

II. Committee on Telecommunications

TC -1 Resolution for Federal and State Entities to Promote Consumer Awareness of the Affordable Connectivity Program and Share Database Access to Automatically Verify the Eligibility of Consumers for the Program.

Whereas the federal government has made a historic investment in the Affordable Connectivity Program (“ACP” or “Program”) implemented by the Federal Communications Commission (“FCC”) to increase the access to affordable high-speed broadband for eligible low-income families;

Whereas the Infrastructure Investment and Jobs Act (“Infrastructure Act”) funded the \$14.2 billion budget for the ACP, including specifically designated funds to administer and promote the Program;

Whereas the Infrastructure Act reflects that the federal government and states have been long-term partners in jointly implementing and promoting programs that increase access to broadband;

Whereas in past resolutions, the National Association of Regulatory Utility Commissioners (“NARUC”) has consistently supported federal-state partnerships in broadband deployment and adoption program implementation, data sharing, and reporting, including during the implementation of the National Verifier for the FCC Lifeline Program;

Whereas the Infrastructure Act provides eligibility for ACP to all households that are currently enrolled in Lifeline; the federal Department of Agriculture’s Supplemental Nutrition Assistance Program (“SNAP”) and the Special Supplemental Nutrition Program for Women, Infants, and Children (“WIC”); and the Medicaid Program implemented by the Department of Health and Human Services;

Whereas the 2022 FCC ACP Report and Order required Universal Service Administrative Company (“USAC”) to establish connections with program databases for WIC for the purpose of establishing ACP eligibility;

Whereas approximately 12.5 million eligible households are enrolled in ACP, which represents less than 27% of the estimated 46.3 million households eligible for ACP;

Whereas approximately 79.9% of the eligible U.S. population participated in SNAP in 2016, and 84% of the U.S. population eligible for Medicaid participated in the program in 2016;

Whereas 11.64 million (~65%) of the 17.8 million households that submitted applications for ACP to the National Verifier claimed eligibility based upon participation in SNAP or Medicaid, according to USAC data;

Whereas providers of ACP and Lifeline service have collected customer survey data among Lifeline subscribers that suggests the most common reason that those ACP-eligible households do not enroll is a lack of awareness of the Program;

Whereas FCC Chairwoman Jessica Rosenworcel has urged state and federal agency partners to promote consumer awareness of ACP in order to increase the level of participation in ACP by eligible households;

Whereas there are administrative efficiencies in promoting awareness of ACP through federal and state departments of agriculture and health that implement other social service and healthcare programs for communities and households that are also eligible for ACP;

Whereas in 2016, the FCC issued a *Third Report and Order, Further Report and Order, and Order on Reconsideration*, (31 FCC Rcd 3962) that created a national Lifeline Eligibility Verifier (“National Verifier”) to improve the Lifeline enrollment process; and as of December 2020, the National Verifier had launched in all 56 states and jurisdictions;

Whereas experiences in launching the National Verifier demonstrated that access by the National Verifier to state databases for SNAP and federal/state Medicaid databases greatly improved the National Verifier’s efficiency and accuracy in verifying eligibility and the ease of enrollment for low-income consumers;

Whereas in February 2019, NARUC passed a resolution urging USAC to ensure critical state/federal databases for eligibility programs such as SNAP and Medicaid are utilized in states where the National Verifier had been or was being launched;

Whereas 18 months after the completed launch of the National Verifier, the SNAP databases in 28 states have not been connected with the National Verifier due to a number of barriers, including lack of funding, and the gaps in database connections substantially hinder consumer participation in Lifeline;

Whereas following the launch of the National Verifier, the Government Accountability Office (“GAO”) reported that 68% of Lifeline applicants dropped out of the manual eligibility review process, which was necessitated by a lack of National Verifier APIs with certain state SNAP databases;

Whereas the FCC has directed providers to enroll households in ACP through the National Lifeline Accountability Database (“NLAD”) and the National Verifier, however the National Verifier does not have access to the enrollment databases of SNAP, Medicaid, WIC, among other programs (“ACP-eligibility programs”) in all states;

Whereas the lack of access by the National Verifier to databases of ACP-eligibility programs requires USAC to request from applicants and manually review documentation to establish eligibility;

Whereas providers have documented instances of eligible households waiting multiple hours or even days for USAC to manually verify the eligibility of those households for ACP; and automatic cross-referencing of the subscriber databases of programs that can establish eligibility for ACP would greatly improve the timeliness of eligibility verification by USAC; *now therefore be it*

Resolved that the Board of Directors of the National Association of Regulatory Utility Commissioners, convened at its 2022 Summer Policy Summit in San Diego, California, requests that state commissions, the FCC, and USAC work collaboratively with federal and state agencies that implement programs whose target participants are eligible for Lifeline and ACP to promote awareness of the Program among eligible households; *and be it further*

Resolved that the FCC and USAC will establish agreements with federal and state departments of agriculture and the health and human services, and other federal and state agencies implementing programs that establish consumers' eligibility for Lifeline and ACP.

Passed by the Committee on Telecommunications on July 19, 2022

Adopted by the NARUC Board of Directors on July 20, 2022