

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Ensuring Rural Access to Affordable Mobile Wireless Broadband Through Online Enrollment)	WC Docket No. _____
)	
Bridging the Digital Divide for Low-Income Consumers)	WC Docket No. 17-287
)	
Lifeline and Link Up Reform and Modernization)	WC Docket No. 11-42
)	
Telecommunications Carriers Eligible for Universal Service Support)	WC Docket No. 09-197
)	

**EMERGENCY PETITION OF Q LINK WIRELESS, LLC
FOR AN ORDER DIRECTING THE UNIVERSAL SERVICE ADMINISTRATIVE
COMPANY TO IMPLEMENT MACHINE-TO-MACHINE INTERFACES FOR THE
NATIONAL VERIFIER**

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Pursuant to 47 C.F.R. § 1.1, Q Link Wireless, LLC (“Q Link”) respectfully requests that the Federal Communications Commission (“FCC” or “Commission”) immediately issue an order directing the Universal Service Administrative Company (“USAC”) to implement application programming interfaces (“APIs”) for the National Verifier that permit Eligible Telecommunications Carriers (“ETCs”) to exchange information with USAC, including information necessary to establish eligibility, on a machine-to-machine basis when consumers seek to enroll in Lifeline.

Q Link strongly supports the creation of the National Verifier to make USAC, rather than each ETC, the entity that determines whether an individual customer is eligible for Lifeline. This will be a step forward in preventing waste, fraud and abuse. But USAC’s implementation will be unnecessarily difficult and confusing for consumers, especially rural Americans; will

expose consumers to phishing fraud by unscrupulous individuals; and will increase the National Verifier’s annual operating costs by tens of millions of dollars. There are right ways and wrong ways to do things, and USAC’s current path is the wrong way. The FCC should direct an immediate course correction.

INTRODUCTION AND SUMMARY

USAC has designed the National Verifier in a manner that will make it significantly harder for eligible consumers to enroll online to participate in Lifeline—and will flash cut to that new online enrollment process upon the National Verifier’s “hard launch” planned for the end of 2018. Because rural Americans and constituencies such as disabled veterans and seniors are less likely to have access to retail or in-person Lifeline enrollment, these groups rely more on online enrollment and will have their access to Lifeline disproportionately frustrated by USAC’s planned implementation.

Low-income rural Americans and the disabled are no less in need of Lifeline to obtain affordable access to wireless voice and broadband services than are other eligible consumers. Yet USAC has designed its National Verifier process to preclude a consumer seeking to enroll in Lifeline online from receiving any assistance from an ETC during USAC’s initial eligibility verification process. This stands in stark contrast to in-person enrollment via an ETC employee or agent, for which USAC has implemented a special “agent portal.” USAC’s approach disproportionately harms rural consumers because ETCs are much less likely to dispatch employees or agents to rural locations, simply because the costs associated with in-person enrollment makes ETCs more likely to place sales personnel in denser urban areas with higher concentrations of Lifeline eligible consumers. It also harms veterans, seniors, and other individuals who depend extensively on online enrollment, and would directly undermine efforts to “promot[e] broadband Internet access service for veterans, in particular low-income veterans

and veterans residing in rural areas.”¹ Incredibly, USAC is not even trialing its new, cumbersome online enrollment process during the National Verifier’s “soft launch” (currently underway) before making it mandatory, despite the high stakes for rural America.

USAC’s new and untested online process will require consumers *first* to apply to USAC for a determination that they are in fact eligible, and find and apply to an ETC for Lifeline service only *after* completing USAC’s approval process. Online consumers cannot come to the ETC first, apply to the ETC for service, and, as part of that application procedure, enlist the assistance of an ETC as they navigate USAC’s process to confirm consumer eligibility. USAC thus apparently plans to eliminate rural consumers’ ability to complete all steps to enroll in Lifeline online, including establishing their eligibility for Lifeline, through ETCs—even though USAC itself would be making key determinations of eligibility and identity verification. This approach differs from USAC’s treatment of in-person applicants, who can enroll through ETCs using the National Verifier’s “agent portal” now in “soft launch”; it will require all rural or disabled consumers seeking to enroll in Lifeline online to use the National Verifier’s consumer portal, even though the consumer’s successful completion of eligibility verification through the consumer portal cannot, by itself, result in the consumer receiving Lifeline service. It is difficult to see how this clunky implementation would meet the Commission’s objective of making the National Verifier consumer-friendly, or would follow the Lifeline program’s “lodestar” of

¹ Consolidated Appropriations Act, 2018, P.L. 115-141, Division P, § 504(b), 132 Stat. 348, the Repack Airways Yielding Better Access for Users of Modern Services (RAY BAUM’S) Act (requiring the Commission to “submit to Congress a report on promoting broadband Internet access service for veterans, in particular low-income veterans and veterans residing in rural areas” on or before March 23, 2019).

