



July 26, 2024



**Leadership Focus:** *NTCA CEO Shirley Bloomfield speaks at [NTCA 2024 Summer Symposium](#) in Savannah, Ga. The meeting helped provide strategic, forward-thinking insights on strong leadership and governance practices.*

**Fifth Circuit Finds USF Contribution Mechanism Unconstitutional on Rehearing; NTCA and Allies Evaluating Next Steps**

The U.S. Court of Appeals for the Fifth Circuit **released a decision** Wednesday that characterized the Universal Service Fund (USF) contribution mechanism as a “tax” that in its view violates the Constitution through the combined delegation of authority to the FCC and Universal Service Administrative Co. The court then remanded the case to the FCC for further consideration.

A three-judge panel from the Fifth Circuit initially affirmed the constitutionality of the USF, but the majority of the court voted last year to vacate that decision and to rehear the case. Challenges to the USF were also brought before the Sixth and Eleventh Circuit Courts of Appeals, and both courts upheld the constitutionality of the mechanism.

NTCA has been an active participant in these cases as an intervenor, and it has also been active in discussions with respect to what other legislative, judicial and/or regulatory steps might be taken to address an unfavorable decision. **In a joint statement**, NTCA, the Competitive Carriers Association and USTelecom–The Broadband Association said they “steadfastly believe that the Universal Service Fund is constitutional” and pledged to continue fighting for universal connectivity.

FCC Chairwoman Jessica Rosenworcel **called the decision**, “misguided and wrong” and said the commission, “will pursue all available avenues for review.”

More information and analysis will be discussed on **a special edition of the Policy Talk webinar** at 1 p.m. Eastern on July 31 (note NTCA member login is required.) A portion of the session will be dedicated to answering members' questions and discussion of potential impacts on universal service support.

**REGISTER**

**NTCA, Industry Partners Raise Concerns About BEAD Participation**

NTCA joined 31 industry and state broadband associations [on a letter](#) to Commerce Secretary Gina Raimondo on Tuesday raising concerns about participation by local and regional rural broadband providers in the Broadband Equity, Access, and Deployment (BEAD) program.

Warning of potential risks associated with the low-cost rate requirement of the program, which the Department of Commerce encourages to be \$30 per month, the groups presented Raimondo with a set of recommendations that would make participation in the program more feasible for providers.

Among the suggested changes were requiring states to revise the low-cost rate proposed in their Initial Proposals so that it is more reasonably tied to providers' realistic costs, as well as adjusting the low-cost service option rate threshold annually following an initial two-year period.

[READ MORE](#)



### **CISA Director Offers Tips to Make Your Mark in the Industry**

Cybersecurity and Infrastructure Security Agency (CISA) Director Jen Easterly joined NTCA CEO Shirley Bloomfield [on a webinar](#) sponsored by the NTCA Women in Telecom program to discuss her path to become director and her efforts to help women attain leadership roles in the technology industry.

Easterly highlighted her intentional and deliberate approach to creating “a culture where talent of all stripes wants to come work,” and stressed the importance of diversifying the ways in which people think and approach their work. She also encouraged NTCA members to tap into talent from their communities to help build the next generation of workers.

NTCA members were also encouraged to tap into some of the [no-cost resources, exercises and trainings](#) CISA offers to promote cybersecurity and physical security.

## WATCH



### FCC Approves Rules to Expedite Transition to Next Generation 911, E-Rate Hot Spots

The FCC last week **adopted new rules** to define voice service providers' responsibilities as part of the transition to Next Generation 911 (NG911). The action comes as the commission continues its push to help ensure first responders can receive advanced 911 capabilities, including text, videos and data, when notified of an emergency.

While NTCA has long supported this transition, as it will benefit rural communities, it has also **worked with the commission** to avoid NG911 transition costs being disproportionately placed upon rural consumers. The association will remain engaged as the new rules are implemented on a state-by-state basis.

The commission also voted to allow schools and libraries to use E-Rate resources to loan out Wi-Fi hotspots which will provide internet access for individuals without a reliable connection at home. NTCA **previously filed** comments on the rules and urged the commission to require the provider selected by the school or library to supply the hot spots to adhere to the same cybersecurity requirements as other recipients of Universal Service Fund funding.





**Technology Mitigation:** With rural hospital closures continuing to persist throughout the United States, NTCA Vice President of Policy and Industry Innovation Josh Seidemann [wrote about](#) broadband-enabled technology that could help mitigate at least some aspects of the shuttered spaces.

[READ MORE](#)



## Apply Now for FRS Community Grants

Applications for the 2024 Foundation for Rural Service (FRS) Community Grant Program are now open. Community grants of up to \$5,000 will be awarded to support a variety of local efforts that build and sustain life in rural America. NTCA members can apply on behalf of community organizations by completing the [application in Member Central](#). Applications must be submitted by September 9.

**APPLY NOW**



# Need to Know



CISA is **hosting a LinkedIn Live event** next Wednesday to discuss why nation-state backed cyber actors from the People's Republic of China (PRC) pose one of the most significant threats to U.S. critical infrastructure.

