



December 8, 2021

Marlene H. Dortch
Secretary
Federal Communications Commission
Office of the Secretary
45 L Street NE,
Washington, DC 20554

Re: WC Docket No. 21-450, Comments in Response to Wireline Competition Bureau Seeks Comment on the Implementation of the Affordable Connectivity Program

Thank you for the opportunity to submit comments regarding the Federal Communications Commission's (FCC) request for comments on the implementation of the Affordability Connectivity Program, released on November 18, 2021.

The Asian American Tech Table was created to facilitate a more unified Asian American voice and presence in national tech and telecom policy debates. The Table, which is co-chaired by Asian Americans Advancing Justice | AAJC and OCA – Asian Pacific American Advocates (OCA), convenes regularly with its members to discuss relevant policy concerns, while also engaging with industry and other stakeholders to raise the visibility of the Asian American community in tech policy and digital civil rights issues. Members of the Asian American Tech Table include The Center for Asian Pacific American Women, Filipina Women's Network, Japanese American Citizens League, Asian Pacific American Institute for Congressional Studies, Council of Korean Americans, Asian/Pacific Islander American Chamber of Commerce and Entrepreneurship, South Asian Americans Leading Together, National Queer Asian Pacific Islander Alliance, and National Council of Asian Pacific Americans. We represent the technology and telecom policy interests of the Asian American community.

We commend the FCC's efforts in the past several months to develop and implement the Emergency Broadband Benefit (EBB) program in recognition of the critical need to bridge the digital divide for low-income households during this pandemic. With over 8 million enrolled households, the accomplishments of EBB have underscored how vital broadband access is for communities across the country to attend school, find employment opportunities, work from home, access government services, stay connected with loved ones, and fully participate in the 21st century economy. Our hope is that the Affordable Connectivity Program (ACP) will build on the successes and learn from the shortcomings of EBB to continue the vital work of bridging the digital divide.

As organizations that participated in the outreach and enrollment phases of EBB, we learned many lessons firsthand and have a number of recommendations that are particularly relevant to Asian American communities and that we hope can be applied during the implementation of ACP:

- Greater investment in language access for high-quality outreach materials and more in-language applications
- Funding to train and support trusted messenger and digital navigators
- Maintaining associated equipment in the ACP
- Opt-out options for EBB-enrolled households eligible for ACP
- Explicit clarification on required identity verification documents
- Inclusion of demographic data in addition to Zip-5 level enrollment and eligibility data
- Prioritizing outreach in non-online spaces (radio, TV, print, etc.) for hard to reach communities
- Cross-program application and enrollment

Funding for improved and expanded language access

The FCC made a commendable effort to provide EBB outreach materials in Arabic, Amharic, Burmese, Traditional Chinese, Simplified Chinese, French, Haitian Creole, Korean, Portuguese, Russian, Somali, Spanish, Tagalog, and Vietnamese. We also praise the FCC's willingness to engage with us and other organizations serving communities with limited English proficiency who had feedback on translated materials. However, we strongly urge FCC to allocate greater funding and resources for high quality and culturally competent in-language materials and more translations for the application itself. Our organizations found that many of the translations for Asian languages were lacking in quality, too technical to be useful for the average reader, or not culturally appropriate. We hired translators to create our own outreach materials, but the burden of such work and expenses should not fall upon community-based organizations or nonprofits. The FCC's translations should be supplemented with user testing to ensure translations are well-suited for the language and cultural understanding of the intended recipients.

The FCC, and federal government broadly speaking, must invest in building out its language access capacities as it prepares to implement the ACP. Furthermore, while EBB outreach materials in numerous languages were provided by the FCC, the application itself was only available in English and Spanish. At minimum, the application should be available in all 14 of the non-English languages that outreach materials were provided in. Making the application itself available in other languages will go a long way to reducing translation barriers for LEP populations.

