



Pandemic Relief Priorities for Black Communities

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While the COVID-19 pandemic continues to disproportionately harm Black communities in the United States, Congress and the Trump Administration have failed to come to an agreement on a fourth legislative package that will bring relief to millions in our nation.¹ Granted, the relief package should direct significant COVID-19 testing and other health care services toward underserved communities that are at greater risk to the virus. But that's not enough.

In addition to accounting for a disproportionately large percentage of COVID-19 infections and deaths, Black communities have borne the brunt of the pandemic's socioeconomic harm. African Americans have suffered disproportionately high rates of unemployment, lost income, and business closures. The digital divide has prevented too many African Americans from engaging in remote learning, work, and medical services during the pandemic. Even the ability of Black communities to exercise the right to vote is threatened by a failure of government to invest adequate resources into accessible and safe voting options. Absent meaningful federal intervention, these challenges could hinder Black communities and racial equity for a generation.

Rather than willfully ignore the pandemic's outsized effects on Black communities and further entrench systemic inequality, Congress and the Administration should agree to a stimulus plan that:

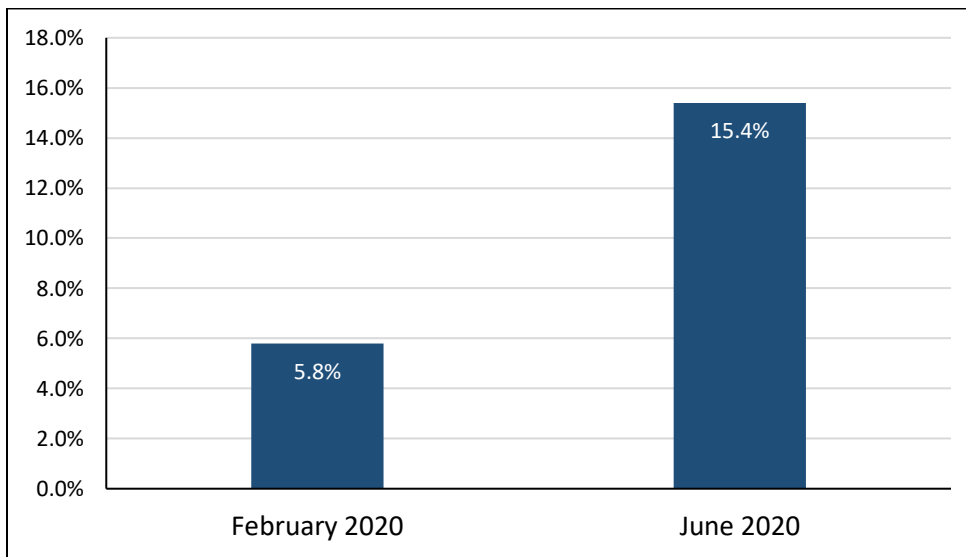
- **Provides Financial Support for Black Workers** by extending the \$600 per week federal supplement to state unemployment insurance and the Earned Income Tax Credit, increasing SNAP benefits, providing rental assistance, and providing fiscal relief to states and localities;

- **Sustains Black Businesses** by extending the period for forgiveness of Paycheck Protection Program (PPP) loans and streamlining the forgiveness process, mandating data collection on loan forgiveness, providing significant funding for Community Development Financial Institutions (CDFIs) and Minority Depository Institutions (MDIs), and strengthening the Minority Business Development Agency;
- **Expands Internet Access Among Black Households** by providing a \$50 a month emergency broadband subsidy for households in need, and allocating \$4 billion for laptops, tablets, Wi-Fi hotspots, routers, and modems that can be used at home by students, school staff, and library patrons; and
- **Protects Our Democracy** by allocating to states at least \$3.6 billion for administering elections, and requiring that states provide online and same day voter registration opportunities, provide accessible vote-by-mail with due process protections, provide at least 15 days of early in-person voting, and develop plans to ensure sufficient staffing and equipment to protect the health of poll workers and in-person voters during early in-person voting and on Election Day.

Provide Financial Support for Black Workers

Black workers are over-represented in public transit, childcare and social services, health care, trucking, warehouse, and postal service, and many other frontline occupations deemed “essential.”² Despite this work, Black communities have experienced high rates of both job and income loss. In June 2020, 15.4% of Black workers were looking for but unable to find work.³

Unemployment Rates for Black Workers Spiked During the Pandemic



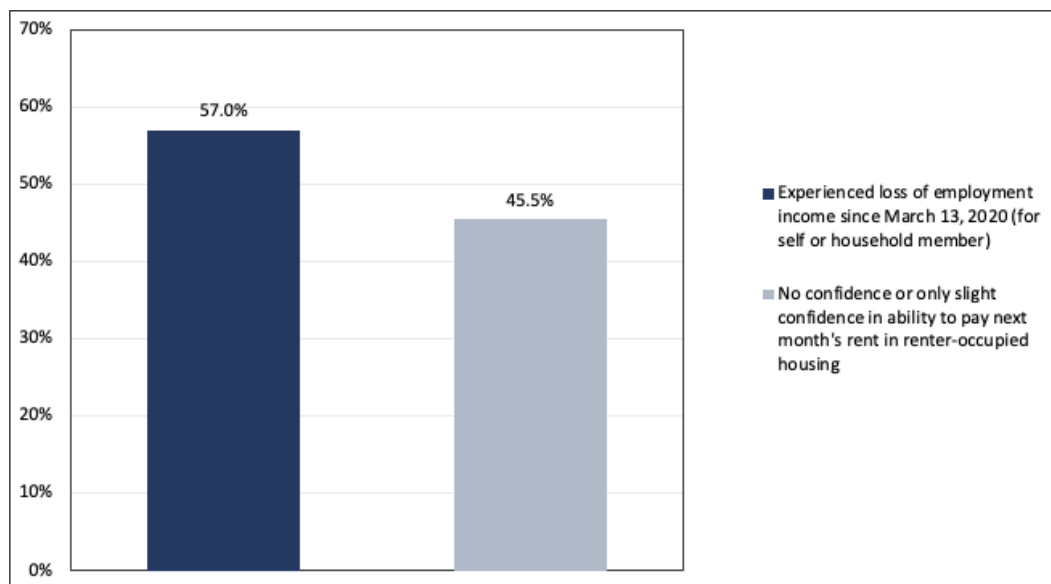
Source: U.S. Bureau of Labor Statistics

In a U.S. Census Bureau survey taken the week of July 16, 2020, 57% of Black adults reported that someone in their household had experienced a loss of income since March 13, 2020.⁴ The large group of Black public sector workers is also at risk as states and localities cut their spending to balance their budgets,⁵ which most state constitutions require.⁶ As COVID-19 cases rise, many workers who have been able to find jobs may once again find themselves out of work through no fault of their own.

