

# United States Senate

September 29, 2025

Chairman Brendan Carr  
Federal Communications Commission  
45 L Street, NE  
Washington, DC 20554

Dear Chairman Carr,

We write in strong opposition to the items you have circulated at the Federal Communications Commission (FCC) to repeal the rule allowing libraries and schools to provide Wi-Fi hotspots to students and educators and reverse the decision allowing E-Rate funds to support Wi-Fi on school buses. Rolling back the E-Rate hotspot and school bus decisions would undercut some of the most effective tools for addressing inequities in home connectivity and would reverse progress in closing the “Homework Gap.” For millions of students, especially those from low-income households, internet access outside of school walls is not a luxury but a prerequisite for academic success. We urge the Commission to preserve the E-Rate hotspot program and Wi-Fi on buses to ensure that low-income students are not left behind.

The COVID-19 pandemic underscored the stakes of connecting all students and educators to the internet at home and during their commutes. When classrooms shifted online, students without home internet were often unable to participate fully in lessons, complete assignments, or communicate with teachers. Studies have consistently shown that students lacking home connectivity perform worse academically than their connected peers.<sup>1</sup> One study found that grade point averages were more than half a point lower for students without internet access,<sup>2</sup> while Census data shows they spent less time learning outside the classroom.<sup>3</sup> Moreover, providing Wi-Fi on the school bus gives students the opportunity to complete homework on their way to and from school. This connectivity is especially important in rural communities where daily commutes can be up to two hours each way. To that end, these programs reflect a simple truth: learning does not stop at the schoolhouse door, and neither should internet connectivity.

The E-Rate hotspots and Wi-Fi on school bus programs are clearly needed. Before the pandemic, roughly 15 million students lacked access to the internet at home, creating serious

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<sup>1</sup> See, e.g., U.S. Department of Education, The Nation's Report Card, 2022 Mathematics Survey Questionnaire Results, <https://www.nationsreportcard.gov/mathematics/survey-questionnaires/?grade=4> (finding that 87% of high-performing math students at grade 4 had access to high-speed internet at home compared to just 71% of low-performing math students at grade 4).

<sup>2</sup> Keith N. Hampton et al., Broadband and Student Performance Gaps After the COVID-19 Pandemic, Quello Center, Michigan State University (Aug. 2023), <https://quello.msu.edu/wp-content/uploads/2023/08/Broadband-and-Student-Performance-Gaps-After-the-COVID-19-Pandemic.pdf>.

<sup>3</sup> Kolawole Ogundari, Student access to technology at home and learning hours during COVID-19 in the U.S., Educational Research for Policy and Practice (May 2023), [https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10176282/pdf/10671\\_2023\\_Article\\_9342.pdf](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10176282/pdf/10671_2023_Article_9342.pdf).

risks to students when schools moved online.<sup>4</sup> In response, Congress created the \$7 billion Emergency Connectivity Fund (ECF), which helped connect more than 18 million students to the internet at home.<sup>5</sup> Due to that overwhelming demand, however, the ECF ran short on funds in 2024. The FCC stepped up to fill that gap by allowing E-Rate to support Wi-Fi on buses in 2023 and passing its E-Rate hotspot rule last year. School districts and libraries have already relied on these programs to bring Wi-Fi to students. In fiscal year 2024, the FCC provided \$48 million to fund Wi-Fi on buses.<sup>6</sup> And in just the first application window for Wi-Fi hotspots, over 8,000 schools and libraries requested tens of millions of dollars for over 200,000 hotspot connections for students and educators, helping bridge the digital divide.<sup>7</sup> Removing E-Rate support at this time would force cutbacks in service and impose abrupt costs on schools and libraries across the country.

Critics of the decisions have repeatedly misled the Commission and public about their requirements. First, the hotspot and bus Wi-Fi programs do not put kids' safety at risk. The Children's Internet Protection Act applies to all E-Rate recipients, including recipients who choose to spend their E-Rate dollars on Wi-Fi hotspots or school buses.<sup>8</sup> These requirements help ensure that children aren't accessing obscene or otherwise harmful content online. If anything, students with E-Rate-funded hotspots are safer online than their classmates with their own home internet access that is not subject to the Children's Internet Protection Act. Second, the programs are an efficient and targeted use of E-Rate funds. For example, the hotspot rule limits the amount of Wi-Fi hotspot support that can be requested by an applicant over three funding years,<sup>9</sup> expressly prohibits using E-Rate support for hotspots funded through other sources,<sup>10</sup> and requires the hotspots to be used for educational purposes and to be properly documented for compliance with these rules.<sup>11</sup> Moreover, this program will not cost taxpayers any new money, as funding comes out of the existing E-Rate budget. Finally, the FCC has clear legal authority for the programs under Section 254 of the Communications Act, which directs the FCC to update the definition of universal service, including E-Rate, so that it evolves over time.<sup>12</sup> Given the weaknesses in the critics' arguments, and the clear success of these critical programs, efforts to repeal the decisions reflect an ideological crusade against E-Rate itself.