Funding for digital navigators

Many of the organizations represented by the Asian American Tech Table are either themselves trusted messengers in the communities we serve or have grassroots chapters that engage in direct services as trusted messengers. Our organizations and our partners assisted many Asian American households through the process of applying for EBB but with little training or compensation themselves. The EBB application process often proved complex and challenging, with compounding difficulties for those in need of language assistance. With the modifications to eligibility requirements and a requirement for households who previously qualified for EBB through eligibility criteria inapplicable to ACP to re-demonstrate eligibility, it's imperative that adequate resources are allocated to train digital navigators to apply for ACP in order to adequately reach underserved communities of color.

Associated equipment

The EBB program, in addition to the subsidy towards broadband service, also offered a \$100 dollar device credit for associated equipment such as modems, routers, hotspot devices, and antennas. Although the bill text of the Infrastructure Investment and Jobs Act removed a reference to “associated equipment”, we strongly believe that costs for such equipment should continue to be eligible for the ACP. Households that receive a subsidy towards their broadband service will not be able to actually take advantage of this subsidy if they do not have the necessary equipment to access broadband. Maintaining associated equipment within the ACP program will enable the program to fully carry out its mission of making Internet connectivity affordable and accessible.

Affirmative consent or opt-in for EBB-enrolled households to enroll in ACP

The FCC proposes that households currently enrolled in the EBB program and are eligible for the ACP must opt-in or affirmatively consent to enrollment in ACP. As the benefit for households not on Tribal lands is being reduced from \$50 monthly subsidy to a \$30 monthly subsidy, we recognize the need for households to be actively aware of and make informed decisions about possible changes in their service as the transition from EBB to APC commences. However, we are concerned about the likelihood that many households currently enrolled in EBB and eligible for ACP may unintentionally fail to opt in or provide affirmative consent for ACP. Treating both programs as entirely distinct and requiring a new opt-in for ACP would be confusing for consumers and would result in many consumers facing disconnection or bill shock when they lose their subsidy entirely. This cannot be the intended or desired outcome of the ACP implementation.

A common sense solution to prevent this outcome would be to provide customers advance notice with an opportunity to opt-out of the ACP. Such an approach would help achieve the ultimate goal of providing broadband to low income households who need it most without causing unnecessary disruption. For households who are currently using \$30 dollars or less of their monthly EBB subsidy, it would make sense for them to be automatically enrolled in ACP, as this option allows them to make no changes and continue to receive free service. If they read the notice and decide they do not want to be in the government program any longer, they can cancel at any time. For households that are using \$30-50 dollars of their subsidy, and therefore would see changes to their service after the implementation of ACP, we believe these households should not be cut off from service if they fail to affirmatively consent or opt-in by the end of the 60 day transition period. It would be more detrimental to households who had been previously relying on a \$50 dollar subsidy for broadband service to lose the entirety of that benefit rather than seeing a reduction of \$20 dollars and also having the option to change plans or cancel at any time.

ACP identity verification

Another issue we raised with the FCC prior to the official launch of EBB and that we hope will not re-emerge with the implementation of ACP was the ambiguity of Social Security Numbers (SSN) as a valid identity verification document. Many Asian American communities lack trust in government services and are wary of programs that appear to elicit questions of citizenship status. While we were pleased that a SSN was not required to verify an EBB applicant’s identity, we were initially concerned that this fact was not made explicit enough in the EBB application, potentially generating confusion and fear among immigrant communities. We thank the FCC for recognizing this issue after numerous partners raised it and for clarifying it within the first few days of the EBB application going live. We urge the FCC to make clear and explicit that SSN is only one of many possible documents that can verify an applicant’s identity and that it is absolutely not required to apply for ACP.

To avoid confusion in the future on this issue and other parts of the application, we suggest that the FCC engage in user-research and testing to ensure the application process is seamless and language that may be confusing or misleading is corrected before the launch of the program.

Detailed and disaggregated Asian American demographic data

The FCC's Zip-3 and Zip-5 level EBB enrollment data have potential but are relatively limited in practice for identifying, in particular, underserved racial and ethnic minorities who are currently participating in the EBB program or are eligible but not yet enrolled. Adequate data on Asian Americans, and especially disaggregated data, is scarce and the current disaggregated data paints a skewed picture of our communities' access to broadband. While studies allege that Asian Americans are well-connected, such studies do not account for the inequities among Southeast Asian, South Asian, low-income, immigrant, and LEP communities. Digital divide indicators such as educational attainment, income level, and English proficiency vary significantly among Asian American communities. For example, In 2015, 2.6% of SNAP recipients were categorized as Asian American. But disaggregated data reveals that 2.38% of Thai Americans were enrolled in the program compared with 67.3% of Bhutanese Americans. This granularity of data does not exist for Asian Americans and EBB or Lifeline, but this can change with ACP.

