

# **You Get A High Speed Internet, You Get A High Speed Internet!: Recent Steps Taken to Close the Digital Divide in the US, and Specifically Appalachian Ohio**

Nicola Roberts-Lewis

## **Internet Initiatives**

In 2021 the Biden-Harris Administration signed the Bipartisan Infrastructure Deal.<sup>1</sup> One of the Deal's stated goals is to "ensure every American has access to reliable" and affordable "high-speed internet" in order to close the digital divide.<sup>2</sup> Digital divide is the term used to address the gap between populations with internet access from those who do not have access.<sup>3</sup> In the United States, 8.5 million households, or 6 percent, lack access to high-speed internet.<sup>4</sup>

Access to high-speed internet is integral to being a part of US and global society. The power of the internet seems endless, and has the power to improve people's health, educational, and employment outcomes and opportunities.<sup>5</sup> This power has long been recognized, and people since the 1990s have been rallying for internet to be considered a basic human right.<sup>6</sup> This argument is based on the Universal Declaration of Human Rights stating that the right to freedom of opinion and expression includes "freedom to hold opinions without interference and to *seek, receive and impart information* and ideas through any media and regardless of frontiers."<sup>7</sup> Later on, the United Nations drafted a resolution to promote and protect the enjoyment of human rights via the internet. As part of the resolution, it was recognized that the internet is an integral part of the right to freedom of expression and privacy and can facilitate development and innovation.<sup>8</sup> Most recently, UN Secretary General António Guterres called for the need for universal access to the internet.<sup>9</sup>

In response to the Bipartisan Infrastructure Deal's stated goal, in June of 2023, the Biden-Harris Administration promised \$40 billion to ensure reliable high-speed internet to all of the

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<sup>1</sup> Press Release, The White House Briefing Room, Fact Sheet: The Bipartisan Infrastructure Deal (Nov. 6, 2021), <https://www.whitehouse.gov/briefing-room/statements-releases/2021/11/06/fact-sheet-the-bipartisan-infrastructure-deal/>;

<sup>2</sup> *Id.*; Fact Sheet: Department of Commerce's Use of Bipartisan Infrastructure Deal Funding to Help Close the Digital Divide, U.S. DEPARTMENT OF COMMERCE (Nov. 10, 2021), <https://www.commerce.gov/news/fact-sheets/2021/11/fact-sheet-department-commerces-use-bipartisan-infrastructure-deal-funding>.

<sup>3</sup> Charlie Muller, *What is the Digital Divide*, INTERNET SOCIETY (Mar. 3, 2022), <https://www.internetsociety.org/blog/2022/03/what-is-the-digital-divide/>.

<sup>4</sup> Press Release, *supra* note 1.

<sup>5</sup> WOSU All Sides, *Tech Tuesday: Remaining Challenges in Closing the Digital Divide*, WOSU PUBLIC MEDIA (Oct. 10, 2023), <https://news.wosu.org/show/all-sides/2023-10-10/tech-tuesday-remaining-challenges-in-closing-the-digital-divide>.

<sup>6</sup> Michael L. Best, *Can the Internet Be a Human Right?*, 4 HUMAN RIGHTS & HUMAN WELFARE 1, 13 (2004), <https://digitalcommons.du.edu/cgi/viewcontent.cgi?article=1061&context=hrhw>.

<sup>7</sup> *Universal Declaration of Human Rights*, UNITED NATIONS (1948), [https://www.ohchr.org/sites/default/files/UDHR/Documents/UDHR\\_Translations/eng.pdf](https://www.ohchr.org/sites/default/files/UDHR/Documents/UDHR_Translations/eng.pdf) (emphasis added).

<sup>8</sup> United Nations, Oral Revisions of 30 June: Agenda Item 3, Index A/HRC/32/L.20 (Jun. 27, 2016), [https://www.article19.org/data/files/Internet\\_Statement\\_Adopted.pdf](https://www.article19.org/data/files/Internet_Statement_Adopted.pdf).