Also, due to a history of mortgage and employment discrimination and other factors that have compounded over time, median wealth for Black households is one-tenth that of White households (\$17,600 versus \$171,000). Typical White high school dropouts have more wealth than Black college graduates.⁷ Thus, many Black families of various educational and income lack the resources to

address emergencies stemming from the pandemic—like lost income or unanticipated medical bills.⁸

Income and Housing Insecurity Among Black Adults, July 16-21



Source: U.S. Census Bureau, Household Pulse Survey: July 9-14

To respond to this enduring crisis, the Administration and Congress should reach a bipartisan agreement on a COVID relief package that extends the \$600 per week federal supplement to state unemployment insurance for as long as the crisis continues. This support is critical for Black workers who, despite looking for work, have not been able to find employment during the pandemic.

Congress and the Administration should also agree to provide significant fiscal relief to states and localities experiencing revenue losses to prevent layoffs of teachers and other public service workers and to avert harmful budget cuts. Providing direct grants, education funding, and a further increase in federal Medicaid payments to states would provide fiscal relief and help to protect health care during this pandemic.

Finally, the relief package should provide additional assistance through existing programs to help families make ends meet, including increasing SNAP benefits, providing rental assistance to help avert evictions, and expanding income support to workers and families. Any bipartisan agreement should include a temporary extension of the Earned Income Tax Credit for very low-paid workers not raising children and make the Child Tax Credit fully available so that it

benefits children from low-income families. These changes would help Black workers in low-paid jobs and children—many of whom are facing harsh circumstances during this crisis and run the risk of long-lasting harm.

The financial support provided by the CARES Act prevented a 33% increase in Black poverty, and this additional relief will be no less significant.⁹ A stimulus agreement that includes these provisions will provide stability to both individual Black households and the economy more broadly amid the volatility of increasing waves of COVID-19 infections and deaths in many states and localities, and possible state shutdowns or other restrictions that slow economic activity.

Sustain Black Businesses

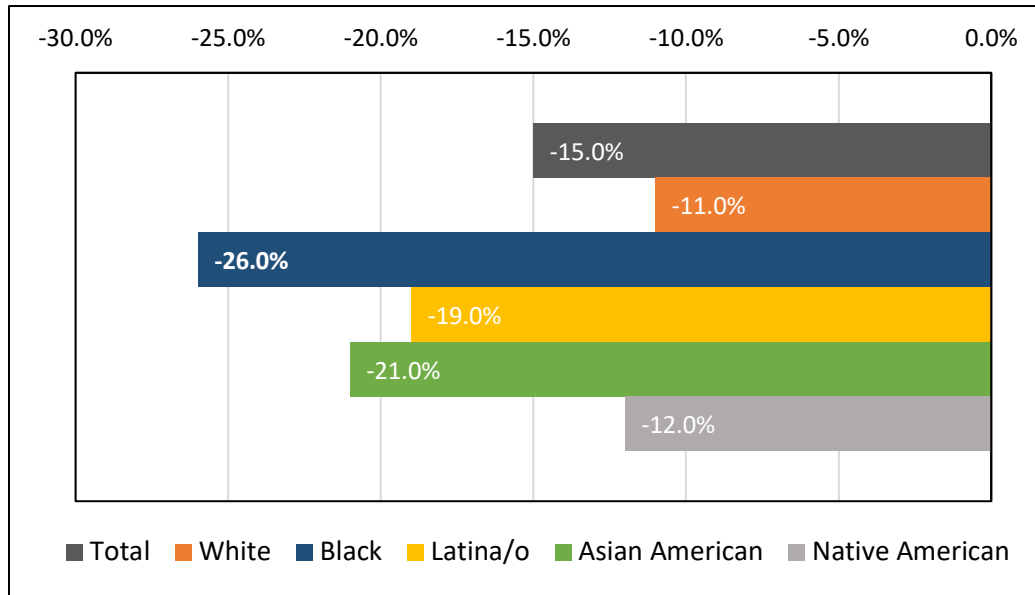
Black businesses have been hit hard by the COVID-19 pandemic, with a 26% decline in the number of active Black business owners between February and May 2020.¹⁰

The federal government's Paycheck Protection Program—which issues forgivable loans to keep businesses open and employees on payrolls—failed to adequately support Black businesses, in part through its design. Policymakers decided to issue the program through banks, and because Black business owners are less likely to have existing relationships with banks, they were less able to access the funding.¹¹ The fee structure also incentivized banks to prioritize loans to larger rather than smaller businesses,¹² and Black-owned businesses tend to be smaller and have fewer employees.¹³ The Inspector General of the Small Business Administration (SBA) found that the SBA failed to follow the requirements of the CARES Act to issue guidance to lenders to prioritize underserved borrowers, and failed to require lenders to ascertain demographic data on PPP borrowers.¹⁴

While the government neglected to collect and distribute comprehensive data, independent studies show that just 40% of Black businesses have been approved for a PPP loan,¹⁵ and only 8% of Black businesses were successful in receiving the amount they requested through the program.¹⁶ Although lending discrimination in the program has not been studied comprehensively, one study showed that in several instances bankers offered Black business owners different levels of encouragement or steered them toward different products than they did with White business owners, including toward home equity lines of credit (which must be repaid).¹⁷

The Administration and Congress can help Black businesses by extending the covered period for forgiveness of Paycheck Protection Program (PPP) loans to December 31 (from June 30), and streamlining the forgiveness process for PPP small dollar loans. The next stimulus package should also mandate data collection on loan forgiveness, and require regular reporting on PPP and Economic Injury Disaster loans and grants.¹⁸ Collecting, tracking, and disseminating data will help policymakers understand if the program is working as intended, and will help lawmakers spot any systemic issues of discrimination or disparate access to stimulus programs.

Decline in Active Business Owners Between February and May 2020



Source: Robert Fairlie, *The Impact of COVID-19 on Small Business Owners*

The relief package should also provide significant funding for CDFIs and Minority Depository Institutions (MDIs), which were instrumental in helping PPP loans reach Black entrepreneurs and other businesses often left out of the economic mainstream. This relief should include at least a \$1 billion emergency appropriation for the Community Development Financial Institution (CDFI) Fund to provide rapid response grants to CDFIs. The package should also include significant additional resources to build long-term equity capital in CDFIs and MDIs that serve underserved communities, for technical assistance and training grants to these institutions, to provide loans to very small businesses that serve communities of color, and to prepare for an economic recovery in the wake of the pandemic.¹⁹

Congress and the Administration should also agree to strengthen the Minority Business Development Agency by making the office permanent (it was created by executive order in 1969) and by enhancing its ability to make grants to under-represented populations in the business community.²⁰