In this landscape of insufficient data on Asian Americans and broadband access, the FCC has the potential to provide groundbreaking and illuminating data if it provides demographic data alongside Zip-5 ACP enrollment and eligibility data. Too many Asian American households are left behind in the digital divide because the currently available data simply invisibilizes them and assumes that all Asian Americans are already connected to broadband. Zip-5 level enrollment data presents a good start, allowing the comparison of zip codes with significant Asian American populations with the data provided by the FCC to roughly estimate the percentage of Asian Americans by zip code who have enrolled in EBB. However, these numbers represent only a rough approximation, and, given the limitations of other data sets such as those from the American Community Survey or Census Bureau, do not present a full, disaggregated picture of Asian American enrollment in EBB. Granular data can reveal which particular Asian American subpopulations can benefit the most from the ACP, which ones have enrolled, and which ones require more dedicated and targeted resources to help get connected. Disaggregated demographic data can make a tremendous difference in bridging the digital divide and addressing racial and ethnic inequities among Asian Americans.

Additional data, such as the progress of enrollment, where some applicants left the application incomplete, what languages the applicant was using, and what types of plans enrollees select can also be helpful to community messengers who are working to make the process easier for beneficiaries. For example, if the FCC found that applicants were able to complete the application but often failed to correctly upload identity verification documents, community messengers could be better trained to assist applicants with this specific step. Sharing this data with community partners and advocates will make trouble-shooting and feedback more efficient.

Prioritizing outreach in non-online spaces (radio, TV, print, etc.) for hard to reach communities

In order to reach as many hard-to-reach communities as possible, the FCC should prioritize and invest in as much radio, television, print, and other non-online outreach as possible. While online promotion and resources can be helpful, many of the households who are in the greatest need of a broadband subsidy do not have adequate broadband access to come across online messaging of the program. They are much more likely to come across information about the program when it is presented in the media that they already consume, in the languages that they are most comfortable with, from the trusted messengers that they are most familiar with. Thus, outreach should take on various media forms, target

smaller and more niche media outlets like ethnic broadcast stations, and be created by those who are most familiar with communities on the ground. The FCC should work directly with trusted messengers to specialize PSAs for each targeted audience and disseminate these resources directly to the community.

Cross-program application and enrollment

Many individuals and households who qualify and apply for other federal and state government assistance programs such as Lifeline, healthcare, SNAP, housing benefits, etc. may also qualify for the ACP benefit. In order to maximize enrollment of qualified individuals and households, the FCC should enable applicants to other government benefits to be able to simultaneously apply for the ACP, instead of requiring separate individual applications for each program. Applications often overlap in requirements and application materials. If individuals were able to apply to programs all at once or even enroll automatically because of their participation in one of the programs (eg: a Pell Grant recipient is automatically enrolled in ACP without needing a separate application because we already know their Pell Grant status qualifies them for the broadband subsidy). Making the sign-up process as easy as possible will make the program more accessible to those who need it most, especially those who may not have the resources or support to sign up for multiple programs across various agencies and many different application portals.

Conclusion

The Emergency Broadband Benefit program has helped over 8 million and counting households access affordable broadband in the midst of a pandemic that has accelerated the digitization of our society and economy. The EBB's successes prove that there is an urgent need to bridge the digital divide especially for low-income communities of color, and the Affordable Connectivity Program is an excellent step towards meeting that need.

The Asian American Tech Table thanks the FCC for the opportunity to comment on the implementation of the Affordable Connectivity Program. We are optimistic that the many lessons learned through EBB can be applied towards ACP in order to make this program effective and equitable and to bring us closer to bridging the digital divide for all.

Thank you,

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