“empower[ing] low-income seniors and all eligible Americans” with improved telecommunications access, and thereby “bridging the digital divide.”²

Even worse, there is no accountability and no stated rationale for this extraordinary approach, which reflects an abrupt change in course from original USAC designs. No one—not USAC, the Wireline Competition Bureau, nor the Chairman’s staff—to date can explain why USAC shifted direction. Although USAC has told Q Link that “the idea is for the [National Verifier] portal to be the intake, not another system or form,” that design criterion was not specified in the Commission’s Order directing the development of the National Verifier. It is also completely unnecessary to ensure that the National Verifier, rather than each ETC, acts as the final arbiter of consumer eligibility, or that all providers utilize standardized forms—which the FCC already requires.³

This is a policy issue beyond the limits of USAC’s authority that must be decided by the Commission. The FCC did not mandate such a restrictive approach when it directed the development and implementation of the National Verifier. In that Order, the Commission intended that the National Verifier would provide a means for ETCs to “establish or verify” eligibility, including potentially via APIs, and suggested that its new direct consumer portal would supplement, not supplant, applications through ETCs.⁴ The Commission must take

² See Letter from Chairman Ajit V. Pai, Federal Communications Commission, to the Honorable Susan Collins, Chairwoman, United States Senate Committee on Special Committee on Aging, at 2 (June 8, 2018), <https://docs.fcc.gov/public/attachments/DOC-351688A5.pdf>.

³ *Wireline Competition Bureau Provides Guidance on Universal Forms for the Lifeline Program*, Public Notice, DA 18-161, 33 FCC Rcd. 1920 (2018) https://transition.fcc.gov/Daily_Releases/Daily_Business/2018/db0220/DA-18-161A1.pdf.

⁴ *Lifeline & Link Up Reform & Modernization*, Third Report and Order, Further Report and Order, and Order on Reconsideration, 31 FCC Rcd. 3962, 4012 ¶¶ 138-140 & n. 390 (2016) (“*2016 Lifeline Modernization Order*”)

responsibility for the divergent result here, and for someone’s apparent decision to design the National Verifier to make it much harder for rural and disabled consumers to access Lifeline as compared with urban consumers. It must direct that decision to be reversed and corrected.

The Commission can fully advance—and even enhance—its objectives of preventing waste, fraud, and abuse and reducing the costs of administering the program by directing USAC to implement APIs that permit carrier-assisted online enrollment:

- The existing National Verifier design already recognizes that carriers will play an important role in helping consumers navigate the enrollment process and can do so without undermining the integrity of the program. The National Verifier contains an agent portal that permits agents to assist consumers enrolling in-person with assembling the information required by the National Verifier, including any required supplemental documentation. There is no reason why ETCs should be barred from providing that same assistance remotely to meet the needs of rural, disabled, and other Americans that apply online. With APIs, the National Verifier would still provide the ultimate eligibility decision, and would apply its same controls necessary to prevent waste, fraud, and abuse, such as requiring customer certifications and attestations and using the USAC-prescribed forms and language.
- Existing, off-the-shelf tools are available to ensure that USAC can control and record the customer certifications and attestations that would be collected during any online enrollment process. Cookies, DocuSign, and 3D Secure are just some examples; the FCC already uses DocuSign for other purposes. These tools can ensure that consumers see and sign the exact forms and certifications that USAC requires without ETCs modifying the presentation or content.
- Network security systems in use today by the National Lifeline Accountability Database (“NLAD”) can be applied to authenticate authorized carrier uses that seek to exchange data with the National Verifier via an API. The NLAD systems are already in place and operating, and have passed FISMA compliance, with authentication required for carrier access.
- The incremental cost of adding these APIs is low, and will significantly reduce USAC recurring operating costs for customer support. Petitioners estimate that because of the work already being done to develop the National Verifier, it would take only 20 additional person hours to develop and implement the necessary APIs. Even if Petitioners are off by 100%, the necessary development time and incremental cost is modest.