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<sup>4</sup> See Common Sense Media, *Closing the K-12 Digital Divide in the Age of Distance Learning* (2020), [https://www.common Sense Media.org/sites/default/files/featured-content/files/common\\_sense\\_media\\_report\\_final\\_7\\_1\\_3pm\\_web.pdf](https://www.common Sense Media.org/sites/default/files/featured-content/files/common_sense_media_report_final_7_1_3pm_web.pdf).

<sup>5</sup> Press Release, Federal Communications Commission, FCC Announces Over \$5 Million In Emergency Connectivity Funding for Schools (Nov. 1, 2023), <https://www.fcc.gov/document/fcc-announces-over-5-million-emergency-connectivity-funding>.

<sup>6</sup> See USAC Open Data E-Rate FCC Form 471 Download Tool, <https://opendata.usac.org/stories/s/gifc-3grz> (last visited Sept. 24, 2025).

<sup>7</sup> See Hotspot Lending Program, Schools, Health, & Libraries Broadband Coalition (last visited Sept. 24, 2025), <https://www.shlb.org/hotspot-program>.

<sup>8</sup> Federal Communications Commission, Report and Order and Further Notice of Proposed Rulemaking, WC No. 21-31 ¶ 97 (July 2024), <https://docs.fcc.gov/public/attachments/FCC-24-76A1.pdf>.

<sup>9</sup> *Id.* at ¶ 36.

<sup>10</sup> *Id.* at ¶ 77.

<sup>11</sup> *Id.* at ¶ 47.

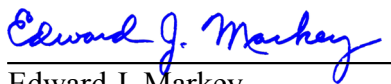
<sup>12</sup> 47 U.S.C. § 254(c)(1).

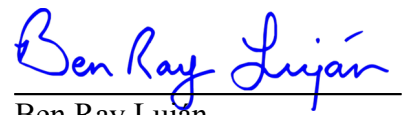
Additionally, the Commission's process for removing these programs has been deeply flawed and prevented public input. As you know, the FCC typically announces items to be voted on at an open meeting three weeks before the meeting date, including releasing a draft of the proposed items. The public then has two weeks to discuss the proposal with commissioners and their staff before all advocacy with the Commission must cease in the week before the open meeting. That is exactly how the Commission proceeded when it adopted both the E-Rate hotspots final rule<sup>13</sup> and declaratory ruling on school bus Wi-Fi.<sup>14</sup> In advancing these repeals, however, you did not include either the E-Rate hotspots or school bus Wi-Fi items when the meeting agenda was announced on September 9.<sup>15</sup> Instead, you abruptly included them on an updated agenda released one week before the September open meeting, depriving members of the public of an opportunity to weigh in on the draft order.<sup>16</sup> This non-transparent, last-minute process on such important matters is unacceptable. The Commission should remove these items from the meeting agenda and follow standard Commission protocol at a future open meeting.


The Commission has both the authority and the responsibility to update the E-Rate program to meet the realities of modern education. We strongly urge the FCC to retain its hotspot rule and allow E-Rate funds to continue being used for Wi-Fi on school buses. If the Commission proceeds with overturning these decisions, however, it should ensure that E-Rate applicants that contracted for services with the expectation of reimbursement under both programs receive that reimbursement as promised.

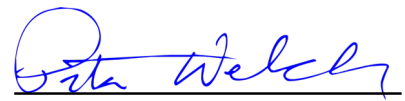
Thank you for your attention to this important matter.

Sincerely,

  
Edward J. Markey  
United States Senator

  
Ben Ray Lujan  
United States Senator

  
Chris Van Hollen  
United States Senator

  
Peter Welch  
United States Senator

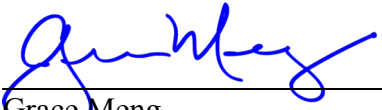
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<sup>13</sup> Press Release, Federal Communications Commission, FCC Announces Tentative Agenda for July Open Meeting (June 27, 2024), <https://docs.fcc.gov/public/attachments/DOC-403537A1.pdf>.

<sup>14</sup> Press Release, Federal Communications Commission, FCC Announces Tentative Agenda for October Open Meeting (Sept. 28, 2023), <https://docs.fcc.gov/public/attachments/DOC-397307A1.pdf>.


<sup>15</sup> Press Release, Federal Communications Commission, FCC Announces Tentative Agenda for September Open Meeting (Sept. 9, 2025), <https://docs.fcc.gov/public/attachments/DOC-414409A1.pdf>.

<sup>16</sup> Press Release, Federal Communications Commission, FCC to Hold Open Commission Meeting Tuesday September 30, 2025 (Sept. 23, 2025), <https://docs.fcc.gov/public/attachments/DOC-414749A1.pdf>.



