

FCC WC DOCKET NOS. 26-133 • 13-184 • 21-93 • 21-455 – FCC 26-41

E-RATE AT A CROSSROADS

THE TIMELINE FOR THE WALL

The FCC has opened a formal review of the E-Rate program. Nothing has been cut and no committed funding is affected — but the comment clock is running. Here is how we got here, where we are today, and every date that matters between now and the close of the record.

INITIAL COMMENTS DUE

TUE, OCT 13, 2026

File through ECFS – cite all four dockets

REPLY COMMENTS DUE

THU, NOV 12, 2026

Respond to what others filed

PART ONE

HOW WE GOT HERE

Thirty years of program history in plain language. Each entry is here because the FCC is now re-examining it.

1996	CONGRESS CREATES THE FRAMEWORK The Telecommunications Act says carriers must serve schools and libraries at rates below what other customers pay. At the time, “technology in the classroom” meant one shared computer lab, and most schools had no internet at all.
2001	CIPA ARRIVES Applicants must certify that they have an internet safety policy and a technology protection measure — the filtering rules in § 54.520.
2002	THE KALAMAZOO EXCEPTION Applicants with contracts signed before the program existed were allowed to treat that contract as the winning bid. A narrow fix for a young program — and one the FCC now proposes to eliminate.
2008–2011	CIPA GETS TEETH AND DEFINITIONS Schools must also teach students about appropriate online behavior. In 2011 the FCC defines the key terms and concludes CIPA does <i>not</i> require blocking social networking sites.
2014	THE SECOND E-RATE ORDER The program’s reach expands substantially, including cost-effectiveness rules for special construction. Critics raise concerns about subsidized overbuilding that are still being argued today.

FY2016	SPECIAL CONSTRUCTION BECOMES ELIGIBLE Self-provisioned networks and dark fiber become eligible in limited cases where they are the most cost-effective option. Roughly \$136.6 million has gone out for self-provisioned construction since.
2021	FEDERAL BROADBAND MONEY FLOODS IN BEAD launches at NTIA to build broadband in unserved and underserved areas, including community anchor institutions. The Emergency Connectivity Fund starts under pandemic authority. The FCC is now asking whether E-Rate still needs to do what these programs do.
2023–2025	EXPANSION, THEN REVERSAL E-Rate support is extended to Wi-Fi on school buses and to hotspots for students. In 2025 both are reversed as inconsistent with the statute.
2024	THE LEGAL GROUND SHIFTS <i>Loper Bright Enterprises v. Raimondo</i> ends <i>Chevron</i> deference, so courts must find the single best reading of a statute rather than defer to the agency. Several foundational E-Rate expansions were upheld under <i>Chevron</i> . This is a big part of why the FCC is revisiting first principles now.
Jun 25, 2026	THE FCC VOTES The Commission adopts a Notice of Proposed Rulemaking and Further Notice (FCC 26-41), part of a top-to-bottom review of every Universal Service Fund program. The full text is released the next day.
Aug 14, 2026	PUBLISHED IN THE FEDERAL REGISTER — 91 FR 52626 This publication is what starts the formal comment clock.
YOU ARE HERE	THE COMMENT PERIOD IS OPEN This is the working stretch. Pull your funding history, discount rate, bandwidth needs, and CIPA compliance costs, and write down the concrete consequences of losing support. Draft. Coordinate with your board, consortium, or peers.
Oct 13, 2026	INITIAL COMMENTS DUE — DEADLINE File through ECFS and reference all four docket numbers. You do not need an attorney — short comments grounded in your own data are welcome.
Nov 12, 2026	REPLY COMMENTS DUE — DEADLINE Your chance to respond to what everyone else filed. Read the record between October 13 and November 12 — this is the round where you correct assumptions other parties made about entities like yours.
After Nov 12	THE RECORD CLOSES; THE FCC DELIBERATES There is no scheduled decision date. The FCC may issue a Report and Order, ask for more comment, or split the proceedings up. Ex parte rules apply to any advocacy after this point.

PART TWO

THE CALENDAR

Red squares are FCC deadlines and are fixed. Everything shaded blue or teal is the recommended internal work schedule — build your own version on top of it.

AUGUST 2026

CLOCK STARTS

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

SEPTEMBER 2026

DATA AND ANALYSIS

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

OCTOBER 2026

FILE

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

NOVEMBER 2026

REPLY AND CLOSE

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

	Review the NPRM, flag your issues		Collect your data
	Calculate the impact		Draft comments
	Leadership / legal review		Monitor the record
	Draft reply comments		Recommended filing target
	FCC deadline		Program milestone (outlined)

Some phases overlap by design — where they do, the calendar shows the newer task and the schedule below lists both. Every date in this calendar is 2026.

