

Duckworth, Durbin Join Markey, Schumer, Cantwell, Colleagues in Demanding Urgent Action by FCC to Connect Students to Online Learning

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WASHINGTON, D.C. – U.S. Senators Tammy Duckworth (D-IL) and Dick Durbin (D-IL) joined Senators Edward J. Markey (D-MA), Minority Leader Chuck Schumer (D-NY), Ranking Member Maria Cantwell (D-WA) and 33 of their Senate colleagues in a letter to the Federal Communications Commission (FCC) urging it to immediately utilize the E-Rate program to provide internet connectivity to students at home. Due to the coronavirus pandemic, students across the country are increasingly attending virtual classrooms. Yet, studies indicate that as many as 16 million children in the United States lack internet access at home and are unable to participate in online learning. These students are disproportionately from communities of color, low-income households, and rural areas.

“The FCC has the power to help mitigate the impact of the coronavirus on our most vulnerable families,” write the lawmakers in their letter to FCC Chairman Ajit Pai. “We now urge you in the strongest possible terms to utilize this authority to provide internet connectivity and devices for children in need. School bells across the country have started to ring, but without immediate action, many students are at risk of never making it to class.”

The E-Rate Program is, and has been for more than two decades, an essential source of funding to connect the nation’s K-12 schools and libraries to the internet. The FCC has clear authority and available funding under the E-Rate program to provide connections at students’ homes — which, because schools have had to close their doors, have become de facto classrooms. However, the FCC has narrowly construed its ability to act during the current emergency, needlessly leaving millions of children at risk of falling behind in their studies.

Along with Duckworth, Durbin, Markey, Schumer and Cantwell, the letter is also signed by Senators Tammy Baldwin (D-WI), Michael Bennet (D-CO), Cory Booker (D-NJ), Richard Blumenthal (D-CT), Ben Cardin (D-MD), Bob Casey, Jr, (D-PA), Catherine Cortez Masto (D-NV), Dianne Feinstein (D-CA), Kirsten Gillibrand (D-NY), Kamala Harris (D-CA), Maggie Hassan (D-NH), Mazie Hirono (D-HI), Tim Kaine (D-VA), Angus King (I-ME), Amy Klobuchar (D-MN), Patrick Leahy (D-VT), Bob Menendez (D-NJ), Jeff Merkley (D-OR), Chris Murphy (D-CT), Patty Murray (D-WA), Gary Peters (D-MI), Jack Reed (D-RI), Jacky Rosen (D-NV), Bernie Sanders (I-VT), Brian Schatz (D-HI), Jeanne Shaheen (D-NH), Tina Smith (D-MN), Debbie Stabenow (D-MI), Mark Udall (D-NM), Chris Van Hollen (D-MD), Elizabeth Warren (D-MA), Sheldon Whitehouse (D-RI) and Ron Wyden (D-OR).

Every Senator who signed today’s letter also [co-sponsored](#) the *Emergency Educational Connections Act*, legislation that would appropriate at least \$4 billion to be delivered through the E-Rate program to equip students with internet connectivity and devices during the ongoing pandemic. These lawmakers are fighting to ensure that Congress enacts this legislation as part of the next coronavirus relief package. However, the FCC need not — and should not — wait for Congress to act.

Full text of the letter included below and [here](#).

Dear Chairman Pai:

As a new school year begins, students across the country are increasingly returning to virtual classrooms due to the coronavirus pandemic. Yet, studies indicate that as many as 16 million children in the United States lack internet access at home and are unable to participate in online learning. 1 These students are disproportionately from communities

of color, low-income households, and rural areas. 2 Without urgent action by the Federal Communications Commission (FCC), we are deeply concerned that they will fall further behind in their studies. The current emergency demands that you take immediate action to help our nation's most vulnerable children. We specifically call on you to utilize the E-Rate program to close this "homework gap" without further delay.

The FCC has clear authority and available funding under the E-Rate program to start connecting students immediately. The E-Rate is, and has been for over two decades, an essential source of funding to connect the nation's schools and libraries to the internet. Although you have previously asserted otherwise based on your narrow interpretation of the law, the statute authorizing E-Rate does not preclude the FCC from expanding this program to fund connections at students' homes — which, because schools have had to close their doors, have become de facto classrooms for millions of children. Indeed, previous Commissions have interpreted the statute as allowing them to make changes to the E-Rate program in response to emergencies.³ We urge you to adopt a similarly expansive view in light of the current crisis.

Moreover, we are not alone in believing that the FCC can and must act under its existing authority. Earlier this month, the state of Colorado filed a petition with the FCC seeking an emergency waiver of E-Rate rules to allow schools to extend their broadband network connectivity to students' homes for online learning.⁴ In August, the U.S. Department of the Interior similarly requested that the FCC update its interpretation of what constitutes a school campus under the E-Rate program in order to allow funding to support virtual classrooms.⁵ As schools across the country continue to rely on remote learning for the duration of this pandemic, we believe that the nationwide demand for E-Rate funding will only grow.

We have also recognized the need for Congress to address the growing learning gap across America. We have all cosponsored the Emergency Educational Connections Act, 6 legislation that would appropriate at least \$4 billion to be delivered through the E-Rate program to equip students with internet connectivity and devices during the ongoing pandemic. We are fighting to ensure that Congress enacts this legislation to include more funding for students learning at home through the E-Rate as part of the next coronavirus relief package. We urge you to support our efforts on Capitol Hill. However, the FCC need not — and should not — wait for Congress to act. Although our legislation will provide needed resources to finish the job, the FCC can today begin to connect students immediately.

Providing more funding through the E-Rate, as opposed to setting up a new program, is the best way to help students continue their education at home. The E-Rate program is, and has been for over twenty years, an important source of funding to connect the nation's schools and libraries to the internet. As a result, community institutions across the

United States already trust and are involved with the program, which should ensure that any distribution of new resources through E-Rate will proceed without bureaucratic delay. Additionally, the E-Rate program is deliberately designed to require an equitable distribution of resources according to students' needs, making sure that those families most affected by the homework gap will receive the support they require during this emergency.

The FCC has the power to help mitigate the impact of the coronavirus on our most vulnerable families. We now urge you in the strongest possible terms to utilize this authority to provide internet connectivity and devices for children in need. School bells across the country have started to ring, but without immediate action, many students are at risk of never making it to class.

Thank you for your attention to this important matter. We respectfully request your response by October 1, 2020. Due to the telework policies of many Senate offices during the coronavirus pandemic, physical signatures are unavailable. The listed senators have asked to be signatories to this letter.