Expand Internet Access Among Black Households

As the pandemic forces many students, workers, and patients to turn to broadband for virtual learning, telework, job applications and interviews, government assistance applications, and medical services, millions of African Americans remain disconnected. In the United States, 34% of Black adults do not have home broadband,²¹ and 30.6% of Black households with one or more children age 17 or younger lack high-speed home internet (over 3.25 million Black children live in these households).²² While 23% of African Americans are "smartphone-only" internet users,²³ mobile subscriptions have more restrictive data caps and pose challenges in completing tasks like homework and job applications.²⁴

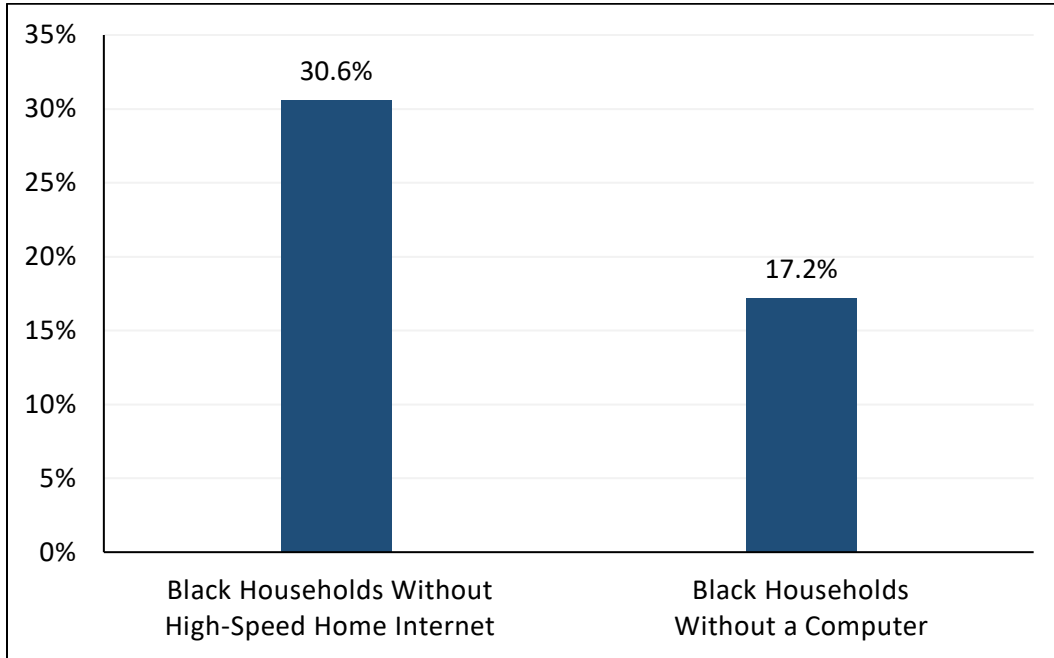
Cost is a primary reason many Black families do not have high-speed home internet—both in metropolitan and rural communities.²⁵ The pandemic has placed enormous financial burdens on African Americans, as it has produced the highest Black unemployment rates since 2010 and shuttered the operations of 26 percent of Black business owners.²⁶ Even before the pandemic, three times more households in urban areas remain disconnected than in rural areas,²⁷ and African Americans were already more vulnerable to mobile service being cut off due to expense.²⁸

Congress and the Administration should take simple steps that could immediately expand educational, employment, and health care opportunities for millions of Black children and adults. Specifically, federal policymakers should support a \$50 a month emergency broadband subsidy for low-income households or those where a person has experienced a substantial loss of income due to the COVID-19 pandemic.²⁹ This would get families online during the pandemic without being blocked by a credit check or a past overdue internet bill, and would ensure that even those who are struggling financially can afford to stay connected when it counts the most.

The stimulus package should require that the service be of adequate speeds and quality, and also prohibit broadband and phone companies from terminating service, imposing late fees or data caps, or charging customers for going over data caps due to financial challenges stemming from the pandemic.³⁰ Similarly, Congress and the Administration should require that broadband and phone companies provide unlimited data and minutes to users of Lifeline (a federal

program that reduces the price of telephone and internet to lower-income Americans).³¹

Black Households Without High-Speed Internet and a Computer



Source: John Horrigan, *Students of Color Caught in the Homework Gap* (households are homes with at least one child 17 years or younger)

Over 7.2 million children in the U.S. live in households without a computer—including over 1.84 million Black children.³² The federal relief package should allocate \$4 billion for schools and libraries to purchase laptops and tablets, Wi-Fi hotspots, modems, and routers that can be checked out and used at home by students, school staff, and library patrons.³³ The stimulus package should also clarify that E-Rate funds can be used to connect students at home who lack broadband because the idea of a “classroom” is now beyond the four walls of a school.

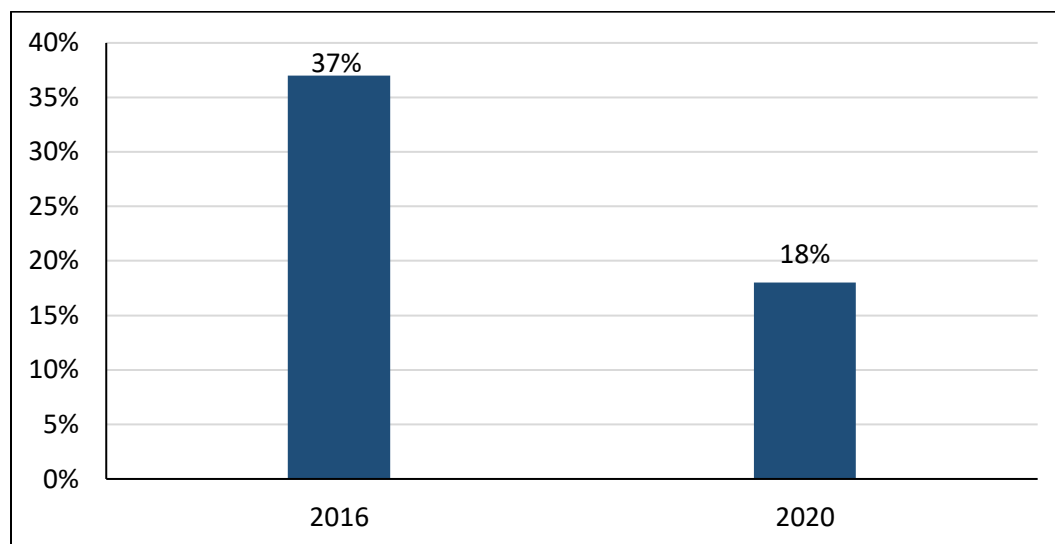
This would be a strong start, but more will need to be done. For example, Wi-Fi hotspots are helpful in the short term, but they are not a long-term solution because they sometimes have data caps and struggle to handle increased usage. Given the likely duration of the economic recovery and the continuing impact on Black workers and businesses, Congress should take additional steps in the future, including the creation of a permanent credit for low-income households and ensuring deployment of broadband access to many areas that lack service (46% of African Americans in the Black Rural South lack home broadband, some due to cost and some due to lack of service).³⁴

Protect Our Democracy

Due to COVID-19's devastating impact on state and local tax revenues, states need resources to implement both accessible vote-by-mail systems and safe in-person voting options. Absent intervention from federal policymakers, the pandemic could diminish Black voter participation and unnecessarily expose those who do vote in person to the virus. Black communities already face disproportionately high rates of infection and death from COVID-19.

