online learning in the fall. For instance, the Grosse Pointe, Michigan school system,⁵ three of Oregon's largest school districts (Portland

¹ <https://abcnews.go.com/Health/wireStory/trump-virus-us-worse-71912814>.

² <https://www.phe.gov/emergency/news/healthactions/phe/Pages/covid19-23June2020.aspx>.

³ <https://www.marketwatch.com/story/fauci-says-we-will-have-coronavirus-in-the-fall-2020-04-23>.

⁴ <https://nypost.com/2020/08/03/deborah-birx-us-covid-19-pandemic-in-new-phase-as-cases-surge/>.

⁵ <https://www.wxyz.com/news/coronavirus/grosse-pointe-schools-to-begin-full-remote-learning-in-fall-due-to-covid-19-pandemic>.

Public Schools, Beaverton School District and Salem-Keizer Public Schools),⁶ as well as several schools in Georgia⁷ are planning to go all virtual in the fall. Libraries across the country remain closed for the foreseeable future and are focused on expanding their availability of online content. Telemedicine has skyrocketed in the past few months. According to one report, “the number of Medicare beneficiaries receiving telehealth services surged from 11,000 in the week ending March 7 to 1.3 million in the week ending April 18th — an increase of more than 11,718 percent.”⁸ All of these developments put enormous strain on the broadband networks serving schools, libraries and healthcare providers.

These vitally important anchor institutions should have access to every available resource to address the needs of students, patrons and patients during these extraordinary circumstances. While the gift rules are important and necessary to promote fair and open competitive bidding during the normal course of business, the safety and security of our nation’s population comes first. Private sector companies should be permitted to offer, and schools, libraries and healthcare providers should be able to accept, donations of whatever broadband equipment and service that they need.

The SHLB Coalition previously asked the FCC to waive the gift rules in our March 17 letter⁹ to the Commission, and we were extremely grateful that the Commission issued its Order one day later. Many schools, libraries and healthcare providers have benefited from this regulatory relief. In fact, many institutions are receiving free services on an ongoing basis. Not extending the gift rule waiver would be enormously disruptive to these anchor institutions – forcing them either to stop receiving the service or to divert funding away from other potentially life-saving activities to pay for the service – while they are in the midst of the crisis.

The Commission already recognized the value of waiving these gift rules in its March 18, 2020 Order and our constituents greatly appreciated this decision. Extending the waiver to June 30 of next year would provide certainty, would be consistent with the end of the funding year for both programs, and would be easy to administer. The June 30 deadline is also close to the end of the school year (depending on the local school calendar).

For the above reasons, there is good cause for the WCB to extend the waiver of the RHC and E-Rate program gift rules in sections 54.622(h) and 54.503(d) of the Commission’s rules through June 30, 2021.

Sincerely,



John Windhausen
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Broadband (SHLB) Coalition



Keith Krueger
CEO
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Christine Fox
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⁶ https://www.kptv.com/news/parents-concerned-over-school-districts-plans-to-start-distance-learning-this-fall/article_ce3a7fb8-d160-11ea-9285-c7e3e27c6548.html.

⁷ <https://www.wsbtv.com/news/local/county-by-county-plans-returning-school-this-fall/QJAYLUB4TFBPBCJCMVZXUQGFY/>.

⁸ <https://morningconsult.com/opinions/congress-should-act-swiftly-to-make-telehealth-expansion-permanent/>.

⁹ <https://ecfsapi.fcc.gov/file/1031709908887/SHLB%20Covid-19%20FCC%20Letter%20-%20Final.pdf>.