

Congress of the United States
Washington, DC 20515

March 22, 2020

The Honorable Nancy Pelosi
Speaker of the House
United States House of Representatives
H-232, U.S. Capitol
Washington, D.C. 20515

The Honorable Kevin McCarthy
Minority Leader
United States House of Representatives
H-204, U.S. Capitol
Washington, D.C. 20515

The Honorable Mitch McConnell
Majority Leader
United States Senate
S-230, U.S. Capitol
Washington, D.C. 20510

The Honorable Charles Schumer
Minority Leader
United States Senate
S-220, U.S. Capitol
Washington, D.C. 20510

Dear Speaker Pelosi and Minority Leader McCarthy, Leader McConnell, and Leader Schumer:

As our nation continues to advance emergency measures to preserve public health and repair the economic fallout resulting from the coronavirus (COVID-19), we urge you to include corrective measures that will address the digital divide, which significantly impacts rural, tribal, and underserved communities, as part of the next legislative package.

According to the Federal Communications Commission (FCC), over 20 million Americans currently lack access to quality, high-speed internet at home. Other reports indicate that as many of 12 million children may not have access. An astounding 36% of tribal households lack access to any wired broadband, which is far more than the 8% of non-tribal households nationwide. We know all too well that access to quality broadband is not only essential to economic competitiveness, but it also allows children the opportunity to learn and complete their homework online, our medical professionals to provide life-saving services through telehealth, and our first responders to communicate. The digital divide that exists today is only exacerbated during times of a national emergency and has a disparate impact on rural and underserved tribal communities.

Congress has taken a series of actions that have been signed into law to respond to this crisis, most recently with the *Families First Coronavirus Response Act (H.R. 6201)*, which followed passage of the *Coronavirus Preparedness and Response Supplemental Appropriations Act (H.R. 6074)* just days earlier. As the House, Senate, and Administration continue negotiations on a critical, third legislative stimulus package to address the COVID-19 outbreak, we strongly encourage you to include the following telecommunications measures to close the digital divide:

- Internet-Capable Device Access Program:** As numerous states and school districts have announced school closures to prevent the spread of COVID-19, many students are suffering from a lack of internet-capable devices at home, including computers, laptops, and mobile hotspots. If students are unable to access curricula, they will fall further behind their classmates and peers during their formative and critical years. We encourage the inclusion of an emergency appropriation to provide for a device access program under the FCC’s existing E-Rate authorities to allow states and school districts to purchase and distribute internet-capable devices for students in-need so these students can keep up with their academic studies.
- Strengthen the Lifeline Program:** The FCC’s Lifeline program has proven critical to increasing the affordability of broadband and voice service while also lessening financial strains for program participants. The affordability of broadband service is especially important at a time when many Americans nationwide continue to reel from the impacts of the COVID-19 outbreak. As access to telehealth and online learning resources is at an all-time premium, we call for the inclusion of an emergency appropriation to expand and strengthen the Lifeline program’s ability to financially support participants and households obtaining critical broadband service.
- Bolster the *Keep Americans Connected Pledge*:** During the COVID-19 outbreak, an unprecedented nearly 400 telecommunications providers have stepped up and committed to the FCC’s *Keep Americans Connected Pledge*. As part of this Pledge, carriers have agreed not to terminate service and to waive service termination and late fees for consumers that cannot pay due to coronavirus-related disruptions. Carriers have also pledged that they will open up their Wi-Fi access points to the public, and some have even waived data caps. We applaud the providers who have taken the *Keep Americans Connected Pledge* and call on them to continue and expand such commitments as long as practically possible during the national response and recovery to the COVID-19 pandemic. We also call on those providers who have not taken the *Keep Americans Connected Pledge* to consider doing so to the extent practicable.
- Preserve and Strengthen Spectrum Resources for First Responders:** Since the 1970’s, public safety entities have used T-Band spectrum (between 470 MHz-512 MHz) to execute emergency communications services that prove vital to maintain the public safety of over 90 million Americans. However, the *Middle-Class Tax Relief and Job Creation Act of 2012* directed the FCC to reallocate existing public safety users from this critical spectrum band to conduct a spectrum auction for commercial use. Without Congressional action, this spectrum auction is still required to be auctioned in 2021 despite a Government Accountability Office report clearly stating reallocation costs will exceed auction revenues raised. We call on the inclusion of the “Don’t Break Up the T-Band Act (H.R. 451) to repeal the statutory requirement for this T-Band spectrum auction.

These emergency actions are intended to address barriers which worsen the digital divide or undermine the important work of our first responders. Congress must act quickly to ensure that

Americans in rural, tribal, and underserved areas have the resources they need to provide for their school children and sustain their economies during this unprecedented national emergency.

We appreciate your prompt attention to this matter.

Sincerely,



Tom O'Halleran
Member of Congress



Mike Doyle
Chairman, Subcommittee on
Communications and Technology



Tony Cárdenas
Member of Congress



Jan Schakowsky
Member of Congress



Peter Welch
Member of Congress



Diana DeGette
Member of Congress



Kathy Castor
Member of Congress



Joseph P. Kennedy, III
Member of Congress



Jerry McNerney
Member of Congress



Lisa Blunt Rochester
Member of Congress

CC: Ajit Pai, Chairman, Federal Communications Commission
Michael O’Rielly, Commissioner, Federal Communications Commission
Brendan Carr, Commissioner, Federal Communications Commission
Jessica Rosenworcel, Commissioner, Federal Communications Commission
Geoffrey Starks, Commissioner, Federal Communications Commission