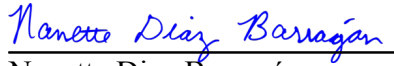
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Grace Meng  
Member of Congress



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Jack Reed  
United States Senator



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Nanette Diaz Barragán  
Member of Congress



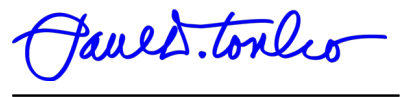
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Eleanor Holmes Norton  
Member of Congress



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Raphael Warnock  
United States Senator



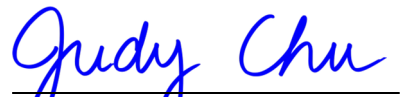
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Paul D. Tonko  
Member of Congress



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Richard J. Durbin  
United States Senator



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Judy Chu  
Member of Congress



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Ilhan Omar  
Member of Congress



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Martin Heinrich  
United States Senator



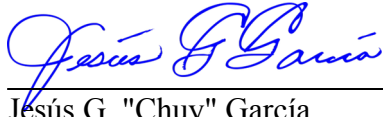
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Bernard Sanders  
United States Senator



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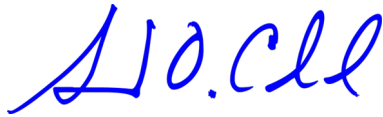
Chellie Pingree  
Member of Congress



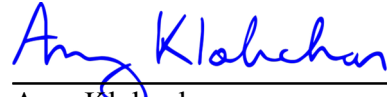
Jesús G. "Chuy" García  
Member of Congress



Dwight Evans  
Member of Congress



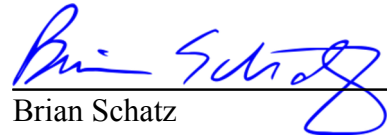
Salud Carbajal  
Member of Congress



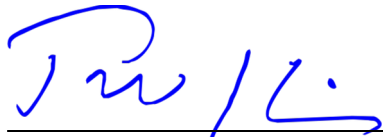
Amy Klobuchar  
United States Senator



Michael F. Bennet  
United States Senator



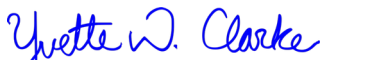
Brian Schatz  
United States Senator



Tim Kaine  
United States Senator



Kirsten Gillibrand  
United States Senator



Yvette D. Clarke  
Member of Congress



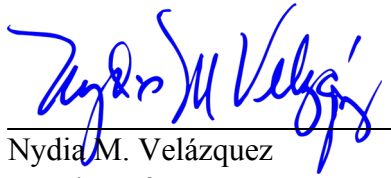
Doris Matsui  
Member of Congress




Kathy Castor  
Member of Congress



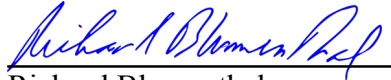
Robin L. Kelly  
Member of Congress



Nydia M. Velázquez  
Member of Congress



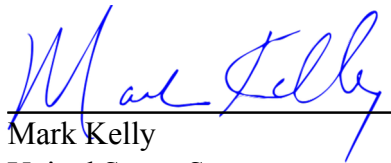
Robert J. Menendez  
Member of Congress



Richard Blumenthal  
United States Senator



Cory A. Booker  
United States Senator



Mark Kelly  
United States Senator



Haley M. Stevens  
Member of Congress



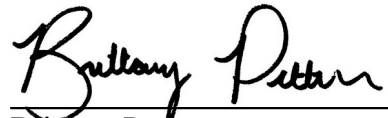
Becca Balint  
Member of Congress



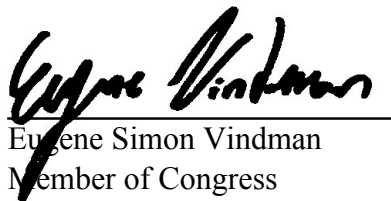
Summer L. Lee  
Member of Congress



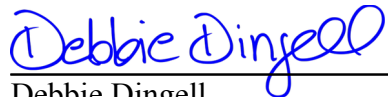
Tina Smith  
United States Senator



Brittany Pettersen  
Member of Congress



Eugene Simon Vindman  
Member of Congress



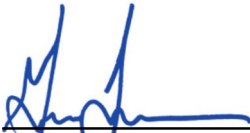
Debbie Dingell  
Member of Congress



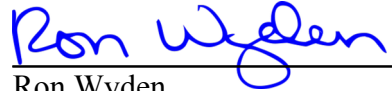
Jacky Rosen  
United States Senator



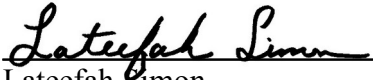
Diana DeGette  
Member of Congress



Greg Landsman  
Member of Congress



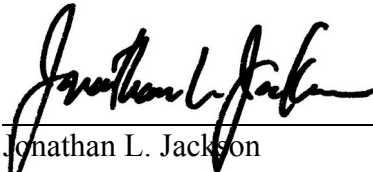
Ron Wyden  
United States Senator



Lateefah Simon  
Member of Congress



Emanuel Cleaver, II  
Member of Congress



Jonathan L. Jackson  
Member of Congress



George Latimer  
Member of Congress



Seth Moulton  
Member of Congress



Delia C. Ramirez  
Member of Congress



Sarah McBride  
Member of Congress



Lisa Blunt Rochester  
United States Senator