

United States Senate

April 26, 2024

Michael K. Powell
President and Chief Executive Officer
NCTA – The Internet & Television Association
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Washington, DC 20001

Meredith Attwell Baker
President and Chief Executive Officer
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Dear Chairman Powell and Commissioner Baker,

With the Federal Communications Commission (FCC) announcing that it is able to fund only a portion of benefits for households enrolled in the Affordable Connectivity Program (ACP) in May, we urge your members to cover the remainder of these costs to ensure families do not face higher internet expenses. This will ensure that the 23 million ACP households receive \$30 off their monthly internet bill through May. Additionally, with support continuing to build for extending the ACP, this extra funding will provide Congress with critical time to find a legislative solution to the ACP's budget shortfall. With internet service providers having received billions of federal dollars in ACP funds, covering the May shortfall is a small price for your members to pay to demonstrate their commitment to putting their subscribers first.

The ACP has been an impressive success in connecting U.S. households to the internet, many of which previously had limited connectivity. According to a recent FCC survey, 68 percent of ACP households had inconsistent or no internet service before receiving ACP benefits.¹ For these subscribers, the ACP benefit allowed them to obtain telehealth services, apply for jobs, or complete school work, opening digital doors that had previously been closed. The potential end of the ACP carries serious risk for these households. Nearly 80 percent said losing their ACP benefit would force them to change their plan or drop internet service altogether, forcing them right back into the digital divide.² We cannot risk losing these incredible gains in equalizing access to the most important communication tool of our day, the internet.

¹ ACP Consumer Survey, Federal Communications Commission, (March 2024), <https://www.fcc.gov/acpsurvey>.

² *Id.*

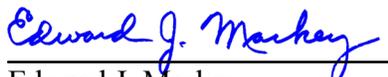
Yet, with the ACP nearly out of money, that risk is real. In 2022, as part of the *Bipartisan Infrastructure Law*, Congress provided the FCC with \$14.2 billion to launch the ACP and give households a \$30 per month discount — \$75 per month for households on tribal lands — on their internet bills. That funding is just about gone. The FCC recently announced that it does not have sufficient funding to cover the full benefit in May. Instead, the FCC will cover \$14 (instead of \$30) for most households and \$35 (instead of \$75) for households on tribal lands.³ Consequently, for ACP households that used their benefit to obtain plans that cost \$30 per month, this partial funding could raise their monthly internet bill from \$0 to \$16 in May and to \$30 per month (or even higher) after that. For millions of Americans, this price may be too high. They may simply forego internet service, as they did before passage of the *Bipartisan Infrastructure Law*.

With this funding lapse imminent and many customers confused or worried about their future internet access, we urge your members to cover the \$16 shortfall for each ACP subscriber in May (\$40 for those on tribal lands). This action would help maintain subscribers in May, who might otherwise leave the program when faced with even the smallest price increase, while Congress continues to work on a legislative solution to this problem. With both the Senate and House of Representatives in sessions for four weeks in May, this extra time would give lawmakers a critical window to work on and pass a legislative solution.⁴ Additionally, if Congress is able to extend the ACP, it would be devastating for ACP households that drop internet service during the period of lapsed funding, forcing them to re-enroll in the ACP, a process that can require significant time and expense.

Given that the \$14.2 billion in ACP benefits ultimately flowed back to ACP providers, covering the \$16 payment in May is a small investment in saving the program that can demonstrate your members' commitment to closing the digital divide.

We thank you for your prompt attention to this issue.

Sincerely,


Edward J. Markey
United States Senator

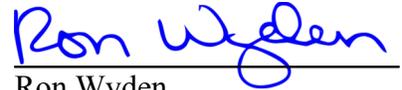

Raphael Butler
United States Senator

³ Federal Communications Commission, *Wireline Competition Bureau Announces the Maximum Partial Reimbursement Amounts for May 2024 Affordable Connectivity Program Benefits*, WC Docket No. 21-450 (Apr. 9, 2024), <https://docs.fcc.gov/public/attachments/DA-24-342A1.pdf>.

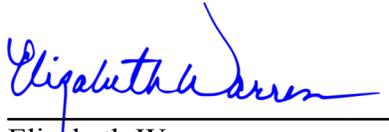
⁴ See, e.g. Jake Neenan, *Rep. Clarke Moves to Force Vote on ACP Funding Bill*, Broadband Breakfast (Apr. 10, 2024), <https://broadbandbreakfast.com/rep-clarke-moves-to-force-vote-on-acp-funding-bill/>.



Bernard Sanders
United States Senator



Ron Wyden
United States Senator



Elizabeth Warren
United States Senator