



January 25, 2021

Office of the Secretary  
Federal Communications Commission  
45 L Street NE  
Washington, DC 20554

RE: WC Docket No. 20-445, Emergency Broadband Connectivity Fund Assistance

To Whom It May Concern:

Thank you for the opportunity to provide comments to the Federal Communications Commission (FCC) on the Emergency Broadband Benefit Program (EBBP). As the leading voice for aging, we value our ongoing partnership with the FCC and with internet service providers across the country to expand connectivity and improve the quality of life for older adults with low incomes.

We strongly support the new broadband benefit program as a means for improving connectivity, quality of life, and health outcomes for millions of Americans. On behalf of affordable senior housing communities and the residents they serve, we hope the FCC will consider our comments in the effort to quickly and effectively ease access to the internet at affordable senior housing properties.

#### **About LeadingAge**

LeadingAge represents more than 5,000 nonprofit aging services providers and other mission-minded organizations that touch millions of lives every day. Alongside our members and 38 state partners, we use applied research, advocacy, education, and community-building to make America a better place to grow old. Our membership encompasses the continuum of services for people as they age, including those with disabilities.

LeadingAge's nationwide membership includes non-profit owners and managers of federally-subsidized senior housing properties. Like other aging service settings, senior housing providers has been on the frontlines of COVID-19 and have witnessed the physical and mental health effects of the crisis on the more than 1.6 million older adults living in HUD-subsidized housing. With limited options for accessing the internet, older adults with low incomes have been left out of common solutions during the crisis, including telemedicine and remote options for staying socially connected.

#### **Household Eligibility**

A recent Harvard University Joint Center for Housing Studies survey of Service Coordinators in affordable senior housing found that just 38% of residents had access to reliable internet and/or a device. Expanding connectivity to hundreds of thousands of affordable senior housing residents nationwide will require a comprehensive and proactive approach by housing providers, internet service providers (ISPs), and the FCC.

- **Automatic Eligibility: Provide Automatic Eligibility for HUD-Assisted Tenants**

The programmatic statute defines eligibility for the EBBP based on a household's eligibility for other means-tested programs, including the Lifeline program. Importantly, the Lifeline program's

automatic eligibility for residents of Public Housing is not clearly extended to residents of other HUD affordable housing programs with very similar resident demographics and income limitations. Because all HUD-assisted residents can be presumed income-eligible, we encourage the FCC to provide automatic eligibility for tenants of federally-assisted affordable housing programs, specifically HUD Section 8, Section 202, and Section 811. The same automatic eligibility should be extended to residents of USDA Section 515 subsidized rental housing.

- **Proactive Enrollment: Incentivize Program Enrollment on Proactive, Building-Wide Basis**  
Very few multifamily housing communities serving older adults with low incomes have building-wide internet access, and many residents experience barriers to accessing internet on an individual or unit level. Because HUD-assisted residents can be presumed income-eligible for the broadband benefit, we encourage the FCC to incentivize ISPs to proactively enroll residents of affordable housing communities into the program, on a building-wide basis. For example, the FCC could partner with HUD to supply lists of federally-subsidized housing communities to ISPs for automatic program enrollment. Another option would be to offer bulk registration, where one affordable housing community could submit one application on behalf of the entire community.
- **Criteria and Definitions: Clarify “Address” and “Identity” Requirements**  
At HUD-assisted multifamily housing communities serving older adults, many households will have the same address unless distinguished by a unit or apartment number. We encourage the FCC to clarify the definition of “address” used for eligibility purposes to make sure that there is not a limit on the number of beneficiaries at one Multifamily Housing address. The FCC should also expand the data fields used for identification under Lifeline’s National Verifier system to allow for sources beyond a social security number; the current limitation creates unnecessary barriers for participation, and may disproportionately impact seniors living in some affordable housing programs that may not have social security numbers or have difficulty accessing this data.

### **Barriers to Participation**

Access to the internet is not the only barrier for adults with low incomes; often, affordable senior housing residents also need financial or technical support to build connectivity.

- **Installation Costs: Expand Financial Benefit to Include Installation and Set-Up**  
Internet services costs are only one financial barrier to connectivity. Many of the households eligible for the program will be installing internet for the first time, and they will need financial assistance to cover the costs of routers and modems, as well as installation fees charged by ISPs. We encourage the FCC to expand financial support beyond monthly internet services costs to include installation and set-up.
- **Debt and Prior Records: Clarify and Monitor Requirement to Disregard Past or Present Debt**  
We strongly support statutory language removing past or present debt with the ISP as a barrier to program eligibility. The statute is also clear that the benefit cannot be limited to new customers only, which differentiates the EBBP from other, existing internet services discount programs. Because both aspects of the statute represent real barriers for older adults with low incomes to participate in the program, we strongly encourage the FCC to clearly communicate and monitor these programmatic provisions as ISPs implement the benefit.