<sup>9</sup> Gugulethu Mhlongu, *Why Internet Access Needs to Be Considered a Basic Human Right*, GLOBAL CITIZEN (Jul. 24, 2022), <https://www.globalcitizen.org/en/content/internet-access-basic-human-right/>.

United States through its Broadband Equity Access and Deployment (BEAD) program.<sup>10</sup> As follows, is a discussion of the impacts BEAD funding will be broadly assisting, and a closer look at the roll-out of increased access in Ohio.

### **Internet's Impact on Society**

In the 35 years since the internet was created, the impact on the world and society has been massive. This impact was clearly illustrated in 2020 when the United States was seemingly shut down due to the COVID-19 pandemic. The pandemic highlighted the importance of internet access in a changed society. Ninety percent of Americans in a Pew Research Center Poll have said that the internet has been essential or important to them in light of the pandemic.<sup>11</sup> This impact can be clearly seen in three vital sectors: healthcare, education, and employment.

#### **a. Healthcare**

Healthcare is called the number one equity tool of the future because access to the internet has been thought to likely lead to better human-health outcomes. The impact of the internet on health seems limitless, but below are just a few of the impacts:

- Control of medical equipment (e.g., pacemakers and dosimeters) deployed in the home.<sup>12</sup>
- Online health records.<sup>13</sup>
- Telehealth opportunities for rural populations.<sup>14</sup>

#### **b. Education**

Internet access also increases access to education. As early as 1992, internet usage in schools was recognized as a tool to increase equality of educational opportunities.<sup>15</sup> President Clinton believed that the internet would be able to revolutionize education because it would "make available the same learning from all over the world at the same level of quality and the same time" to students in the United States.<sup>16</sup> Not only does the internet further aid education by spreading information, it also increases opportunities for communication and collaboration.<sup>17</sup> The Internet's power with education was on display during the COVID-19 pandemic. It is difficult to imagine how schools would have continued without the internet during the pandemic. As early as five months into the pandemic, 93% of households with school-aged children had

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<sup>10</sup> Press Release, The White House Briefing Room, Fact Sheet: Biden-Harris Administration Announces Over \$40 Billion to Connect Everyone in America to Affordable, Reliable, High-Speed Internet (Jun 26, 2023), <https://www.whitehouse.gov/briefing-room/statements-releases/2023/06/26/fact-sheet-biden-harris-administration-announces-over-40-billion-to-connect-everyone-in-america-to-affordable-reliable-high-speed-internet/>.

<sup>11</sup> WOSU All Sides *supra* note 5; Kathleen Stansberry et al., *The Internet will Continue To Make Life Better*, PEW RESEARCH CENTER (Oct. 28, 2019), <https://www.pewresearch.org/internet/2019/10/28/4-the-internet-will-continue-to-make-life-better/>.

<sup>12</sup> National Research Council: Committee on Enhancing the Internet for Health Applications, *Networking Health: Prescriptions for the Internet* (2000), available at [https://www.ncbi.nlm.nih.gov/books/NBK44718/pdf/Bookshelf\\_NBK44718.pdf](https://www.ncbi.nlm.nih.gov/books/NBK44718/pdf/Bookshelf_NBK44718.pdf).

<sup>13</sup> *Id.*

<sup>14</sup> WOSU All Sides, *supra* note 5.

<sup>15</sup> Janet Ward Schofield, Anne Locke Davidson, *The Internet and Equality of Educational Opportunity*, NATIONAL SCIENCE FOUNDATION (1998), <https://files.eric.ed.gov/fulltext/ED428720.pdf>.

<sup>16</sup> *Id.* (quoting President Clinton).

<sup>17</sup> *How Has Technology Changed Education?*, PURDUE UNIVERSITY ONLINE, <https://online.purdue.edu/blog/education/how-has-technology-changed-education> (last visited Oct. 21, 2023).

children distance learning and relying on online resources.<sup>18</sup> Without the internet children would likely have been deprived of education.

