



NHCSL

THE NATIONAL HISPANIC CAUCUS OF STATE LEGISLATORS

RESOLUTION No. 2022-10

Making the Affordable Connectivity Program (ACP) Permanent

Reported to the Caucus by the NHCSL Broadband and Technology Task Force
Rep. Andy Vargas (MA), Chair

**Sponsored by Sen. Moisés “Mo” Denis (NV), Sen. Gustavo Rivera (NY) and Rep.
Ángel Matos (PR)**

Unanimously ratified by the Caucus on December 1, 2022

WHEREAS, on December 11, 2020, the National Hispanic Caucus of State Legislators ratified Resolution 2020-10, [Addressing the Broadband Access Crisis by Extending Low-Income Subsidies and Maximizing Electric Infrastructure](#), calling in part on the FCC, Congress, and the President to create a permanent technology-neutral broadband subsidy for low-income Americans funded through appropriations, taking into account small area cost-of-living considerations; and,

WHEREAS, that resolution, and the previous ones it built on, explained that broadband has become as essential as, or essential to, other necessities for which the government subsidizes low-income Americans like healthcare and education, along with the impacts of the digital divide; and,

WHEREAS, on December 27, 2020 Congress enacted an [Emergency Broadband Benefit](#) Program (EBB) as a temporary subsidy on monthly broadband services for qualifying low-income households to ensure they could afford broadband connections needed for necessities like work, school and telehealth; and

WHEREAS, on November 25, 2021, Congress enacted the Infrastructure Investment and Jobs Act which modified and extended the EBB program and renamed it the [Affordable Connectivity Program](#) (ACP) to make broadband service and connected devices available to low-income households at affordable, discounted prices from providers that opt to participate in the program; and

WHEREAS, the [ACP](#) provides a subsidy of up to \$30 per month toward internet service for eligible households and up to \$75 per month for households on qualifying Tribal lands;¹ and,

WHEREAS, ACP-eligible households are those at or below 200% of the Federal Poverty Guidelines or if a member of the household meets one of the following:

- received a Federal Pell Grant during the current award year;
- meets the eligibility criteria for a participating provider’s existing low-income internet program;
- participates in identified assistance programs;² or,
- participates in a qualifying assistance program³ and lives on Qualifying Tribal Land; and,

WHEREAS, the ACP became effective on March 16, 2022, and [over 13 million](#) households signed up by July 21, 2022; and,

WHEREAS, Congress approved \$14 billion for ACP and meaning that, unless it makes further appropriations, the program will run out of funds in the next 2 years; and,

WHEREAS, after the broadband expansion investments of the [Broadband Equity, Access, and Deployment \(BEAD\) Program](#) and others are made, even more households, especially families of color, will likely qualify for the ACP.

THEREFORE, BE IT RESOLVED, that the National Hispanic Caucus of State Legislators recognized the improvements brought by the Affordable Connectivity Program and renews its call for a permanent technology-neutral broadband subsidy for low-income Americans funded through appropriations, by making ACP permanent, and ensuring improved coverage through applying small-area cost of living adjustments to the qualifying poverty guidelines; and,

¹ Eligible households can also receive a one-time subsidy of up to \$100 to purchase a laptop, desktop computer, or tablet from participating providers if they contribute more than \$10 and less than \$50 toward the purchase price. The program is limited to one monthly service and one device discount per household.

² Programs like SNAP, Medicaid, Federal Public Housing Assistance, Supplemental Security Income, WIC, Veterans Pension or Survivor Benefits, or Lifeline.

³ Those tribal programs are Bureau of Indian Affairs General Assistance, Tribal TANF, Food Distribution Program on Indian Reservations, and income based Tribal Head Start.

BE IT FURTHER RESOLVED, that NHCSL encourages ISP's to be cognizant of the impact of inflation when determining pricing for internet service to families and small businesses.

THE BROADBAND AND TECHNOLOGY TASK FORCE UNANIMOUSLY RECOMMENDED THIS RESOLUTION TO THE EXECUTIVE COMMITTEE FOR APPROVAL. THE EXECUTIVE COMMITTEE UNANIMOUSLY APPROVED THIS RESOLUTION AT ITS MEETING OF NOVEMBER 18, 2022.

THE NATIONAL HISPANIC CAUCUS OF STATE LEGISLATORS UNANIMOUSLY RATIFIED THIS RESOLUTION ON DECEMBER 1, 2022 AT ITS ANNUAL MEETING IN LAS VEGAS, NEVADA

