



June 9, 2009

Dear Senator,

We are writing today to encourage your cosponsorship of S. 348, legislation introduced by Sen. Rockefeller and Sen. Snowe, which will exempt the E-Rate from the Anti-Deficiency Act (ADA). You previously cosponsored this legislation in the 110th Congress.

As it is currently applied, the ADA prevents federal agencies from obligating funds without having adequate cash-on-hand to cover those obligations. This requirement is appropriate and reasonable for government programs appropriated out of the US Treasury. However, E-Rate funding is collected and distributed without ever touching the Treasury. It is raised and distributed by the telecommunications industry through the Universal Service Administrative Company (USAC).

Application of the ADA to E-Rate dramatically impacts the processing of funding requests and the ability to keep a steady, reliable flow of funds to schools and libraries. USAC collection cycles do not correspond to the academic year application cycle in which schools seek obligation of funding for future work and services which are usually performed after the funds have actually been collected. In 2004, due to application of the ADA to the E-Rate, the program was suspended for three months, during which time thousands of applications from schools and libraries languished in the offices of the E-Rate's administrator. Fortunately, legislation was subsequently adopted that has provided the E-Rate one-year exemptions from the ADA. However, it is impractical for the program to continue functioning on one-year exemptions. The

schools and libraries that depend on this program need the secure funding sources that exempting the program from the ADA will provide.

Since it began in 1996, the E-Rate has played a leading role in connecting schools and libraries to the Internet. In 1996, only 14% of public school instructional classrooms were connected to the Internet; now, the figure stands at 94% in 2005, the last year for which figures were available. These funds are essential for schools and libraries to continue to offer the 21st Century curriculum so necessary for America to remain economically competitive.

In the 110th Congress, you supported this piece of legislation and we encourage you to do so again. We look forward to working for passage of S. 348. Thank you for your consideration.

Sincerely,

The EdLinc Coalition

National Education Association

International Society for Technology in Education

Association of Educational Service Agencies

American Association of School Administrators

Consortium for School Networking

National Catholic Educational Association

National Association of Independent Schools

National Association of Elementary School Principals

Council of Chief State School Officers

American Library Association

National Rural Education Advocacy Coalition

National School Boards Association

National Association of Secondary School Principals

United States Conference of Catholic Bishops

New York State Department of Education