### c. Employment

With a computer and internet connection, individuals in rural areas can earn Associate, Bachelor, Master, and Professional degrees. The internet also gives people increased employment opportunities, regardless of employer. There are countless fully remote jobs available on listing websites and online marketplace opportunities such as Etsy can serve as a way to make income in areas that may have high unemployment rates.<sup>19</sup>

### Case Study: Ohio

The state of Ohio recognizes access to reliable internet is a necessary standard of living, and broadband access has been categorized as a priority for the DeWine administration.<sup>20</sup>

Taking a look at Appalachian Ohio as an example, one-third of the residents lacked access to high-speed internet in 2021, or five percent of Ohioans.<sup>21</sup> While it is widely agreed upon that access to the internet is needed, there have been external factors that have stalled the project. Most recently, internet-provider Spectrum has sued AEP Ohio, Ohio's largest electric utility, and has the majority of Appalachian Ohio in their service area.<sup>22</sup> Spectrum brought the suit which accuses AEP Ohio of delaying the permitting process for installation of Spectrum high-speed wires on AEP Ohio poles.<sup>23</sup> Ohio was allocated \$793 million from BEAD. BEAD funds have yet to be received due to data limitations. Needed to get the fabric map as accurate as possible. The formula of BEAD was determined by unserved and underserved locations, using a Fabric Map made with a bunch of hexagons.<sup>24</sup> Ohio is still waiting for those funds though; all internet work throughout the state comes from federal grants and state funds.<sup>25</sup>

There are a lot of broadband programs going on right now and there are lots of applications trying to get on poles.<sup>26</sup> The case of getting power to Rural Ohio is compounded by the topography of the region. Because the Appalachian Mountains are so old, the soil is particularly compact so drilling for fiber lines is not an option.<sup>27</sup> And so since they cannot drill, AEP poles have to be used.<sup>28</sup>

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<sup>18</sup> Schooling During the COVID-19 Pandemic, UNITED STATES CENSUS BUREAU (Aug. 26, 2020), <https://www.census.gov/library/stories/2020/08/schooling-during-the-covid-19-pandemic.html>.

<sup>19</sup> WOSU All Sides, *supra* note 5.

<sup>20</sup> *Initiatives & Priorities*, Mike DeWine Governor of Ohio, <https://governor.ohio.gov/priorities> (last visited Oct. 20, 2023).

<sup>21</sup> WOSU All Sides, *supra* note 5 (note that this number does not take into account residents that have no access to any internet); Kelvin Pollard et. al., *The Appalachian Region: A Data Overview From the 2017-2021 American Community Survey Chartbook*, APPALACHIAN REGIONAL COMMISSION at 10 (June 2023), [https://www.arc.gov/wp-content/uploads/2023/05/PRB\\_ARC\\_Chartbook\\_ACS\\_2017-2021\\_FINAL\\_2023-06.pdf](https://www.arc.gov/wp-content/uploads/2023/05/PRB_ARC_Chartbook_ACS_2017-2021_FINAL_2023-06.pdf).

<sup>22</sup> Mark Williams, *Spectrum Accuses AEP Ohio of Hindering Broadband Development in Appalachia*, THE COLUMBUS DISPATCH (Oct. 6, 2023), <https://www.dispatch.com/story/business/information-technology/2023/10/06/spectrum-aep-ohio-hindering-efforts-to-expand-broadband-to-appalachia/71046402007/>; <https://www.aepohio.com/lib/docs/company/about/AEPOhioFactSheet2023.pdf>.

<sup>23</sup> Williams, *supra* note 32.

<sup>24</sup> WOSU All Sides, *supra* note 5.

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

## Conclusion

Since this article will be posted and accessed on the internet, you as a reader must understand to some degree the power and effect of internet usage. Considering, it may be the superior knowledge tool of the world, and with knowledge comes great power.<sup>29</sup> For a better world, country, and state, we should be promoting internet access to all. While it may be too early to tell the effect of BEAD funding, its prospects are certainly exciting.

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<sup>29</sup> See Nick Fox, *Organizing the World's Information: Where Does it All Come From?*, GOOGLE THE KEYWORD (Dec. 3, 2020), <https://blog.google/products/search/information-sources-google-search/> (Discussing Google's goal of organizing all the world's information on an internet site: Google).