The 2020 Wisconsin primary illustrates some of the problems. In Milwaukee City—which is home to 60% of Wisconsin's Black voters—many poll workers refused to work on Election Day, only 5 of 180 polling places opened, voters waited for hours to vote, and turnout was down by 16,000 voters.³⁵ Total turnout in the precincts with the highest percentage of Black residents dropped 51%.³⁶

Primary Election Voter Turnout in Milwaukee Precincts with the Highest Share of Black Residents



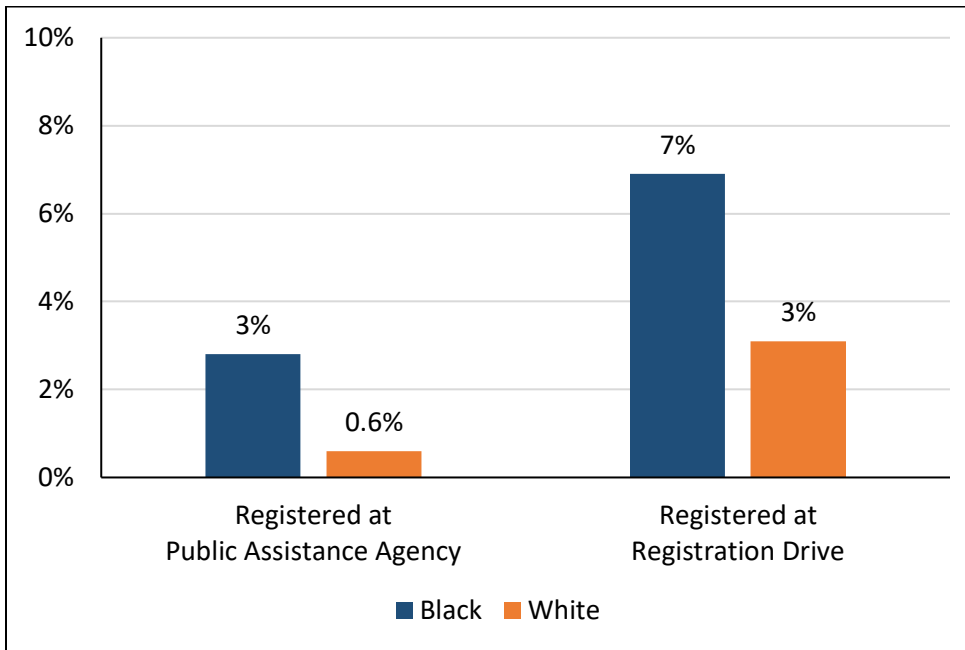
Source: Shruti Banerjee & Megan Gall, COVID-19 Silenced Voters of Color in Wisconsin

To address challenges posed by the pandemic, the next stimulus package should provide at least \$3.6 billion in funding for states and require that states comply with particular requirements in administering federal elections.³⁷

For example, before the virus, Black voters reported being registered through voter registration drives at over twice the rate of White voters, and Black voters registered at public assistance agencies at almost five times the rate of White voters.³⁸ Recognizing that the pandemic has reduced these in-person voter

registration opportunities, Congress and the Administration should require that states establish online voter registration systems (already adopted in 82% of states) and same day registration (already adopted in 42% of states).³⁹

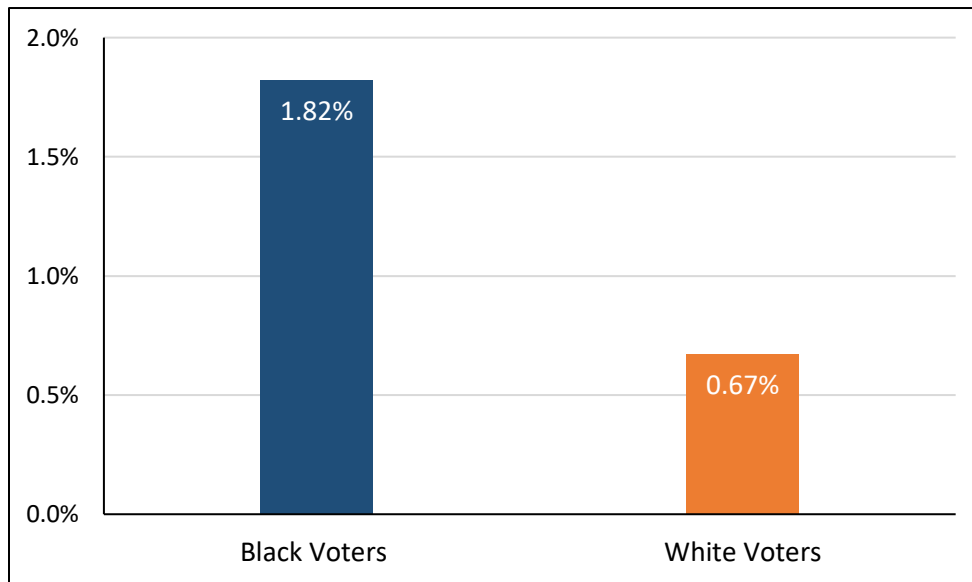
2016 Voter Registration Methods



Source: U.S. Census Bureau, Voting and Registration in the Election of 2016

Research suggests that election administrators are about 66%-170% more likely to reject absentee ballots from Black voters than White voters (often through no fault of the voter).⁴⁰ A study of the 2018 Georgia general election found that “as the percentage of absentee ballots cast by Black voters increases so does the percentage of the rejected ballots cast by” Black voters.⁴¹ To address this, the stimulus package should require that voters whose ballots are rejected because election workers perceive a signature discrepancy or due to a missing signature be notified and given 10 days to cure the issue (just under half of absentee ballots rejected in 2016 were invalidated due to a signature discrepancy or missing signature).⁴²

Vote-By-Mail Ballots Received by Election Day Rejected by Officials in 2018 Georgia General Election



Source: Enrijeta Shino, Mara Suttman-Lea & Daniel A. Smith, Voting by Mail in a VENMO World: Assessing Rejected Absentee Ballots in Georgia

The coronavirus relief package should also ensure vote-by-mail is accessible by:

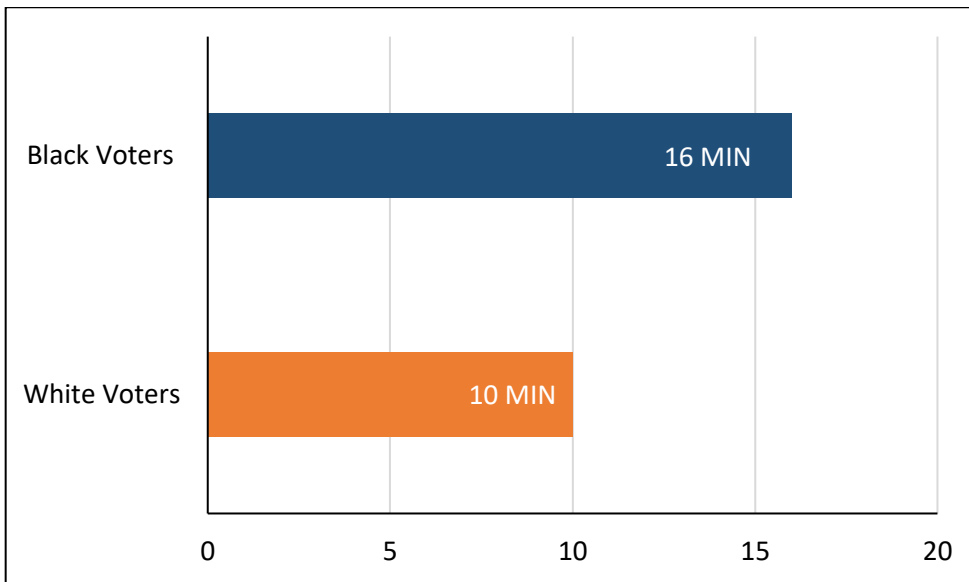
- providing prepaid postage,⁴³
- requiring that ballots be postmarked (rather than received) by Election Day and ensuring the U.S. Postal Service is adequately funded (23% of absentee ballots rejected in 2016 were invalidated because they were "not received on time/missed deadline" (sometimes through no fault of the voter), and limited U.S. Postal resources could cause backlogs with 2020 ballot delivery),⁴⁴
- allowing voters to return absentee ballots through various methods (e.g., submitting it themselves or designating another person to submit the ballot via mail, at a polling place on Election Day, or at a designated drop-off location), and
- using a signature on the ballot to verify identification (rather than a notarization or a photocopy of an ID card).⁴⁵

Vote-by-mail is secure, largely due to various safeguards such as mailing ballots to the address on the voter registration rolls, verifying the ballot with a signature

matching process, and including a unique bar code on each ballot that is scanned by officials and prevents the voter from casting any other ballot (e.g., like a bar code on a movie ticket).⁴⁶ One study of vote-by-mail ballots in Colorado, Oregon, and Washington found just 372 possible cases of voter fraud (e.g., double voting or voting on behalf of deceased people) of the 14.6 million votes cast—or one in 39,000 (0.0025%).⁴⁷ By comparison, a person is 13 times more likely to be struck by lightning at some point in life,⁴⁸ and 1/39,000th of a 1-mile road is 1.6 inches.

To ensure maximum access to vote, the next stimulus legislation should also require that states provide in-person voting options, and ensure that the in-person options are sanitary, allow for social distancing, and do not have long lines. In November 2016 average African American wait times to vote in person were longer than average White wait times.⁴⁹ Failing to prevent these disparities in 2020 will not only impose a wait-time tax on Black voters and diminish turnout—long lines will also increase exposure to COVID-19 in Black communities.

Wait Times to Vote in 2016 Presidential Election



Source: Charles Stewart III, Matt Vasilogambros of Pew Charitable Trusts

To ensure uncrowded in-person voting, the next stimulus package should require that states provide at least 15 days of early in-person voting before Election Day.⁵⁰ The relief package should require that the Election Assistance Commission impose standards to ensure adequate and nondiscriminatory placement of early and Election Day polling locations,⁵¹ and that states develop

plans to ensure sufficient staffing and equipment to protect the health and safety of poll workers and voters.⁵²

Endnotes

* LaShonda Brenson PhD is the Joint Center’s Senior Fellow of Diversity and Inclusion, Jessica Fulton is the Joint Center’s Vice President, and Spencer Overton is the Joint Center’s President.

¹ In May, the U.S. House of Representatives passed the \$3 trillion Health and Economic Recovery Omnibus Emergency Solutions (“HEROES”) Act, which would support Black communities by providing critical funding that will benefit Black workers, students, families, businesses, and voters. U.S. Congress, House, [Health and Economic Recovery Omnibus Emergency Solutions Act \(“HEROES Act”\)](#), HR 6800, 116th Cong., 2nd sess., Division I, Sec. 90016, introduced in House May 12, 2020. *See also* Spencer Overton, [“The Impact of the HEROES Act on Black Communities,”](#) May 18, 2020, Joint Center. In late July, Senate Republicans introduced the Health, Economic Assistance, Liability Protection and Schools (“HEALS”) Act, \$1 trillion package that would extend stimulus payments to individuals, continue but lower the weekly federal supplement to state unemployment benefits, expand funding for Paycheck Protection Program loans, and prevent consumers and employees from holding businesses liable except in situations of gross negligence or willful misconduct. [“Republican Comments on Health, Economic Assistance, Liability Protection and Schools Act \(“HEALS Act”\),”](#) July 29, 2020, Senate Majority Leader Mitch McConnell. In addition to supporting the HEROES Act, Senate Democrats have released a \$350 billion Economic Justice Act targeted at addressing public health, childcare, infrastructure, and job creation challenges that disproportionately affect communities of color. [“Summary of the Economic Justice Act,”](#) July 16, 2020, Senate Democrats.

² Earl Fitzhugh, Aria Florant, JP Julien, Nick Noel, Duwain Pinder, Shelley Stewart III, Jason Wright, and Samuel Yamoah, [COVID-19: Investing Black Lives and Livelihoods](#) (McKinsey & Company, April 2020); Hye Jin Rho, Hayley Brown, and Shawn Fremstad, [A Basic Demographic Profile of Workers in Frontline Industries](#), (Washington, DC: Center for Economic and Policy Research, April 2020).

³ U.S. Bureau of Labor Statistics, [Table A-2. Employment Status of the Civilian Population by Race, Sex, and Age](#), (Washington, DC: July 2, 2020).

⁴ Joint Center analysis of data from U.S. Census Bureau, [Household Pulse Survey: July 9-July 14](#), (Washington, DC: July 22, 2020).

⁵ U.S. Bureau of Labor Statistics, [Labor Force Statistics from the Current Population Survey: 2019](#), (Washington, DC: January, 22 2020) (indicating that in 2019 African Americans were 12.3% of the total employed of individuals 16 years of age and older, and 17.5% of the public administration workforce); Steven Pitts, [Black Workers and the Public Sector](#) (Berkeley, CA: UC Berkeley Center for Labor Research and Education, April 4, 2011) (“During 2008 – 2010, 21.2% of all Black workers were public employees, compared with 16.3% of non – Black workers. Both before and after the onset of the Great Recession, African Americans were 30% more likely than other workers to be employed in the public sector.”).