WINDOW	WHAT YOU SHOULD BE DOING
Aug 14	Federal Register publication — the comment clock starts
Aug 17 – 31	Review the NPRM/FNPRM and identify the issues that apply to you
Sep 1 – 15	Collect your E-Rate, connectivity, and financial data
Sep 15 – 30	Calculate the potential financial and operational impact
Sep 25 – Oct 5	Draft your comments
Oct 1 – 9	Leadership and legal review, final approval
Oct 9	Recommended filing target — four days of buffer before the deadline
Oct 13	FCC initial comments due
Oct 14 – Nov 5	Monitor what others filed and prepare your reply
Nov 1 – 10	Draft and finalize reply comments
Nov 12	FCC reply comments due

PART THREE

WHAT IS ACTUALLY BEING DECIDED

Three broad sets of questions, all open through the same two deadlines.

QUESTION 01

SHOULD E-RATE CONTINUE AS IT IS?

- Has the program finished its job now that most schools and libraries report broadband and Wi-Fi?
- Should it be narrowed, restructured, or sunset?
- Does the FCC have the statutory authority to run it as currently designed?
- Should discount rates change, or phase out in low-NSLP areas, or apply only in rural or single-provider areas?
- Are special construction and self-provisioned networks still justified now that BEAD exists?

QUESTION 02

CHILDREN'S SAFETY AND SCREEN TIME

- Should funding depend on screen time limits?
- Should parents get a meaningful opt-out from screen-based instruction?
- Must filtering happen at the network level, and reach third-party and student-owned devices?
- Must social networking sites be blocked?
- Should digital literacy courses be required?
- Should extra public notice and hearings accompany changes to internet safety policies?

QUESTION 03

PROGRAM INTEGRITY

- A formal definition of "consultant," a required Letter of Agency, and an annual certification and disclosure form
- A Consultant Registration Database with individual CRNs and mandatory anti-fraud training
- A ban on percentage-of-funding fee arrangements
- No more relying on existing contracts that were not competitively bid
- Written, pre-approved service substitutions
- A June 30 deadline for the SPAC (Form 473)
- Consortium member certifications on Form 479 in EPC, and expanded certifications on Forms 470, 471, 472, 473 and 474
- Cost-effectiveness safeguards when only one bid — or none — comes in
- Sunsetting the expired ECF rules

PART FOUR

DATES THAT WOULD APPLY ONLY IF THESE RULES ARE ADOPTED

None of these are in effect today. They are proposals, and they matter to your plan only if they are adopted.

June 30, each funding year	Proposed deadline for service providers to file the SPAC (Form 473)
Annually	Proposed consultant certification and disclosure form, plus annual anti-fraud training renewal
Before the consortium files Form 471	Proposed timing for consortium members to submit Form 479 in EPC
After the Allowable Contract Date	Proposed requirement that all contracts and legally binding agreements be signed then, with no reliance on pre-existing contracts
Separate calendar	Watch for USAC's FY2027 application filing window. It runs independently of this proceeding, and current funding years are unaffected.

ONE IMPORTANT CLARIFICATION

No funding has been cut. The FCC did not vote to eliminate E-Rate. No school or library loses support because of this action, and committed funding is not disturbed. This is the beginning of a public conversation.

But the questions being asked are foundational rather than technical, and the record built this fall is what the Commission will rely on. Silence from the field is also a data point.

Your comments are your own. We're glad to help you assemble your data and think through your position, and we won't ask you to adopt ours.

RESOURCES

WHERE TO READ AND WHERE TO FILE

FILE YOUR COMMENTS	FCC Electronic Comment Filing System (ECFS) https://www.fcc.gov/ecfs/
THE FCC DOCUMENT ITSELF	FCC 26-41, NPRM and Further NPRM (PDF) https://docs.fcc.gov/public/attachments/FCC-26-41A1.pdf
FULL NOTICE IN ECFS	Notice of Proposed Rulemaking filing record https://www.fcc.gov/ecfs/search/search-filings/filing/1062673972746

OUR FULL BREAKDOWN

What schools and libraries need to know

<https://kelloggllc.com/fcc-takes-a-fresh-look-at-e-rate-what-schools-libraries-need-to-know/>

SAVE OUR E-RATE

SHLB Coalition campaign

<https://www.shlb.org/save-our-e-rate>

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