There is no legitimate reason—and certainly none that has been articulated to date—for the Commission or USAC to continue down a path that will harm rural and disabled consumers

and deny them access to Lifeline services comparable to urban consumers by refusing to implement the APIs necessary to permit the real-time exchange of enrollment and eligibility information between ETCs and the National Verifier during an ETC’s online enrollment process. Q Link and other ETCs today already use APIs to communicate with many of the same state databases with which the National Verifier will communicate. To be clear, Q Link supports preserving USAC’s new consumer online portal as an alternative available to those consumers that wish to use it, but that portal should not be the *only* means of online enrollment. The Commission accordingly should order USAC to complete these APIs immediately, and prior to the “hard launch” of the National Verifier in the first six states.

I. BACKGROUND

A. The Commission Directs Creation of the National Verifier Contemplating APIs for Carrier Machine-to-Machine Interaction.

In the *2016 Lifeline Modernization Order*, the Commission established the National Verifier with three core objectives in mind: (1) “to protect against and reduce waste, fraud, and abuse” in the Lifeline program; (2) “to lower costs to the Fund and Lifeline providers through administrative efficiencies”; and (3) “to better serve eligible beneficiaries by facilitating choice and improving the enrollment experience.”⁵ In adopting the National Verifier as a requirement, the Commission directed USAC to “work with the [Wireline Competition] Bureau, and [the FCC Office of Managing Director] . . . to implement the National Verifier and to make administrative and efficiency improvements consistent with the core elements” established in its order.⁶

⁵ *2016 Lifeline Modernization Order* ¶ 128.

⁶ *Id.* ¶ 132.

The key new safeguard introduced to fulfill these objectives was the removal of ETCs from the critical step of verifying whether a consumer is eligible for Lifeline.⁷ Instead, the National Verifier would become the final arbiter of eligibility. Regardless of whether ETCs also did so, the National Verifier would query available state and federal databases of persons participating in the various low-income assistance programs used to establish Lifeline eligibility, and would review documentation of program participation or income submitted by the consumer in cases where a database was unavailable or unable to confirm a consumer's eligibility.⁸ Working hand-in-glove with the NLAD, the National Verifier also would verify identity and ensure that no one else in the consumer's household was already a Lifeline beneficiary. Petitioners fully agree that these are appropriate roles for USAC, and that, properly implemented, the National Verifier and NLAD will be critical to ensuring program integrity.

As the Commission also recognized, however, the success of the new system for eligibility verification would depend on the creation of strong interfaces between the National Verifier and other participants in the Lifeline ecosystem, including Lifeline ETCs. The Commission stated, “[w]e agree with commenters and anticipate that eligible subscribers, Lifeline providers, states and Tribal Nations will require access to establish or verify eligibility.”⁹ It explained that the consumer interface would allow “potential subscribers to contact [USAC] directly to initiate and complete eligibility determinations,”¹⁰ while the carrier interface would allow ETCs to use “an appropriate set of personal information provided by the

⁷ *Id.* ¶ 7.

⁸ *Id.* ¶¶ 133-135.

⁹ *Id.* ¶ 138.

¹⁰ *Id.* ¶ 140.

subscriber” to “quer[y]” the National Verifier and “confirm a subscriber’s eligibility status.”¹¹ The Commission continued, “[w]e also expect the National Verifier to have varying interface methods to accommodate these different groups of users.”¹² The Commission then provided two examples of these varying interfaces, explaining that “the National Verifier may have an interface that is consumer-friendly and geared towards subscribers,” and “another interface that is geared toward providers that may allow application programming interfaces (machine-to-machine interaction).”¹³

The direction to USAC thus was clear. Direct consumer applications to USAC would function not as the *exclusive* means for consumers to establish their eligibility, but rather as an *additional alternative* to carrier-assisted enrollment.¹⁴ And to ensure that carriers will be able to assist with enrollment while maintaining USAC’s role as the final arbiter of eligibility, USAC’s technical implementation would need to allow carriers to exchange information with the National Verifier in an efficient manner, potentially through the use of APIs.