⁶ Wesley Tharpe, [“States, Localities Need More Federal Aid to Avert Deepening Budget Crisis,”](#) July 21, 2020, Center on Budget and Policy Priorities.

⁷ Tatjana Meschede, Joanna Taylor, Alexis Mann, and Thomas Shapiro, [“Family Achievements?: How a College Degree Accumulates Wealth for Whites and Not For Blacks,”](#) *Federal Reserve Bank of St. Louis Review*, First Quarter 2017, 99(1), pp. 121-37; Darrick Hamilton, William Darity Jr, Anne E. Price, Vishnu Sridharan, and Rebecca Tippet, [Umbrellas Don’t Make It Rain: Why Studying and Working Hard Isn’t Enough for Black Americans](#) (The New School, Duke Center for Social Equity, Center for Community Economic Development, April 2015) (“Black families whose heads graduated from college have about 33 percent less wealth than white families whose heads dropped out of high school. The poorest white families—those in the bottom quintile of the income distribution— have slightly more wealth than black families in the middle quintiles of the income distribution.”); Michael A. Fletcher, [“White High School Dropouts are Wealthier than Black and Hispanic College Graduates,”](#) *Washington Post*, March 10, 2015.

⁸ Danyelle Solomon and Darrick Hamilton, [“The Coronavirus Pandemic and the Racial Wealth Gap,”](#) March 19, 2020, Center for American Progress.

⁹ Linda Giannarelli, Laura Wheaton, and Gregory Acs, [*Initial US Policy Response to the COVID-19 Pandemic's Economic Effects Is Projected to Blunt the Rise in Annual Poverty*](#) (Washington, DC: Urban Institute, July 2020), 13 (“The COVID-19 pandemic response policies reduced poverty for all racial and ethnic groups. For Black non-Hispanic people, the annual poverty rate is estimated to be 15.2 percent with the policies in place, but it would have reached 20.5 percent without them.”).

¹⁰ Robert Fairlie, [*The Impact of Covid-19 on Small Business Owners: Continued Losses and the Partial Rebound in May 2020*](#) (Cambridge, MA: National Bureau of Economic Research, July 2020), at 6-7, 16 (showing that the decline in the number of active business owners between February and May 2020 was 26% among African Americans, 19% among Latina/os, and 11% among Whites).

¹¹ [*The Paycheck Protection Program Continues to Be Disadvantageous to Smaller Businesses, Especially Businesses Owned by People of Color and the Self Employed*](#) (Washington, DC: Center for Responsible Lending, May 27, 2020) (“By requiring applicants to go through a lender, rather than directly applying to the PPP program, the program ensured that those businesses with existing credit relationships were more likely to access PPP funds at the outset of the program and in future rounds of funding. In the previous five years, 46% of white-owned businesses with employees accessed credit from a bank, and 6% accessed credit from a credit union. During that same time, just 23% of Black-owned employer firms accessed credit from a bank, and 8% from a credit union and 32% of Latino-owned employer firms accessed credit from a bank and 4% from a credit union. These disparities put them at a distinct disadvantage when accessing PPP funds through banks.”).

¹² *Ibid.* (“The PPP fee structure also heavily incentivizes loans to larger firms that can garner higher fees.”).

¹³ Ingrid Gorman and Connie E Evans, [*The Tapestry of Black Business Ownership in America: Untapped Opportunities for Success*](#), (Washington, DC: Association for Enterprise Opportunity, February 2017), 34 (“There are fewer Black business owners than we might expect given the population size; businesses that do exist have fewer employees than nonminority firms; and revenues are much smaller for Black-owned firms, even when comparing the same industries.”).

¹⁴ SBA Inspector General, [*Small Business Administration's Implementation of the Paycheck Protection Program Requirements*](#) (Washington, D.C., May 8, 2020), at 4.

¹⁵ “[Goldman Sachs | Small Business Owners Survey](#),” April 27, 2020, Goldman Sachs.

¹⁶ Global Strategy Group, [*Federal Stimulus Survey Findings*](#) (Color of Change and UnidosUS, May 13, 2020). Like many other nonprofits and businesses, the Joint Center for Political and Economic Studies received a PPP loan.

¹⁷ Anneliese Lederer and Sara Oros, [*Lending Discrimination within the Paycheck Protection Program*](#) (Washington, DC, National Community Reinvestment Coalition, July 15, 2020) (Black and White testers experienced a “difference in levels of encouragement in applying for a loan. . . . A difference in the products offered. . . . A difference in the information provided by the bank representative. . . . Black male testers were offered home equity line of credit (HELOC) products instead of/in conjunction with small business loan products.”).

¹⁸ See [HEROES Act](#), Division I, Sec. 90016 (requiring mandatory regular reporting by the SBA on a number of specific demographic, industry, size, and geographic data points for PPP loans and EIDL loans and grants).

¹⁹ See [HEROES Act](#), Division A, Title III (appropriating \$1 billion for financial and technical assistance to CDFIs), Division K, Title VII, (2020) (authorizing \$5 billion to the CDFI Fund, of which \$1.5 billion would be set aside for minority-owned lenders); U.S. Congress, Senate, [The Jobs and Neighborhood Investment Act](#), S __, 116th Cong., 2nd sess., introduced in Senate July 21, 2020 (allocating \$17.9 billion to CDFIs and MDIs, including \$7 billion to build long-term equity capital in eligible CDFIs and MDIs (low and moderate income community financial institutions), \$8 billion in Treasury funding to support very small businesses in low and moderate-income and minority communities (Neighborhood Loan Program); and \$2.9 billion to the CDFI Fund—bill summary [here](#)).

²⁰ See U.S. Congress, House, [Minority Business Resiliency Act](#), HR 6869, 116th Cong., 2nd sess., introduced in House May 14, 2020 (increases MBDA’s budget, makes MBDA permanent, and authorizes the creation of regional and district MBDA offices).

²¹ [“Internet/Broadband Fact Sheet,”](#) June 12, 2019, Pew Research Center (showing that 21% of White adults, 34% of Black adults, and 39% of Latina/o adults do not have home broadband).

²² John B. Horrigan, [“Students of Color Caught in the Homework Gap”](#) (Washington, DC: Alliance for Excellent Education, July 22, 2020) (showing that of 20.9% of White, 30.6% of Black, and 31.2% of Latino/a households with one or more children age 17 or younger lack high-speed home internet).

