April 7, 2020

The Honorable Roger Wicker
Chairman
Committee on Commerce, Science,
& Transportation
United States Senate
Washington D.C. 20510

The Honorable Maria Cantwell
Ranking Member
Committee on Commerce, Science,
& Transportation
United States Senate
Washington D.C. 20510

The Honorable Frank Pallone, Jr.
Chairman
Committee on Energy & Commerce
United States House of Representatives
Washington D.C. 20515

The Honorable Greg Walden
Ranking Member
Committee on Energy & Commerce
United States House of Representatives
Washington D.C. 20515

Dear Chairmen Wicker and Pallone, Ranking Members Cantwell and Walden,

We, the undersigned public interest organizations, submit this letter as members of the Broadband Connects America coalition ("BCA"), a coalition of national, state-based, and local nonprofit organizations that advocate for policies to promote broadband deployment and adoption in underserved areas. We urge you to take action to ensure that all Americans have access to broadband during the COVID-19 crisis and thereafter. The current public health emergency brings into focus the important role of broadband in supporting economic, health, and social wellbeing. As more Americans are working from home, learning at home, and seeing the doctor from home, broadband service has never been more essential. Even after recovery efforts begin, there may be hardships that endure for many rural communities long after the pandemic has passed.

Americans living in rural areas and small towns faced significant access and affordability challenges before the start of this pandemic. They continue to be locked out of remote learning and telemedicine opportunities, and remain especially vulnerable now. The FCC must implement solutions that will reduce administrative and financial barriers to keeping rural Americans

connected. The adoption of any one of these policy options should not preclude consideration of others.

1. **Allow Schools and Libraries to Extend E-Rate Supported Networks to Students at Home**
   The FCC issued a public notice[1] clarifying that schools and libraries closed due to COVID-19 may allow community members to use E-rate supported networks on their premises without jeopardizing E-Rate funding. Given that schools across the country have closed—many indefinitely or for the rest of the school year[2]—and instruction is taking place remotely, we urge Congress to direct the FCC to take additional steps to address off-campus broadband needs for all students. Students in rural areas already experience more challenges completing their homework,[3] and the inability to receive instruction at home due to a lack of home broadband access will create even more setbacks. The FCC should allow schools and libraries to leverage existing networks to extend service to homes in the surrounding communities, and should support schools and libraries lending out hotspots to unconnected households through the E-Rate program.

2. **Create an Emergency Lifeline Broadband Benefit**
   We applaud the temporary recertification waivers granted by the FCC[4] and its recent actions to waive the de-enrollment and non-usage rules;[5] these measures will help to reduce gaps in connectivity for existing low-income households subscribed to the Lifeline program. We urge Congress to direct the FCC to create an Emergency Lifeline Broadband Benefit for low-income households of $50 per month to cover the cost of an adequate broadband service.[6] The FCC should also take additional steps to waive or modify existing program rules in order to meet the connectivity needs of existing subscribers and ensure that Lifeline assistance is also available to newly struggling households who have experienced a sudden drop in wages or loss of income due to the pandemic. Finally, considering that approximately two-thirds of households that are eligible for Lifeline either do not know about the program or have not been able to complete enrollment, it would be helpful for the FCC to provide public service announcements about its value and encourage providers to do so as well.

3. **Prohibit Data Caps, Throttling, and Overage Fees**

   Communities with low broadband adoption rates disproportionately rely on smartphones

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[1] https://docs.fcc.gov/public/attachments/DA-20-324A1.pdf
[2] https://www.edweek.org/ew/section/multimedia/map-coronavirus-and-school-closures.html
[3] https://edscoop.com/homework-gap-k12-teachers-skip-assignments/
[4] https://docs.fcc.gov/public/attachments/DOC-363104A1.pdf

[5] https://docs.fcc.gov/public/attachments/DA-20-354A1.pdf
[6] Cite to Lifeline Emergency Request Letter

to access the internet.[7] Many service providers have taken the important step of signing the FCC's voluntary pledge, agreeing not to terminate service and to waive late fees that individuals and businesses incur due to "disruptions" and "economic circumstances related to the coronavirus pandemic."[8] However, the pledge *does not* include a commitment to waive data overage charges for customers. People in rural areas who cannot easily supplement limited data plans by using Wi-Fi will be disproportionately impacted by throttling or overage fees, even if their service remains active. The FCC should prohibit data caps, throttling, and overage fees during the COVID-19 pandemic.

Thank you for your timely attention to these important proposals. We look forward to working with you on advancing these policies to ensure that rural Americans do not face greater barriers during the COVID-19 pandemic because of where they live.

You can visit BCA's website at broadbandconnectsamerica.com to see our principles. If you have any questions, please reach out to Jenna Leventoff at Jenna@publicknowledge.org.

Respectfully Submitted,

Access Humboldt
California Center for Rural Policy
Center for Rural Strategies
MuralNet
National Consumer Law Center, on behalf of its low-income clients
National Hispanic Media Coalition
New America's Open Technology Institute
Next Century Cities
Public Knowledge
South Carolina Office of Rural Health
Tribal Digital Village Network
X-Lab

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[7] https://www.pewresearch.org/internet/2019/06/13/mobile-technology-and-home-broadband-2019/
[8] https://www.fcc.gov/keep-americans-connected