### **Discounted Connected Devices**

Internet access without a connected device does little to improve telehealth access or social connectedness of older adults in federally-subsidized housing. The statute attempts to overcome this barrier by providing that qualifying households are eligible to receive one connected device if they contribute between \$10 and \$50 toward the cost.

- **Household Contribution: Clarify and Incentivize Minimal Household Contributions**

While we strongly support the discounted device provision, the average annual income in HUD's flagship senior housing program, Section 202 Supportive Services for the Elderly, is less than \$14,000, or less than \$1,200 per month. For older adults served by this and similar federally-subsidized housing programs, paying \$50 (or even \$10) represents a significant barrier to participate in the program. At the same time, many older adults with low incomes lack a connected device and would greatly benefit from the program's discounted device eligibility. We strongly encourage the FCC to clarify that household contributions toward connected devices are one-time costs and that contracts between the FCC and internet service providers (ISPs) supplying the devices should prioritize those that impose minimal costs on severely cost-burdened households (\$10 instead of \$50).

- **Eligible Devices: Adopt Broad Eligible Equipment Definition and Minimum System Requirements**

The older adults served by our housing provider members experience varying connectivity needs. One household may regularly assist a grandchild with schoolwork during a remote school environment, while another household may utilize a voice-activated connected device for assistance due to poor eyesight. We encourage the FCC to adopt an equipment definition that is broad enough to encompass the range of devices needed to meet the needs of senior housing residents, and to adopt minimum system requirements to support a variety of internet uses, including video and audio conferencing used for telemedicine calls.

- **Device Coverage: Expand Eligibility to One Device per Person**

While many older adults live alone, many live with partners or family members. With many day-to-day activities taking place online, including remote work, school, community, and health activities, we recommend that the FCC expand the eligibility for a discounted device from one per household to one per person in the household.

### **Program Participation and Communication**

Because the EBBP is a new and time-sensitive program, we encourage the FCC to make every effort to promote awareness and participation, both of qualifying households and of Internet Service Providers. The statute requires the FCC to automatically approve participating broadband providers with an established, widely-available program as of April 1, 2020.

- **Clarify ISP Eligibility and Incentives: Ensure Participation of Smaller, Rural Internet Providers**

The effectiveness of the program in reaching and supporting older adults with low incomes will rely heavily on the participation ISPs. The FCC should clarify the definition of "widely available" to encompass internet service providers with smaller footprints or rural markets. In addition, because ISP participation is voluntary, the FCC should incentivize participation of ISPs serving underconnected communities, which may be smaller or have programs that are less wide-spread. At the same time, the FCC should maintain minimum internet speed requirements to ensure full connectivity.

- **Tracking and Promoting: Support Public Outreach Efforts and Provide Termination Notices**

In addition, the FCC should take the following steps to track and promote the program:

- Support a public outreach campaign to encourage ISP participation.
- Require participating ISPs to inform current customers of EBBP.
- Partner with local governments, affordable housing providers and others to encourage household participation.
- Update and publicly share a list of participating ISPs for individuals and partners to use in connecting eligible households.
- Require ISPs to communicate terms of EBBP to participating household at start and on regular basis.
- Track EBBP spend-down to ensure advanced notice can be provided before end of the program (the earlier of six months after the public health emergency or when funds are exhausted).
- Require ISPs to provide a 60-90 notice of the program's termination to participating households. This notice should include information on billing after the conclusion of the program, when the first bill at a higher rate will be due, an explanation of any partial month charges and information on any additional resources.
- Use the same distribution channels during the start of the program, to communicate about the end of the program. This robust communication is needed to ensure that beneficiaries fully understand that costs will increase at the end of the program, have the opportunity to consider terminating their account before those emergency funds are depleted, and are not saddled with unnecessary debt and fees.

The pandemic has made the country's digital divide painfully clear. During the ongoing emergency, if one thing could help senior housing communities and the people they serve, it would be internet connectivity. We value the FCC's efforts to quickly launch the Emergency Broadband Benefit Program, and we appreciate the opportunity to help shape a more equitable and effective benefit. Please direct questions to [jbilowich@leadingage.org](mailto:jbilowich@leadingage.org).

Sincerely,

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LeadingAge