



## EMERGENCY BROADBAND BENEFIT PROGRAM

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COLLABORATE. INNOVATE. ACCELERATE.

The Consolidated Appropriations Act of 2021 established the Emergency Broadband Benefit (EBB) Program and allocated \$3.2 billion to provide eligible low-income households with a monthly discount of up to \$50 on their internet service. Households can also get discounts on a laptop, tablet or desktop computer. The Federal Communications Commission (FCC) is responsible for administering the program, and it is expected to launch in mid-Spring 2021. The EBB Program will terminate when funds are exhausted or six months after the end of the COVID emergency period, whichever comes first. This newly created program could ensure approximately [33 million low-income households](#) have internet access and a connected device during the COVID-19 pandemic.

On February 26, the FCC released [final rules](#) to implement the EBB Program after a public comment period. The FCC incorporated several of [SAHF's recommendations](#). We are pleased that the final rules reflect the urgent need to bridge the digital divide during the COVID-19 pandemic.

SAHF will actively monitor FCC communications to know when an exact start date is announced and will communicate with members and other stakeholders. Stakeholders should consider sharing information about EBB with eligible households ahead of the launch, to encourage prompt applications and prepare required documentation.

SAHF is pleased to see the FCC final rules incorporate our recommendation to develop and implement a communications strategy to promote awareness of the EBB program, including encouraging federal agencies like HUD to promote the EBB program to eligible households. SAHF will be monitoring communications around EBB, sharing relevant training materials and resources with members and stakeholders as they are released.

Below are the program's parameters, especially relevant for affordable housing providers.

### Mechanics of EBB:

- The FCC will use allocated EBB funds to reimburse approved broadband providers for offering discounted service plans and/or a connected device to eligible households.
- Participation is voluntary and broadband providers must be eligible telecommunications carriers that offer broadband Internet access service to households as of December 1, 2020. The FCC's definition allows for traditional internet service providers (ISPs) as well as alternative broadband providers like community-owned networks, electric cooperatives, or municipal governments to participate in the EBB Program.
- Eligible households must be verified and apply directly with the ISP.

### Eligible Households:

The FCC will use the Lifeline program's definition of household<sup>1</sup> for EBB, limiting to each 'economic unit' a broadband service discount and single connected device reimbursement.

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<sup>1</sup> Lifeline rules define an "economic unit" of all adult individuals contributing to and sharing in the income and expenses of a household. An adult is any person eighteen years or older. If an adult has no or minimal income, and lives with someone who provides financial support to him/her, both people shall be considered part of the same household. Children under the age of eighteen living with their parents or guardians are considered to be part of the same household as their parents or guardians. 47 CFR § 54.400(h).



A household is eligible if at least one member meets any of the following criteria:

- Qualifies for the Lifeline program<sup>2</sup>.
- Experienced a substantial loss of income since February 29, 2020 (layoff, furlough notice, applied for unemployment benefits).<sup>3</sup>
- Meets the eligibility criteria for a participating providers' existing low-income or COVID-19 program.
- Receives benefits under the free and reduced-price school lunch program or the school breakfast program, or did so in the 2019-2020 school year.
  - *FCC accepted SAHF's recommendation that all households with children enrolled in the highest-poverty schools that participate in USDA's Community Eligibility Provision automatically qualify (they still must choose to enroll in program).*
- Received a Federal Pell Grant during the current award year.

*\*Important notes:*

- *A household is eligible even if a member currently receives Lifeline benefits.*
- *A household is eligible even if a member has current or past debt with an ISP, which has been a barrier to participation in most internet service plans.*

#### **Verification Process and Enrollment:**

- **Current Lifeline Participants:** Automatically eligible for EBB and will not need to apply for the EBB Program or submit new eligibility documentation but must still opt-in with their ISP or affirmatively request enrollment in EBB to participate. Lifeline subscribers can keep their current benefits and also add a plan, wired or wireless, that is offered through EBB.
- **Non-Lifeline Participants:** Households not currently verified through Lifeline can apply through the National Lifeline Eligibility Verifier when the program begins (online or paper application). In addition, ISPs can opt to use their own approved alternative processes to verify households, and households eligible based on participation in free and reduced lunch programs can be verified by the school.
- **Households in bulk billing arrangements** (households not directly billed for services by their ISP, but instead pay a monthly fee for broadband services to their landlord): The eligible household must provide consent to the bulk purchaser (landlord) or participating ISP to apply their EBB Program benefit to that service.
  - *\*In cases where the household does not pay a fee for the service, either to the provider or a bulk purchaser, but the fee is paid by another entity, (Ex. school districts, health care providers, assisted living or nursing facilities, local governments) the service cannot be claimed for EBB Program support.*