B. USAC Plans To Develop and Implement Carrier APIs—and Abandons Them Without Explanation.

On November 30, 2016, USAC submitted a draft plan for implementing the National Verifier to the FCC.¹⁵ The draft plan followed through on the direction provided in the *2016*

¹¹ *Id.* ¶ 139.

¹² *Id.* ¶ 138.

¹³ *Id.* ¶ 138 n. 390.

¹⁴ *Id.* ¶ 140 (“The National Verifier will *also* allow potential subscribers to contact it directly to initiate and complete eligibility determinations and applications for Lifeline service, to obtain information about Lifeline providers and services, and to resolve any issues through dispute resolution as recommended by commenters.”).

¹⁵ See USAC, The National Verifier Draft Plan – Lifeline National Verifier (Nov. 21, 2016), <http://www.lifelinenationalverifier.org/2016/11/hello-world/>; see also USAC, Draft Lifeline National Verifier Plan (Nov. 30, 2016), <https://www.usac.org/res/documents/li/pdf/nv/2016->

Lifeline Modernization Order by employing interfaces suited to the online environment on which all Americans, but especially rural Americans, now depend. As illustrated in slides released by USAC, the draft plan’s schematics showed that a consumer would be able to verify his or her eligibility by applying *either* through a consumer-facing web portal hosted by the Verifier, *or* “through API[s] provided to [service providers]” that create an information link between the National Verifier and the carrier’s own online enrollment process.¹⁶ Elsewhere, the draft plan confirmed that applying for eligibility verification through a carrier API was a “scenario[]” that would “underpin” the “business architecture” of the National Verifier.¹⁷ USAC also acknowledged that it had received specific feedback on the issue,¹⁸ and explained that it would ensure that carriers are “able to interact with consumers in program application and recertification processes,” including by “using APIs,” in response to the feedback received.¹⁹

Yet in a July 2017 update to the plan, without any explanation, USAC abruptly removed carrier APIs from its implementation of the National Verifier. The update simply stated that “[t]here will be no API integration available to the National Verifier,” and removed API flows from all schematics.²⁰ The update nonetheless continued to recognize the importance of online enrollment, providing that consumers would be able to apply online directly for eligibility

[Nov-Draft-National-Verifier-Plan%20-%20Copy.pdf](#) (“Nov. 2016 Draft Lifeline National Verifier Plan”).

¹⁶ Nov. 2016 Draft Lifeline National Verifier Plan at Slide 32.

¹⁷ *Id.* at Slide 30

¹⁸ *Id.* at Slide 24.

¹⁹ *Id.*

²⁰ USAC, Lifeline National Verifier Plan (July 2017) at Slides 34, 36, 37, <https://www.usac.org/res/documents/li/pdf/nv/Draft-National-Verifier-Plan.pdf> (“July 2017 Lifeline National Verifier Plan”).

verification from the National Verifier.²¹ The update also continued to recognize the importance of allowing carriers to assist consumers in navigating the National Verifier’s eligibility verification process, explaining that carrier agents interacting with the consumer in person would be able to gather the customer’s information and submit it to the National Verifier using a separate online portal for carrier agents.²² The update, however, removed the very tools necessary to merge both insights, *i.e.*, to ensure that online customers have the help they need to complete online enrollment, including the process of establishing their eligibility. Without APIs, there would be no way for a consumer to benefit from carrier assistance when navigating the eligibility verification process online, or to complete both eligibility verification and service enrollment as part of a continuous online transaction. USAC did not explain this counterintuitive and irrational result.

As the National Verifier is now architected without carrier APIs, Lifeline consumers cannot subscribe to Lifeline online in a single step, cannot be linked from the Lifeline provider’s site to the National Verifier website and then return as part of a simple online process, and cannot receive any assistance from the Lifeline provider as the consumer navigates USAC’s online eligibility verification process. This is the case even though USAC has built a specialized web portal to allow Lifeline ETC employees and agents to assist consumers with navigating USAC’s eligibility verification process as part of an in-person enrollment process. Thus, with the new update, a consumer dependent on online enrollment—a common method of enrollment in rural America—would have to apply for proof of eligibility verification with the National Verifier without any assistance from a carrier, and then contact a Lifeline provider to start a

²¹ *Id.* at Slide 27.