²³ Andrew Perrin & Erica Turner, [“Smartphones help blacks, Hispanics bridge some – but not all – digital gaps with whites,”](#) Aug. 20, 2019, Pew Research Center (“Some 25% of Hispanics and 23% of blacks are ‘smartphone only’ internet users – meaning they lack traditional home broadband service but do own a smartphone. By comparison, 12% of whites fall into this category.”).

²⁴ S. Derek Turner, [“Digital Denied. The Impact of Systemic Racial Discrimination on Home-Internet Adoption”](#) (Washington, DC: Free Press, Dec. 2016) (“Mobile-only households do not have access to the full benefits of fixed broadband connections. Fixed connections typically offer far greater speeds and higher data caps (or no caps). Furthermore, a mobile connection may not always be available to everyone in the household if the primary account holder takes the only mobile device with them when they leave the home.”).

²⁵ While those in the U.S. without high-speed home internet often have multiple reasons for not subscribing, cost of either broadband or devices to access the service are chief reasons. See John B. Horrigan, [“Measuring the Gap: What’s the Right Approach to Exploring Why Some Americans do not Subscribe to Broadband”](#) (Columbus, OH: National Digital Inclusion Alliance, February 2020).

²⁶ Robert Fairlie, [“The Impact of Covid-19 on Small Business Owners: Continued Losses and the Partial Rebound in May 2020”](#) (Cambridge, MA: National Bureau of Economic Research, July 2020), at 6-7, 16 (showing that the decline in the number of active business owners between February and May 2020 was 26% among African Americans, 19% among Latina/os, and 11% among Whites).

²⁷ John Horrigan, [“Digital Divide Policy Enters the National Conversation”](#) (Evanston, IL: Benton Institute, August 16, 2019) (“Although a higher share of rural households lacks a home broadband subscription than non-rural ones (by a 21.2% to 15.4% margin), the number of households without a broadband subscription is larger in non-rural areas.”); Angela Siefert and Bill Callahan, [“Limiting Broadband Investment to ‘Rural Only’ Discriminates Against Black Americans and Other Communities of Color.”](#) (Columbus, OH: National Digital Inclusion Alliance, June 2020) (observing that “U.S. households with incomes below \$35,000 accounted for 28% of all households, but 60% of those without broadband subscriptions,” and asserting that “cost of service is a major barrier, if not the major barrier, to home broadband access” and that “the U.S. has more than three times as many urban as rural households living without broadband of any kind.”).

²⁸ Andrew Perrin & Erica Turner, [“Smartphones help blacks, Hispanics bridge some – but not all – digital gaps with whites,”](#) Aug. 20, 2019, Pew Research Center (“Although smartphones help bridge internet access gaps, other 2014 Pew Research Center data shows that blacks, Hispanics and lower-income smartphone users are about twice as likely as whites to have canceled or cut off service because of the expense.”).

²⁹ [HEROES Act](#), Division M, Title III, Sec. 301 (2020) (Benefit for Broadband Service During Emergency Periods Related to COVID-19).

³⁰ [HEROES Act](#), Division M, Title IV, Sec. 401 (2020) (Continued Connectivity During Emergency Periods Relating to COVID-19).

³¹ [HEROES Act](#), Division M, Title III, Sec. 302 (2020) (Enhanced Lifeline Benefits During Emergency Periods).

³² John B. Horrigan, [“Students of Color Caught in the Homework Gap”](#) (Washington, DC: Alliance for Excellent Education, July 22, 2020) (indicating that of Black households with one or more children age 17 or younger, 30.6% lack high-speed home internet (a total of 3.3 million Black children) and 17.2% lack a computer).

³³ [HEROES Act](#), Division M, Title II, Sec. 201 (2020) (E-Rate Support for Wi-Fi Hotspots, Other Equipment, and Connected Devices); Division B, Title III (appropriates \$1.5 billion for laptops and tablets, Wi-Fi hotspots, modems, and routers for schools and libraries as authorized in Division M, Title II, Sec. 201); U.S. Congress, Senate, [Emergency Educational Connections Act](#), S 3690, 116th Cong., 2nd sess., Sec. 2, introduced in Senate May 12, 2020 (appropriates \$4 billion for Wi-Fi

hotspots, laptops, tablets, modems, and routers for schools and libraries to ensure that all K-12 students have home internet and devices during the pandemic).

³⁴ Mignon Clyburn and Jon Sallet, “[Make Broadband Far More Affordable](#),” *Boston Globe*, June 27, 2020 (recommending the creation of a permanent program, America’s Broadband Credit, to tackle the affordability crisis). The Joint Center’s analysis of Current Population Survey data found that 46% of African Americans and 28% of Whites lacked home broadband in U.S. counties designated as “rural” by the U.S.D.A. with populations over 35% Black (a total of 156 counties which we call the “Black Rural South”).

³⁵ Charles Stewart III, “[Important Lessons from the Wisconsin primary](#),” *Mischiefs of Faction*, April 17, 2020; see also Shruti Banerjee and Megan Gall, “[COVID-19 Silenced Voter of Color in Wisconsin](#),” May 14, 2020, *Demos*.

³⁶ Shruti Banerjee and Megan Gall, “[COVID-19 Silenced Voter of Color in Wisconsin](#),” May 14, 2020, *Demos* (noting that in the 3% of Milwaukee precincts with the highest percentage of Black residents, primary election voter turnout dropped from 37% in 2016 down to 18% in 2020).

³⁷ [HEROES Act](#), Division A, Title III (allocating \$3.6 billion in election funding); U.S. Congress, Senate, [VoteSafe Act of 2020](#), S 3725, 116th Cong., 2nd sess., introduced in Senate May 13, 2020; U.S. Congress, House, [VoteSafe Act of 2020](#), HR 6807, 116th Cong., 2nd sess., introduced in House May 12, 2020 (authorizing \$5 billion and requiring that states provide no-excuse mail-in absentee voting with due process safeguards and at least 20 days of early in-person voting, and authorizing discretionary grant funding for states to support curbside voting, a maximum wait time standard, improved voter registration access, and other election administration matters).

³⁸ U.S. Census Bureau, “[Voting and Registration in the Election of November 2016](#),” May 2017 (Table 12) (those who registered at public assistance agencies included 2.8% of African Americans and 0.6% of White non-Hispanics, and those who registered at a registration drive included 6.9% of African Americans and 3.1% of White non-Hispanics. See also Laura Williamson, “[Universally Accessible and Racially Equitable Vote by Mail](#),” *Demos*, June 17, 2020).

³⁹ [HEROES Act](#), Division P, Sec. 160007 (Voter Registration) “[Online Voter Registration](#),” National Conference of State Legislatures, July 23, 2020; “[Same Day Voter Registration](#),” June 28, 2019, National Conference of State Legislatures.

