



December 8, 2021

Wireline Competition Bureau
Federal Communications Commission
45 L Street NE
Washington, DC 20554

RE: WC Docket No. 21-450, Implementation of the Affordable Connectivity Program

To Whom It May Concern:

Thank you for the opportunity to provide comments to the Federal Communications Commission (FCC) on the implementation of the Affordable Connectivity Program (ACP), which modifies and extends the Emergency Broadband Benefit (EBB). As the leading voice for aging, value our ongoing partnership with the FCC and with internet service providers across the country to expand connectivity and improve the digital inclusion for older adults with low incomes. As the Commission implements the ACP, we hope the FCC will consider specific fixes to the EBB that will improve digital inclusion among federally-subsidized senior housing communities.

About LeadingAge

LeadingAge represents more than 5,000 aging services providers, including non-profit owners and managers of federally-subsidized senior housing properties. 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. We bring together the most inventive minds in the field to lead and innovate solutions that support older adults wherever they call home.

Internet Connectivity in HUD-Assisted Senior Housing

Through federal housing assistance, HUD and other federal agencies partner with private housing communities to provide affordable housing for millions of older adults. Currently, most HUD-assisted senior housing communities lack access to wall-to-wall internet, impacting both property operations and more importantly, resident well-being.

Connectivity is a critical determinant of health; older adults need access to affordable internet service in their homes for telehealth services and to combat social isolation. Further, connectivity remains a critical equity issue, in particular among African American and Latinx households that are both overrepresented among HUD housing and have been impacted the hardest by the ongoing pandemic.

Our nationwide membership of 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.

Internet Access Challenges for HUD-Assisted Older Adults

Early in 2021, LeadingAge strongly supported the newly-established Emergency Broadband Benefit (EBB) as a means for improving connectivity, quality of life, and health outcomes for millions of Americans. We also strongly recommended a number of key considerations for improving the implementation of the EBB among federally-subsidized housing communities. However, most of these considerations were not implemented by the FCC, and as a result, many housing providers experienced low turnout among residents in response to EBB enrollment efforts, as well as concern and caution related to the short-term nature of the EBB.

The extension and modification of the EBB provides an invaluable opportunity to fix participation barriers and ease access to the internet at affordable senior housing properties. On behalf of affordable senior housing communities and the residents they serve, we hope the FCC will reconsider our comments, originally submitted in January 2021, during implementation of the Affordable Connectivity Program (ACP).

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**

A major barrier to participation in the EBB has been the process of enrollment and income verification. HUD-assisted residents already verify (and recertify) their income in order to qualify for federal housing subsidy. As the FCC updates the criteria used to assess household eligibility for the ACP, the FCC should expand its use of means-tested programs to include HUD Public and Multifamily Housing programs. In certain HUD program, all residents can be presumed income-eligible, we therefore 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 certain HUD-assisted residents can be presumed income-eligible for the broadband benefit, we encourage the FCC to incentive ISPs to proactively reach out to affordable housing communities about the ACP, and to offer enrollment 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, where the resident could opt out. Another option would be to offer bulk registration, where one affordable housing community could submit one application on behalf of the entire community.

Financial 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 ACP from other, existing internet services discount programs. Because both aspects of the EBB statute represent real barriers for older adults with low incomes to participate in the program, we strongly encourage the FCC to continue emphasize these requirements as the Commission transitions to the ACP.

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.

- **Increasing Device Discounts**

The EBB statute attempted to overcome the issue of device access by authorizing a discount on a connected device for qualifying households, if they contribute between \$10 and \$50 toward the cost. However, only a very small percentage of EBB participants received a discounted device. The FCC should identify incentives for increasing ISP participation in this portion of the ACP.

- **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

LeadingAge is particularly interested in a smooth transition between the EBB and the ACP, especially as it impacts households already enrolled in the program. Therefore, we support the FCC's stated intention of issuing more specific transition guidance, as well as an outreach plan that will enable stakeholders to notify program participants of expected changes.

- **ACP to EBB Transition Outreach and Clarity**

Because the ACP will offer a lower, but more long-term benefit than the EBB, we urge the FCC to promote awareness, both of qualifying households and of Internet Service Providers, about the changes. This includes clarifying the carry-over and most importantly, the reduction of benefits for already-enrolled households, as well as any need for re-enrollment. Specifically, the FCC should develop an outreach plan and toolkit for communicating the implementation of the ACP.

- **Existing ISPs without ETC Designation**

Additionally, we support Sections III.A.1.9-10 of the ACP Public Notice, which propose to allow existing EBB Program providers (even those that lack eligible telecommunication carrier (ETC) designation to be able to continue as ISP participants under the ACP without submitting a new application for FCC approval. We also continue to support the FCC's expedited method of ISP approval, and we support Section III.A.1.12, which emphasizes the provision of discounted rates based on criteria such as low-income and certain means-tested eligibility.

- **Stakeholder Engagement**

In order to monitor and improve the implementation of the ACP, the FCC should set up a regular stakeholder meeting to discuss enrollment barriers and successes across various industry sectors.

The pandemic has made the country's digital divide painfully clear. We value the FCC's efforts to engage stakeholders in its ACP implementation, and we appreciate the opportunity to help shape a more equitable and effective benefit. Please direct questions to jbilowich@leadingage.org.

Sincerely,

Juliana Bilowich
Director, Housing Operations and Policy
LeadingAge