

**STATEMENT OF
CHAIRMAN BRENDAN CARR**

Re: *Addressing the Homework Gap through the E-Rate Program*, WC Docket No. 21-31, Order on Reconsideration (Sept. 30, 2025).

During COVID-19, Congress passed a law authorizing the FCC to use the newly-created Emergency Connectivity Fund to fund Wi-Fi hotspots for use outside of schools and libraries. At the time, I supported the initiative to maximize the program’s benefits during an unprecedented time when students were forced to undergo remote school. For the ECF program, Congress provided clear congressional authorization, set a specific cap on the amount of taxpayer dollars that could be used, and included a sunset provision that provided the program would expire when the COVID-19 emergency ended.

When that program ended, so did the FCC’s authority to fund Wi-Fi hotspots. Nonetheless, the Commission unlawfully chose to keep funding hotspots in plain violation of the limits Congress imposed. Specifically, Section 254 limits the FCC’s E-Rate authority to enhance the access of telecommunication services in “classrooms and libraries”—not any remote location at which people might want to learn.

The FCC is not alone in this conclusion. Earlier this year, Republicans in the Senate and House introduced a Congressional Review Act resolution to overturn the Biden administration’s overreach. Lawmakers have raised serious concerns about the FCC’s “unlawful and misguided” attempts to expand E-Rate support beyond what Congress intended.

Beyond its legal flaws, the FCC’s 2024 program lacks basic guardrails to ensure responsible use of funds. Unlike the temporary program created by Congress, those rules included no cap on spending, no limit on where hotspots could be used, no sunset date, and no protection against higher monthly bills for consumers. This was poor stewardship of scarce funds, and it opened the door to waste, fraud, and abuse.

The FCC’s 2024 decision also raised serious policy concerns. Using millions of taxpayer dollars to fund unsupervised Internet access was never Congress’s intent for E-Rate, especially in a time when students are struggling to socialize due to excessive screen time. What little data exists shows most hotspots that were implemented through these types of programs were quickly lost or stolen, wasting millions. The FCC has failed to demonstrate that these funding decisions would advance legitimate classroom or library purposes.

Opponents of today’s decision claim that many Americans lack Internet access for homework, telemedicine, online banking, and job searches. But E-Rate was never designed to solve those broader challenges. The FCC is advancing multiple initiatives as part of our “Build America Agenda” aimed at expanding Internet access. Those initiatives are appropriate vehicles to get Americans connected. E-Rate, however, was not created for the purpose of funding connectivity efforts outside the school. Unlawfully expanding E-Rate to fund Wi-Fi hotspots is not a legitimate or effective use of FCC authority.

Today we are putting an end to the unlawful use of E-Rate funding for Wi-Fi hotspots and instead focusing on lawful ways to connect Americans while being good stewards of federal dollars.

For their great work on this item, I’d like to thank Allison Baker, Bradley Craigmyle, Kate Dumouchel, Joel Graham, Gabby Gross, Andrea Kelly, David Konczal, Richard Mallen, Molly O’Conor, Nick Page, Christopher Santini, Johnnay Schrieber, Derek Yeo, and Chin Yoo.