*\*Important Notes*

- The final rule does not provide blanket eligibility for federally-assisted multifamily housing properties as SAHF recommended in its comments. *SAHF will continue to work with its*

<sup>2</sup> Lifeline qualifications: If the household is at or below 135% of the Federal Poverty Guidelines, or if at least one member of the household participates in Medicaid, Supplemental Nutrition Assistance Program (SNAP), Supplemental Security Income (SSI), Federal Public Housing Assistance (FPHA), or Veterans and Survivors Pension Benefit

<sup>3</sup> Aligns with income limits set by CDC eviction protection; "household that has suffered a job loss must not have had an income in 2020 greater than \$99,000 for single-filers and \$198,000 for joint filers."



members, HUD and affordable housing partners to lower barriers for participation among eligible residents.

- The National Verifier requires a Social Security number which creates barriers to participation for EBB. We are pleased to see the FCC allow additional options to verify an applicants' identity, including a government-issued ID, passport, driver's license, or TIN. The rule directs USAC (which administers Lifeline and the National Verifier) to develop criteria for acceptable identity documentation.

#### **Program Communication:**

- **EBB is Temporary:** At the time of enrollment and on a monthly basis, ISPs must communicate through a bill (or other methods) with participating households that the EBB is a temporary benefit and the household will be subject to the provider's undiscounted rates at the end of the program (with the exact rate disclosed).
- **Transfers:** The household can transfer their EBB Program benefit to another participating provider at any time.
- **Notice of End of Program:** Because the FCC cannot offer a definite program end date (fund depletion depends on consumer interest and reimbursement claims), the FCC plans to track program utilization and forecast when the fund has 75-90 days left and will notify households and ISPs once they have identified the expected exhaustion of the fund. The FCC will then announce a 60-day notice of the program's termination. ISPs must notify customers, no less than 15 days following the notice, about the last date or service month that EBB will apply to their bill and the expected rate of the broadband service once the benefit expires.
  - *This is less than the 90 days' notice recommended by SAHF. Property owners/managers may wish to communicate the termination date as well to ensure that residents make plans for transition.*
- To safeguard consumers from paying more for internet service when their emergency benefit lapses, ISPs must notify households again, at least 30 days before the program's end of the upcoming increase to their monthly bills. Moreover, before households can continue with their broadband service and are charged the standard rate by their ISP, the FCC requires that providers obtain an affirmative opt-in from households at any time while the household is participating in the Program.
- Given the unpredictable rate of reimbursements, the FCC cautions that consumers could be financially responsible for any cost not covered by the final reimbursement during the last month of service. However, the FCC requires that consumers cannot pay more than 50% of the final bill if EBB funds are exhausted.
- FCC hopes that ISPs will consider ways in which they can financially support their customers as the benefit ends and that households look to transition to comparable broadband services, including continuing with the same broadband service offered at a discounted rate subsidized by the ISP.

#### **3. Covered Service & Devices:**

- Households can only receive one connected device from their ISPs and must contribute a one-time fee of \$10-\$50.



- Connected devices eligible for reimbursement include a laptop, desktop computer or tablet. Mobile phones or smartphones do not qualify.
- There are no minimum system requirements but connected devices must be able to support video conferencing, camera functionality and online learning software.

*SAHF urged the FCC to incentivize ISPs to provide households with more than one device and expressed concern about the household contribution. This may be an opportunity for SAHF members to leverage philanthropic partnerships to help residents make contributions and access these low costs devices or additional devices needed for larger households.*

- **Speed:** SAHF advocated ISPs offer plans that provide speeds at a minimum of 25/3 mbps, but the FCC declined to impose minimum standards on internet plans, only that “broadband speeds should be sufficient for telework and distance learning, and discount-eligible Internet service offerings should feature speeds comparable to those offered to market-rate customers.”
- **Bundles:** ISPs can offer both standalone broadband service and broadband service offerings bundled with voice, text messaging, and/or associated equipment. Bundles with video services are not permitted.
- **Equipment:** The EBB discount can apply to associated equipment provided by ISPs including modems, routers, hotspot devices and antennas. If households opt-in to continue receiving internet services when their benefit expires, equipment rentals are subject to ISP’s standard rate charges.

*For more information, please contact [Lucas Asher](#), Policy Associate, Housing Stability and Resident Well-Being.*