

DATE: March 16, 2020

## FCC Chairman Pai Launches Pandemic Pledge – “Keep Americans Connected”

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On March 13, the Federal Communications Commission (FCC) announced proactive steps to ensure that Americans do not lose broadband or telephone connectivity during the coronavirus pandemic. More than 70 telecommunications providers and their national trade associations have agreed to a three-point pledge for the next 60 days. In addition, many providers have announced free broadband service for that duration to any new customers within their service area. Separately, The Ferguson Group is tracking legislative and regulatory actions that will assist telehealth and remote learning applications, including additional funding to meet increasing demand for connectivity for these services.

### Keep Americans Connected Pledge

The Keep Americans Connected [pledge](#) commits providers to: “(1) not terminate service to any residential or small business customers because of their inability to pay their bills due to the disruptions caused by the coronavirus pandemic; (2) waive any late fees that any residential or small business customers incur because of their economic circumstances related to the coronavirus pandemic; and (3) open its Wi-Fi hotspots to any American who needs them.”

In addition to the pledge, Chairman Pai commended broadband providers that have “already taken additional steps to ensure that Americans, especially low-income American families and veterans, remain connected.” He called on providers to “expand and improve” low-income broadband programs like Connect2Compete by increasing speeds to 25/3 Mbps and expanding eligibility. He also called on broadband providers to relax their data cap policies and for telephone carriers to waive long-distance and overage fees. Pai also asked all network operators to “prioritize the connectivity needs of hospitals and healthcare providers” and ensure that changes in usage patterns occurring during the pandemic “do not impair network performance” or “network resiliency.”

In a statement, Chairman Pai said, “As the coronavirus outbreak spreads and causes a series of disruptions to the economic, educational, medical, and civic life of our country, it is imperative that Americans stay connected. Broadband will enable them to communicate with their loved ones and doctors, telework, ensure their children can engage in remote learning, and—importantly —take part in the ‘social distancing’ that will be so critical to limiting the spread of this novel coronavirus.”

He added, “I applaud those companies that have already taken the Keep Americans Connected Pledge. They are stepping up to the plate and taking critical steps that will make it easier for Americans to stay connected

during this pandemic and maintain much-needed social distancing. I urge other companies to join them. This may be a difficult time for our nation, but if we all work together, I am confident that we can rise to the challenge.”

Commissioner Jessica Rosenworcel said the Commission can do [three things](#) to “keep the country connected” during the pandemic: (1) “use our universal service powers to provide hotspots for loan for students whose school doors have closed”; (2) “work with health care providers to ensure connectivity for telehealth services are available for hospitals, doctors, and nurses treating coronavirus patients and those who are quarantined”; and (3) “make adjustments to FCC programs so that even more Americans can get online during this crisis at little or no cost” including lifting or eliminating data caps and overage fees.

Commissioner Geoffrey Starks said, “Closing the digital divide has always been my top priority as a Commissioner; today, it’s more essential than ever to our safety and our economic activity.” He applauded the broadband companies that have made changes to their business practices to support the response to COVID-19 and he outlined [three additional steps](#) for the FCC to take: (1) “expand the reach and power of our universal service programs. That should include quickly increasing the stock of lendable free hotspots available through schools and public libraries, expanding the reach of telemedicine, and enhancing Lifeline”; (2) “eliminate red tape and extend regulatory flexibility to allow broadband providers to quickly expand access. The Commission could, for example, expedite decisions on waivers and experimental licenses that would let providers leverage underutilized wireless spectrum or new technologies”; and (3) “continue to partner with industry to meet the needs of low-income Americans, who will disproportionately bear the burdens of this crisis” by “waiving overage fees and data caps in affected communities” and by calling on providers to “create or expand programs providing low-cost internet access.”

Numerous broadband providers including [AT&T](#), [CenturyLink](#), [Comcast/Xfinity](#), [Charter/Spectrum](#), [SuddenLink](#) and [Verizon](#) have announced information regarding their COVID-19 response plans and services.

## Rural Telehealth Funding Increased

On March 13, the FCC adopted an [Order](#) to fully fund all eligible Rural Health Care Program services for the current funding year with an additional \$42.19 million in funding. This action will help ensure that healthcare providers have the resources they need to promote telehealth solutions for patients. The total Rural Health Care Program demand for Funding Year 2019 was \$719.48 million, which exceeded the \$677.29 million in previously available funding.

The Order permits the Universal Service Administrative Company (USAC), which administers universal service program funds, to carry forward additional unused funds from prior years to cover this funding gap. The Order also waives the cap on multi-year commitments and upfront payments that would result in unnecessary reductions in support for rural health care providers and their patients absent the action the Commission took today.

In a prepared statement, Chairman Pai said, “This is a critically important step that the FCC took today, particularly in light of the coronavirus pandemic. COVID-19 presents serious challenges to healthcare providers, and they need every tool in the toolbox at their disposal, particularly the enhanced connectivity that enables them to provide vital healthcare services to the American public. Today’s Order ensures that rural Americans will have access to the health care services they need.”

## Mobile Hotspots for Schools and Libraries

Today, Senators Ed Markey (D-MA), Michael Bennet (D-CO), and Brian Schatz (D-HI) led 13 of their colleagues in calling on the FCC to “narrow the homework gap” during the current public health emergency. The Senators support temporarily allowing schools to utilize E-Rate program funding to provide Wi-Fi hotspots or devices with Wi-Fi capability to students who lack internet access at home. The E-rate program is capped at \$4 billion each year, with the FCC having already allocated about \$2 billion this year, leaving approximately half of the funding available for potential emergency action. The program makes telecommunications and information services more affordable for schools and libraries.

The [letter](#) urges Chairman Pai to “consider how much of this funding can be spent on one-time discounts for schools seeking to loan Wi-Fi hotspots to students who do not have internet at home, as well as those trying to equip school-distributed devices with Wi-Fi capability that can be lent out while physical classes are on hold.”

The Senators made clear in the letter that any similar action taken by state or local institutions would not affect their future E-rate eligibility.

Separately, Congresswoman Grace Meng (D-NY) and Senator Cory Booker (D-NJ) sent a [letter](#) to President Trump on March 13 urging him to increase the availability of mobile hotspots during the Coronavirus outbreak to help students complete their schoolwork. Meng and Booker called on the President to set aside \$1 billion in emergency declaration funds so that schools and libraries can purchase the hotspots.

“Schools in urban and rural areas are racing against the clock to develop and implement plans that allow their students to learn from home because of the novel coronavirus; but for those students who lack broadband access, they will continue to suffer because of the ‘homework gap,’ said Rep. Meng.

The letter said that “several local school districts across the country have already taken action and provided mobile hotspots to students without broadband access, but not all students live in communities that have the resources to provide for those students” and that “students without access risk being left behind.”

Last November, the congresswoman introduced the *Closing the Homework Gap Through Mobile Hotspots Act* ([H.R. 5243](#)), which would create a grant program to help schools and libraries set up their own mobile hotspot lending programs.

## Next Steps

TFG will continue to monitor and provide updates on any federal legislative and regulatory broadband actions related to the COVID-19 pandemic and any resulting impacts on local governments. If you have any questions, please contact TFG Principal David Hoover, who covers telecommunications and technology issues, at (202) 331-8500 or [dhoover@tfgnet.com](mailto:dhoover@tfgnet.com).