

February 9, 2021



Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street NW
Washington, DC 20554

Re: Provider Eligibility, Device Reimbursement, and Advertising the Emergency Broadband Benefit Program

Dear Ms. Dortch:

On February 5, 2021, Ryan Johnston met with Acting Chairwoman Rosenworcel's Acting Special Advisor, Trent Harkrader, via video conference to discuss provider application deadlines for the Emergency Broadband Benefit Program ("EBBP"), how the Commission should approach the reimbursement of devices that are not specifically named under the Consolidated Appropriations Act, and steps that the Commission can take to effectively advertise the EBBP so that eligible households learn that the program exists.

On provider eligibility, I highlighted the importance of vetting providers before any funds are allocated for reimbursement. Setting a deadline for providers to apply to the EBBP would help to ensure that participants are able to review service options at program launch. The Commission and USAC should immediately begin the provider review process, setting another date upon which the reimbursement process will begin.

However, the Commission must allow providers that are unaware of the application deadline, or are in the process of completing participation feasibility studies, to qualify for an exception. On a case by case basis, the Commission should review applications submitted after the original deadline that evidence a provider's hardship in applying or uncertainty of eligibility. Small and nontraditional providers that have never participated in federal programs may be unsure of their ability to on such a short deadline. Still, making accommodations for those providers can add value, via service options, to the EBBP overall.

As many homes and individuals rely on mobile devices as their primary means to connect, I explained that the Commission must be particularly thoughtful about reimbursement for devices that are not listed in the Consolidated Appropriations Act.¹ While cell phones are not explicitly included in the statute, many people across the country rely exclusively on their mobile devices for their home internet connection.² Disproportionately, low-income, Black, and Hispanic residents rely exclusively on

¹ Consolidated Appropriations Act of 2021, Pub. L. No. 116-260, § 904(a)(4) (2021).

² See Monica Anderson, *Mobile Technology and Home Broadband 2019* (June 13, 2019), <https://www.pewresearch.org/internet/2019/06/13/mobile-technology-and-home-broadband-2019/>.



smartphones for Internet access.³ In fact, Black and Hispanic Americans are around twice as likely to rely on a smartphone while not having a home broadband connection.⁴ Similarly, 26% of adults earning less than \$30,000 a year own smartphones but do not use broadband internet at home compared to 6% of adults making over \$75,000.⁵ At the same time, many people remain disconnected from even a mobile connection. Nearly 30% of adults living in households with incomes below the poverty line do not own a smartphone, and almost 40% lack a home broadband subscription or computing device.⁶ Many of those who forgo home broadband subscriptions have claimed that they do so because of smartphone internet access.⁷

I reiterated the importance of the Commission’s leadership on educating the public about the EBBP. Of particular importance is ensuring that Lifeline and EBBP participants, as well as program allies, understand that these programs are not intended to be mutually exclusive. The Commission should be explicit in its public education campaign that Lifeline and EBBP subscribers can participate in both programs concurrently. Further, the Commission and participating providers should also reiterate that use of a subsidized device through the EBBP or Lifeline programs, such as a tablet or cell phone respectively, does not create a conflict.

Considering the EBBP goal to connect all eligible low-income residents, I stated the need to advertise online and offline. We discussed the need for the Commission to work with USAC to generate a central repository of information, such as a website, that will allow those who are already connected to gain more information about the EBBP, how to apply, what providers are available in their area, what their service offerings are, and at what price. Additionally, the Commission must ensure that it is also advertising this program offline, for example, via public services announcements on radio and public access television. Otherwise, low-income populations who do not have reliable internet access may not know about their eligibility. Publicizing basic information about the program could be the difference between them enrolling in the EBBP or continuing to struggle with being disconnected.

Respectfully Submitted,

/s/ Ryan Johnston
Ryan Johnston
Policy Counsel, Federal Programs
Next Century Cities

³ See Pew Research Center, *Mobile Fact Sheet* (June 12, 2019), <https://www.pewresearch.org/internet/fact-sheet/mobile/>.

⁴ *Id.*

⁵ *Id.*

⁶ Monica Anderson and Madhumitha Kumar, *Digital Divide Persists Even as Lower-Income Americans Make Gains in Tech Adoption* (May 7, 2019), <https://www.pewresearch.org/fact-tank/2019/05/07/digital-divide-persists-even-as-lower-income-americans-make-gains-in-tech-adoption/>.

⁷ See Monica Anderson, *Mobile Technology and Home Broadband 2019* (June 13, 2019), <https://www.pewresearch.org/internet/2019/06/13/mobile-technology-and-home-broadband-2019/>.



cc: Trent Harkrader