⁴⁰ Daniel A. Smith, [Vote-By-Mail Ballots Cast in Florida](#) (Miami, FL: ACLU Florida, September 19, 2018), at 12 (showing that the rejection rate of vote-by-mail ballots by Florida election officials was 66% higher among Black voters than among White voters in November 2012, and 170% higher in November 2016); Enrijeta Shino, Mara Suttman-Lea, and Daniel A. Smith, “[Voting by Mail in a VENMO World: Assessing Rejected Absentee Ballots in Georgia](#),” University of Florida Liberal Arts and Sciences, May 19, 2020, at 27, Table 1, Panel B (showing that of vote-by-mail ballots received before or on Election Day, 0.67% of White votes were rejected and 1.82% of Black votes were rejected). The research is split on whether African Americans are less likely to vote-by-mail. Some point out that African Americans have relatively high move rates and homelessness rates, and often lack a permanent address. Laura Williamson, [How to Build a Racial Inclusive Democracy During COVID-19 and Beyond](#) (New York: Demos, April 2020), at 8 (Vote-by-mail-only elections would be particularly harmful for Black people, who move more frequently than white people, 18 and who are disproportionately represented among people experiencing homelessness); Daniel A. Smith, [Vote-By-Mail Ballots Cast in Florida](#) (Miami, FL: ACLU Florida, September 19, 2018), at 12-13 (showing that in Florida the percentage White voters were 62% more likely than Black voters to vote-by-mail in November 2012, and 51% more likely to vote-by-mail in November 2016). On the other hand, MIT professor Charles Stewart found did not find statistically significant differences among Black and White voters in three types of vote-by-mail states (those that require an excuse for an absentee ballot, those that do not require an excuse for an absentee ballot, and those that universally vote by mail), but found that White voters were about 7 points more likely to vote by mail in states that allow voters to request that they be permanently added to the list for absentee voting so that the voter automatically receives an absentee ballot for all elections (about 15 states). Charles Stewart III, “[Some Demographics on Voting by Mail](#),” *Election Updates*, March 20, 2020.

⁴¹ Enrijeta Shino, Mara Suttman-Lea, and Daniel A. Smith, “[Voting by Mail in a VENMO World: Assessing Rejected Absentee Ballots in Georgia](#),” University of Florida Liberal Arts and Sciences, May 19, 2020, at 14.

⁴² [HEROES Act](#), Division P, Sec. 160003 (2020) (Early Voting and Voting by Mail). See also Election Assistance Commission, [The Election Administration and Voting Survey: 2016 Comprehensive Report](#), (Silver Spring, MD, 2017), at 11 (indicating that of absentee ballots rejected, 27.5% were rejected due to “non-matching signature” and 20% were rejected due to no voter signature).

⁴³ [HEROES Act](#), Division P, Sec. 160005 (2020) (Early Voting and Voting by Mail).

⁴⁴ [HEROES Act](#), Division A, Title III, (2020) (Financial Services and General Government--allocating an additional \$25 billion for the U.S. Postal Service) and Division P, Sec. 160003 (2020) (Early Voting and Voting by Mail). Election Assistance Commission, [The Election Administration and Voting Survey: 2016 Comprehensive Report](#), (Silver Spring, MD, 2017), at 11 (detailing reasons absentee ballots were rejected); Pam Fessler and Elena Moore, “[Signed, Sealed, Undelivered: Thousands of Mail-In Ballots Rejected for Tardiness](#),” July 13, 2020, NPR (in the 2020 primaries “at least 65,000 absentee or mail-in ballots have been rejected because they arrived past the deadline, often through no fault of the voter”); Michelle Ye Hee Lee and Jacob Bogage, “[Postal Service Backlog Sparks Worries that Ballot Delivery Could Be Delayed in November](#),” *Washington Post*, July 30, 2020 (the “U.S. Postal Service is experiencing days-long backlogs of mail across the country after a top Trump donor running the agency put in place new procedures described as cost-cutting efforts, alarming postal workers who warn that the policies could undermine their ability to deliver ballots on time for the November election.”).

⁴⁵ [HEROES Act](#), Division P, Sec. 160003 (2020) (Early Voting and Voting by Mail).

⁴⁶ Elise Viebeck, “[Minuscule number of potentially fraudulent ballots in states with universal mail voting undercuts Trump claims about election risks](#),” *Washington Post*, June 8, 2020; Mike Baker, “[The Facts About Mail-In Voting and Voter Fraud](#),” *NY Times*, June 22, 2020.

⁴⁷ Elise Viebeck, “[Minuscule number of potentially fraudulent ballots in states with universal mail voting undercuts Trump claims about election risks](#),” *Washington Post*, June 8, 2020 (“But a Washington Post analysis of data collected by three vote-by-mail states with help from the nonprofit [Electronic Registration Information Center](#) (ERIC) found that officials identified just 372 possible cases of double voting or voting on behalf of deceased people out of about 14.6 million votes cast by mail in the 2016 and 2018 general elections, or 0.0025 percent”).

⁴⁸ “[Flash Facts About Lightning](#),” June 24, 2005, National Geographic (“The odds of being struck in your lifetime is 1 in 3,000”).

⁴⁹ Matt Vasilogambros, “[Voting Lines Are Shorter—But Mostly for White](#),” February 15, 2018, *Pew Charitable Trusts* (sample indicating that White voters waited 10 minutes and African Americans waited 16 minutes); M. Keith Chen, Kareem Haggag, Delvin G. Pope, Ryne Rohla, “[Racial Disparities in Voting Wait Times: Evidence from Smartphone Data](#),” [arXiv:1909.00024](#), August 30, 2019 (an analysis of cell phone data showing that voters in November 2016 predominantly Black neighborhoods waited 29 percent longer on average than voters in predominantly White neighborhoods, and were 74% more likely to spend more than 30 minutes at their polling place).

⁵⁰ [HEROES Act](#), Division P, Sec. 160003 (2020) (Early Voting and Voting by Mail) (requiring at least 15 days of early in-person voting; [VoteSafe Act](#), Sec. 3, (d) (2020) (requiring at least 20 days of early in-person voting).

⁵¹ [HEROES Act](#), Division P, Sec. 160003 (2020) (Early Voting and Voting by Mail).

⁵² [HEROES Act](#), Division P, Sec. 160002 (2020) (Requirements for Federal Election Contingency Plans in Response to Natural Disasters and Emergencies). See also “[Considerations for Election Polling Locations and Voters: Interim Guidance to Prevent Spread of Coronavirus Disease 2019 \(COVID-19\)](#),” June 22, 2020, Centers for Disease Control and Prevention and the Election Assistance Commission (providing best practices to ensure safe and sanitary in-person voting, including PPE for poll workers, regular sanitizing of equipment and machinery, masks, minimal lines and crowds, adequate ventilation, special voting hours reserved for at-risk populations, and larger rooms and a setup that allows for social distancing.).



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