



MEMORANDUM

February 14, 2021

To: Subcommittee on Communications and Technology Members and Staff

Fr: Committee on Energy and Commerce Staff

Re: Hearing on “Connecting America: Broadband Solutions to Pandemic Problems”

On Wednesday, February 17, 2021, at 11:00 a.m., the Subcommittee on Communications and Technology will hold a virtual hearing entitled, “Connecting America: Broadband Solutions to Pandemic Problems.”

I. BACKGROUND

The coronavirus disease of 2019 (COVID-19) pandemic has changed the nature of the digital divide and the homework gap, exacerbating existing inequities in education and public access to critically important resources, such as telehealth and career services. The digital divide is more pronounced in rural communities and for Black, Hispanic, and Native American households; while 18 percent of White households lack broadband, 30 percent of Black, 26 percent of Hispanic, and 35 percent of Native American student households lack adequate home internet access.¹ These problems are not isolated to rural areas but exist all across the country in all population densities. While a higher share of rural households lacks a broadband subscription compared to the share of urban ones, by total numbers, three times as many non-subscribing households are located in non-rural areas.²

The cost of monthly service remains a major factor in the number of American households without home internet. According to a National Telecommunications and Information Administration (NTIA) study that was conducted prior to the COVID-19 pandemic, about six million unconnected households do not have internet access because it is too expensive, and 51 percent said they would purchase home internet at a lower price.³ Surveys of low-income families in communities across the country suggest that internet service offered at

¹ U.S. Congress Joint Economic Committee, *America’s Digital Divide*, 4. (Sept. 2017).

² Emily Stewart, *Give Everybody the Internet*, Vox (Sept. 10, 2020).

³ National Telecommunications and Information Administration, *Unplugged: NTIA Survey Finds Some Americans Still Avoid Home Internet Use* (Apr. 15, 2019).

\$10-15 per month would be affordable.⁴ A Department of Education study also found that cost was a primary reason that low-income families and families with parents of low educational attainment did not have internet access in their homes.⁵

Across the country, some children are chronically absent from their virtual schools because they do not have a reliable internet connection to log-in to their classes.⁶ A study recently completed by Common Sense Media and Boston Consulting Group found that approximately 15 to 16 million K-12 public school students, or 30 percent of all public K-12 students, live in households either without an internet connection or a device adequate for distance learning at home, a higher number than previously recorded. Of these students, approximately nine million students live in households with neither an adequate connection nor an adequate device for distance learning.⁷ When the pandemic began, states and districts took action, making use of limited federal funding, discounted broadband services from private sector providers, and other resources.⁸ These efforts helped, but up to 12 million K-12 students still remain under-connected going into 2021.⁹ Students in families with devices but without internet service often find themselves sitting in parking lots in an attempt to pick up Wi-Fi from a nearby node simply to attend school or complete homework.¹⁰

II. LEGISLATIVE SOLUTIONS

A. FISCAL YEAR 2021 BUDGET RECONCILIATION

Last week, the Committee included a provision in its legislative recommendations for budget reconciliation that creates a \$7.6 billion Emergency Connectivity Fund. The fund would

⁴ Jonathan Sallet, *Broadband for America's Future: A Vision for the 2020s*, Benton Institute for Broadband and Society (Oct. 2019).

⁵ National Center for Education Statistics, *Student Access to Digital Learning Resources Outside of the Classroom*, Department of Education (Apr. 2018).

⁶ Erin Richards, et al., *A Year Into the Pandemic, Thousands of Students Still Can't Get Reliable WiFi for School. The Digital Divide Remains Worse Than Ever*, USA Today.com (Feb. 4, 2021).

⁷ Common Sense Media and Boston Consulting Group, *Closing the K-12 Digital Divide in the Age of Distance Learning*, 6 (2020).

⁸ Common Sense Media and Boston Consulting Group, *Looking Back, Looking Forward: What It Will Take to Close the K-12 Digital Divide*, 5 (2021).

⁹ *Id.*

¹⁰ Wisconsin Educator Effectiveness Research Partnership, *Perceptions of Wisconsin Families About Distance Learning*, 6 (Aug. 2020) (“We do not have internet access at our house and barely have cell phone service in our very rural location. We have been using the public library for our internet access and are VERY disappointed with the state’s ridiculous assumption that sitting in a car in the cold for 4 hours 14 miles from home to do homework with a developmentally disabled 16 year old is a viable learning situation.”)

enable eligible schools and libraries to, among other things, provide connected devices, internet service, and hotspots to students and teachers for internet use at home.

B. CONSOLIDATED APPROPRIATIONS ACT, 2021 (Pub. L. No. 116-260)

At the end of last year, in addition to funding the Broadband Data Act, which will improve the accuracy of broadband mapping to facilitate better informed broadband expansion efforts,¹¹ Congress passed a series of broadband measures as a part of the Consolidated Appropriations Act, 2021, to provide broadband access support for low-income households across the country and improve connectivity.¹²

1. Connecting Minority Communities

Section 902 requires that NTIA establish, within 180 days of enactment, an Office of Minority Broadband Initiatives to focus on broadband access at historically Black colleges and universities, Tribal colleges and universities, and other minority-serving institutions, including the students, faculty, and staff of such institutions and their surrounding communities. It also requires NTIA, within 45 days of enactment, to establish the Connecting Minority Communities Pilot Program. The new pilot program was appropriated \$285 million to award grants to minority-serving institutions and certain businesses and non-profit organizations in minority communities to support connectivity. At least 20 percent of the funding must be used to ensure that students of such institutions have internet service and devices.

2. FCC COVID-19 Telehealth Program

Section 903 appropriated \$249.95 million to the Federal Communications Commission (FCC) for its COVID-19 Telehealth Program, which was first authorized and funded under the CARES Act. It also puts in place new transparency obligations for the program surrounding the FCC's review of applications and directs the FCC to ensure, to the extent feasible, that all states benefit from the program.

3. Benefit for Broadband Service During Emergency Period Relating to COVID-19

Section 904 created the Emergency Broadband Benefit Program (the Program) at the FCC, under which eligible households may receive a discount of up to \$50, or up to \$75 on Tribal lands, off the cost of internet service, and a subsidy for low-cost devices such as computers and tablets. Internet service providers that provide the discounted service or devices to customers can receive a reimbursement from the FCC for such costs. Households that qualify for the benefit include those with children that qualify for the free and reduced lunch program, Pell grant recipients, recently laid off or furloughed workers, individuals who qualify for the FCC's Lifeline program, or individuals who qualify for a low-income or COVID-19 discount

¹¹ See Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, Division N, Title IX § 906.

¹² *Id.* §§ 902-905.

program offered by internet service providers. Congress appropriated \$3.2 billion for the Program.

4. Grants for Broadband Connectivity

Section 905 created two new grant programs at NTIA. The first is a \$1 billion grant program to support broadband connectivity on tribal lands throughout the country. The grants would be directed to tribal governments to be used not only for broadband deployment on tribal lands, but also for telehealth, distance learning, broadband affordability, and digital inclusion. The second grant program provides \$300 million to support broadband infrastructure deployment to areas lacking broadband, especially rural areas. The grants would be issued to qualifying partnerships between state and local governments and fixed broadband providers. Priority for grants would be given to networks that would reach the most unserved consumers.

III. WITNESSES

The following witnesses have been invited to testify:

Matthew F. Wood

Vice President of Policy and General Counsel
Free Press Action

Dr. Tiffany Anderson

Superintendent
Topeka Public Schools

Christopher M. Shelton

President
Communications Workers of America

Jonathan Adelstein

President and CEO
Wireless Infrastructure Association