CISA granted an extension to its **Access Request Letter** through July 29, due to the ongoing recovery efforts following Hurricane Beryl.

CISA Executive Director Brendon Wales **announced** he is leaving the agency in August. Current CISA Assistant Director for Integrated Operations Bridget Bean was named the agency's next executive director.

# Announcements





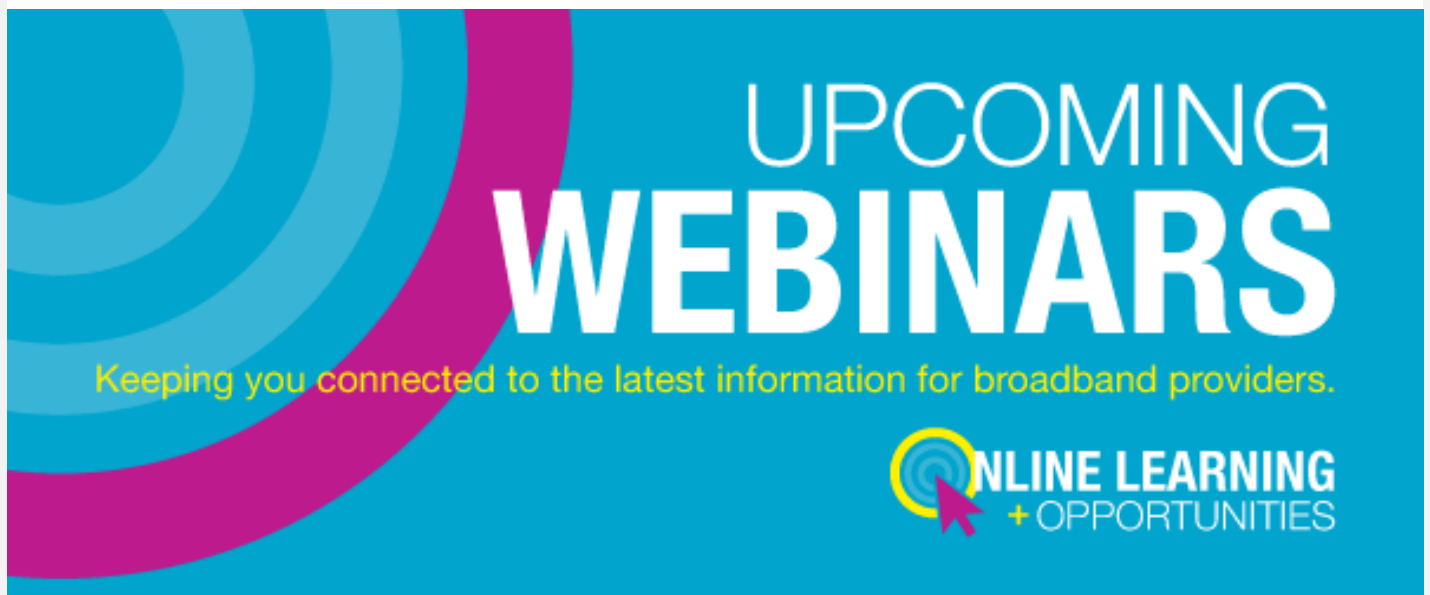
Bill Grigsby, president and general manager of Thacker-Grigsby Telephone Company, Inc. (Hindman, Ky.), received a plaque from NTCA staff to commemorate the company's 50th year of NTCA membership.

Lisa Fannin, director of marketing at Mountain Rural Telephone Cooperative (West Liberty, Ky.), was named one of the 2024 Pioneer D'Avanzo Communications Leadership Award winners by Pioneer Utility Resources.

Darren Dierbeck, senior vice president of customer relations at Vantage Point Solutions (Mitchell, S.D.), announced his retirement at the end of the summer.

WCTEL (Abbeville, S.C.) announced its rebranding to West Carolina, uniting its cooperative and expansion areas under a single identity.

Mosaic Technologies (Cameron, Wis.) announced its acquisition of Protechtors, a business IT solutions company, to expand its managed solutions business.



**Policy Talk: Next Steps in the USF Contribution  
Mechanism Court Challenge  
Sponsored by NCSC  
Wednesday, July 31 | 1 p.m. ET**

In the wake of the Fifth Circuit Court of Appeals finding the Universal Service Fund contribution mechanism unconstitutional and remanding the matter to the FCC, NTCA

remains active in every aspect of the fight for universal connectivity. Join NTCA CEO Shirley Bloomfield and Executive Vice President Mike Romano for a special edition of Policy Talk, where they will share an analysis of the court's decision, next steps in legislative, judicial and/or regulatory activity and what NTCA members need to know. A portion of this session will be dedicated to answering members' questions and discussion of potential impacts on universal service support.

**REGISTER**

**Virtual Curbside Consultation: Marketing Trends and Strategies**  
**Wednesday, July 31 | 2 p.m. ET**

The ever-changing marketing landscape can make it tough to stay on top of the latest trends. Join the NTCA Marketing Committee for its next virtual “curbside consultation” to discuss the latest tips and strategies to bolster your company’s marketing efforts.

**REGISTER**



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