Congress of the United States
Washington, DC 20515

February 2, 2024

Chairwoman Jessica Rosenworcel
Federal Communications Commission
45 L Street, N.E.
Washington, DC 20554

Dear Chairwoman Rosenworcel,

We write in strong support of the Federal Communications Commission's (FCC) proposal to allow libraries and schools to provide Wi-Fi hotspots and wireless internet services to students and educators through the E-Rate program. This effort represents an important modernization of the E-Rate program and a recognition that learning now extends beyond the school and library premises. As the COVID-19 pandemic demonstrated, students without access to the internet at home are at a distinct disadvantage compared to their better-connected peers. We urge the Commission to move ahead with the E-Rate hotspot program to help reduce educational disparities and ensure that low-income students are not left behind.

Although the E-Rate program has successfully connected nearly every school and library in the country, the changing nature of education has reconstituted some of the inequalities that led Congress to create E-Rate in 1998. Back then, better-resourced schools gained internet access ahead of low-income and disadvantaged schools, providing an advantage to their students. Today, that inequality exists among individual households. Now, wealthy and middle-class students almost universally can access high-speed internet at home, but low-income and disadvantaged students lag behind.[1] As schools adopt online resources and homework increasingly requires an internet connection, this "Homework Gap" favors students in wealthy households over their low-income classmates.

If this inequality was not clear before 2020,[2] the COVID-19 pandemic made it obvious. Although the pandemic had serious consequences for students of all backgrounds, low-income students — especially those without access to the internet at home — have faced the greatest

[1] *See, e.g.,* Common Sense Media, *Closing the K-12 Digital Divide in the Age of Distance Learning* (2020), https://www.commonsensemedia.org/sites/default/files/featured-content/files/common_sense_media_report_final_7_1_3pm_web.pdf.

[2] Even before the pandemic, numerous surveys and studies demonstrated that students without access to the internet at home were at an educational disadvantage. *See, e.g.*, Monica Anderson & Andrew Perrin, PEW RESEARCH CENTER, *Nearly one-in-five teens can't always finish their homework because of the digital divide* (Oct. 26, 2018), https://www.pewresearch.org/fact-tank/2018/10/26/nearly-one-in-five-teens-cant-always-finish-their-homework-because-of-the-digital-divide/ (finding that "17% of teens say they are often or sometimes unable to complete homework assignments because they do not have reliable access to a computer or internet connection").

impact. In surveys of students at different grade levels, the Department of Education's National Assessment of Educational Progress has repeatedly shown that high-performing students had much better access to the internet at home.[3] A recent study of Michigan students also found that a student without access to home internet earned significantly lower grades — 0.6 lower, on the 4.0 scale — than his or her connected classmates.[4] A different study using Census Bureau data estimated that individuals with greater access to a computer and the internet at home spent 28 percent more hours learning than those without such access.[5] As this evidence on home connectivity piles up, there should be no debate: Students without access to high-speed internet at home are seriously disadvantaged compared to their better-connected classmates.

Fortunately, during the pandemic, the Emergency Connectivity Fund (ECF) — which Congress created in 2021 as part of the *American Rescue Plan Act* — helped close this homework gap. The ECF program included $7.17 billion for schools and libraries to distribute devices and internet services to students and educators. Thanks to the hard work of the FCC staff, the Commission quickly stood up this program and began distributing these funds. Over the past two years, the ECF has helped roughly 18 million students at 11,500 schools connect to the internet at home.[6] The program has provided nearly 13 million connected devices and more than 8 million broadband connections to students and educators.[7] Unfortunately, the ECF program is set to sunset at the end of June, leaving students — and schools and libraries — in a potentially dire situation: Without action, millions of low-income students could lose access to the internet at home, a devastating digital cliff that would reverse the ECF's important achievements. The potential expiration of the Affordable Connectivity Program, which helps low-income households afford broadband, would further exacerbate this impact on disadvantaged students.

Given these stakes, we are excited that the Commission has proposed to update the E-Rate program to allow schools and libraries to provide Wi-Fi hotspots and wireless internet services to students and educators. This proposal properly recognizes that learning now extends beyond the physical premises of school buildings. When a sixth grader is completing a homework assignment through an online educational platform or a ninth grader is attending class through a video conferencing application, they are clearly engaged in educational activities. In the Communications Act, Congress rightfully provided the FCC with the flexibility to structure

[3] See, e.g., U.S. Department of Education, The Nation's Report Card, 2022 Mathematics Survey Questionnaire Results, https://www.nationsreportcard.gov/mathematics/survey-questionnaires/?grade=4 (finding that 87% of high-performing math students at grade 4 had access to high-speed internet at home compared to just 71% of low-performing math students at grade 4); U.S. Department of Education, The Nation's Report Card, 22022 Reading Survey Questionnaire Results, https://www.nationsreportcard.gov/reading/survey-questionnaires/?grade=4 (finding that 89% of high-performing reading students at grade 4 had access to high-speed internet at home compared to just 71% of low-performing reading students at grade 4).

[4] Keith N. Hampton et al., Broadband and Student Performance Gaps After the COVID-19 Pandemic, Quello Center, Michigan State University (Aug. 2023), https://quello.msu.edu/wp-content/uploads/2023/08/Broadband-and-Student-Performance-Gaps-After-the-COVID-19-Pandemic.pdf.

[5] Kolawole Ogundari, Student access to technology at home and learning hours during COVID-19 in the U.S, Educational Research for Policy and Practice (May 2023), https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10176282/pdf/10671_2023_Article_9342.pdf.

[6] Press Release, Federal Communications Commission, FCC Announces Over $5 Million In Emergency Connectivity Funding for Schools (Nov. 1, 2023), https://www.fcc.gov/document/fcc-announces-over-5-million-emergency-connectivity-funding.

[7] *Id.*

and strengthen the E-Rate program as educational conditions change. With millions of students at risk of losing internet access at home, we are glad to see the FCC exercising this authority and modernizing the E-Rate program, and we encourage the Commission to provide schools and libraries with the flexibility to adapt their programs to local conditions while continuing to effectively guard against fraud and waste.

Thank you for your continued commitment to closing the digital divide.

Sincerely,

Edward J. Markey
United States Senator

Grace Meng
Member of Congress

Chris Van Hollen
United States Senator

Tammy Baldwin
United States Senator

Michael F. Bennet
United States Senator

Richard Blumenthal
United States Senator

Cory A. Booker
United States Senator

Sherrod Brown
United States Senator

Laphonza Butler
United States Senator

Tammy Duckworth
United States Senator

Richard J. Durbin
United States Senator

John Fetterman
United States Senator

Kirsten Gillibrand
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Martin Heinrich
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Mazie K. Hirono
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Tim Kaine
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Jack Reed
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Bernard Sanders
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Brian Schatz
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Tina Smith
United States Senator

Mark R. Warner
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United States Senator

Elizabeth Warren
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Peter Welch
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Ron Wyden
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Grace F. Napolitano
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