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January 22, 2021
Commission's Secretary
Office of the Secretary
Federal Communications Commission
45 L Street, NE
Washington, D.C. 20554

Re: [WC Docket No. 20-445] "Emergency Broadband Connectivity Fund Assistance" Public Comment Period

To Whom It May Concern:

The Council of Large Public Housing Authorities (CLPHA) is pleased to submit comments to the FCC's proposed information collection on the provision of assistance from the Emergency Broadband Connectivity Fund and through the Emergency Benefit Program and other related matters as it pertains to the Consolidated Appropriations Act, 2021 (Consolidated Appropriations Act or Act).¹ Section 904 of Division N – Additional Coronavirus Response and Relief, Title IX – Broadband Internet Access Service.

CLPHA is a non-profit organization that works to preserve and improve public and affordable housing through advocacy, research, policy analysis, and public education. We support the nation's largest and most innovative public housing authorities ("PHAs") by advocating for policies and programs that most effectively serve low-income residents and provide them with long-term economic opportunities. Our members own and manage nearly half of the nation's public housing program, administer a quarter of the Housing Choice Voucher ("HCV") program, and operate a wide array of other housing programs. CLPHA members collectively serve over one million low-income households.

We were pleased that the recent COVID-19 relief legislation included digital inclusion. Long before the current health crisis, unequal access to connectivity and devices has been a significant challenge for low-income Americans. Everyday activities necessary to improve life outcomes such as completing job applications, applying to postsecondary institutions and for financial aid, and reducing social isolation for seniors, require reliable access to the internet and devices. This has only been exacerbated during the COVID-19 pandemic: the low-income students trying to attend school virtually, the low-income adults trying to navigate unemployment, older adults trying to access telehealth services, and adults and families alike needing broadband to stay abreast of information on COVID-19 safety measures, testing, and vaccinations.

Throughout the pandemic and before, PHAs have been instrumental in helping low-income individuals and families get connected to broadband and devices to access the internet. We applaud the recent legislation in recognizing and targeting the especially important need of assisting low-income people. To reach the intended population, we strongly recommend PHAs



be allowable providers. PHAs house millions of low-income residents who meet the identified criteria laid out in the bill. They are effective and practiced at communicating with and assisting their residents in all areas, including digital inclusion. Prior to the COVID-19 pandemic, PHAs worked to provide internet in communal spaces of buildings such as community rooms; upgraded infrastructure of buildings to wire units for broadband or wireless internet; taught digital literacy to residents; provided devices; and offered education and communication about free or low-cost ways of accessing internet service for residents. Since entering a world of social distancing, PHAs have increased their efforts to make sure residents are connected and many used CARES Act funding to pay for internet to residents for several months.

Our answers to the specific questions posed by FCC are as follows:

Which providers can participate in the program and what do such providers need to do to elect to participate?

We understand that the current provisions state the payments will be direct to ISPs and we encourage PHAs to be an allowed liaison to ensure that residents are aware of this benefit and how to enroll. Since PHAs operate many multifamily properties, the economy of scale that can be realized using PHAs as a conduit should not be easily dismissed.

How should the Commission set up an expedited process for approving broadband providers for areas where they are not eligible telecommunications carriers?

Similarly, we encourage PHAs to be allowed providers as they have demonstrated an ability to already work with ISPs on behalf of their residents to ensure residents receive free or low-cost internet.

How should the Commission and providers track participating households and verify that they are eligible?

We are comfortable with the criteria laid out in the legislation that eligible participants must be a. Lifeline eligible; b. Eligible for existing discount broadband programs; c. Have children eligible for free and reduced school lunches; d. Have a household member who is a Pell Grant recipient and/or e. Have a household member who is unemployed. However, we do not want gaining access to this new program to be onerous for households already challenged in so many ways and therefore recommend ISPs offer a low-barrier enrollment that would extend a customer's service using the benefit. For example, if a household already subscribed to Comcast Essentials, then any ISP participating in this program would be mandated to send a communication (in the same manner bills are received by the consumer: letter if bills are mailed; email if bill is emailed) to the consumer letting them know they are eligible and asking if they would like to apply the \$50 to future months of service or upgrade speeds. Consumers who wish to use their benefit for



another purpose or with a different provider could also decide to do so. We again strongly encourage a way for PHAs to formally participate in this process to help make consumers aware of this benefit and select their preferred decision.

What services and connected devices are eligible for reimbursement from the program?

While we understand the one device per household is statutory, we encourage the Commission to pursue a quick legislative fix allowing more than one device per household. For households with multiple K-12 students, and/or at least one parent who is working remotely, more than one device is absolutely essential. Even in places where asynchronous learning schedules exist, low-income students—already at other disadvantages—should not have to decide which sibling’s class is more important at that hour.

How should the Commission structure the reimbursement process?

Because the Commission cannot force ISPs to revise existing contracts, consumers should be offered the choice to use the benefit to extend their service. For example, several PHAs have used CARES Act funding to pay for internet service for six months for residents. By funneling the benefit through the PHAs, internet service could be extended in those households for an additional five months based on a price of \$10/month with a \$50 benefit from this program.

How should the Commission and participating providers promote awareness of the program?

As mentioned, PHAs are uniquely qualified to reach the very population this program is supposed to be helping. Our members have consistently shown—before and during COVID-19—that they know how to connect residents, secure devices, and complete digital literacy education. They have robust partnership networks to help streamline such efforts including school districts, local nonprofits, and corporations. This program has a short turn-around and to reach low-income people and families qualified for this benefit, the FCC should use funds for outreach at the local level. By providing grants to PHAs, they can reach this population and nimbly and effectively complete the goals of this program. Without capacity assistance, you are looking at ISPs eager to receive the funds and perhaps future customers, communicating with consumers who may not understand they have a choice in providers or how to use the benefit.

We also strongly recommend coordination with other federal agencies like the Department of Education to make better use of other available resources such as school districts that are working with students to ensure they have devices and internet for digital learning. Many PHAs have strong partnerships with their schools and consider this work part of their overall digital inclusion efforts.

What requirements are needed for robust auditing and enforcement of federal rules?



Many ISPs have restrictions in place for how internet may be used. For example, if a consumer chooses to apply their benefit to a mobile device but an ISP blocks that device for use as a hotspot (particularly common for lower tier plans that those eligible for this program are more likely to be using), then that internet connection is not for the entire household but merely one person with that device. We strongly recommend the FCC put provisions disallowing such restrictions under this program.

What reporting requirements are needed both during the program and at its conclusion?

We recommend reporting requirements capture data from ISP providers regarding income levels, geographic distribution, household composition, minority households, program utilization vs. eligible populations, etc. Should PHAs be formally involved in this program, this is also an opportunity for the FCC to share data with HUD to better collaborate across federal agencies.

Thank you for the opportunity to submit comments. We would be happy to discuss any of these ideas further, including convening a roundtable with PHA directors.

Sincerely,

Sunia Zatterman
Executive Director
CLPHA