²² *Id.* at Slides 30-31, 37.

separate, largely duplicative process to actually sign up for service. The Lifeline provider would then need to collect from the consumer essentially the same information, so that it could properly enroll the customer and assure itself that the customer is who they say they are and is eligible for Lifeline. The Commission has reinforced the need for duplicative carrier information collection to verify enrollment because it has made clear that use of the National Verifier is not a “safe harbor” with respect to eligibility: carriers retain an independent duty to ensure that subscribers are eligible.²³

Lifeline providers explained the flaw in the months that followed the July 2017 update.²⁴ Yet in January 2018, USAC—again without any explanation or indication that it had reached an informed decision—released another National Verifier plan update that once again excluded carrier APIs from the National Verifier architecture.²⁵ Like the July 2017 plan update, the January 2018 update recognized that online enrollment was critical to consumers, and that service providers would need to “[f]acilitate [the] consumer application process” and “[p]rovide consumer support as appropriate.”²⁶ But it divested the National Verifier of the tools necessary to make online enrollment efficient and carrier-supported.

²³ See *Wireline Competition Bureau Reminds Eligible Telecommunications Carriers of Their Ongoing Responsibility To Claim Lifeline Support Only for Eligible Low-Income Consumers*, Public Notice, DA 17-636, 32 FCC Rcd. 5129 (rel. June 29, 2017).

²⁴ See, e.g., Letter from John T. Nakahata, Counsel, Q Link Wireless, LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 11-42 (filed Sept. 8, 2017); Letter from John T. Nakahata, Counsel, Q Link Wireless, LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 11-42 (filed Aug. 10, 2017); see also Letter from John J. Heitmann, Counsel, Lifeline Connects Coalition, to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 11-42, 09-197, & 10-90 (filed Sept. 20, 2017).

²⁵ USAC, Lifeline National Verifier Plan (Jan. 2018), https://www.usac.org/_res/documents/li/pdf/nv/2018-January-National-Verifier-Plan.pdf (“Jan. 2018 Lifeline National Verifier Plan”).

²⁶ *Id.* at Slide 12.

After the January 2018 update, carriers reiterated the need to include carrier APIs to the Commission in rulemaking comments²⁷ and in meetings with FCC staff, including in the Chairman’s office.²⁸ They presented detailed plans describing how USAC could implement carrier APIs in a secure, cost-effective manner, and while ensuring that the National Verifier maintains complete control of the eligibility verification process.²⁹ To date, however, no one at USAC has indicated that carrier APIs will be implemented as part of the final National Verifier’s hard launch. To the contrary, the indications are that USAC has no plans to do so—and it plans to make its consumer portal the only way for a consumer to initiate (but not complete, as USAC is not a service provider) Lifeline enrollment online.

Moreover, as Q Link explained to the Commission a few weeks ago, it has “never been able to determine why the APIs were removed from the National Verifier implementation plan last year,” and “[n]o one with whom [it has] spoken at USAC or at the Commission seems to know who decided to remove APIs or why that was done.”³⁰ Indeed, the one issue floated as a possible reason for the change in course—USAC’s desire to control the content of the certification forms presented to the consumers—has nothing to do with implementing carrier

²⁷ Letter from Mitchell F. Brecher, Counsel, TracFone Wireless, to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 17- 287, 11-42, & 09-197 (filed Feb. 20, 2018); Comments of TracFone Wireless, Inc. at 67-70, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Feb. 21, 2018); Corrected Comments of Q Link Wireless, LLC, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Feb. 21, 2018); Comments of National Lifeline Association at 77-79, 85 & nn. 225-226, 246, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Feb. 21, 2018).

²⁸ See Letter from John T. Nakahata, Counsel, Q Link Wireless, LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 17- 287, 11-42, & 09-197 (filed May 25, 2018) (supplemented in Letter from John T. Nakahata, Counsel, Q Link Wireless, LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 17- 287, 11-42, & 09-197 (filed May 31, 2018) (“Q Link May 31, 2018 Letter”).

²⁹ Q Link May 31, 2018 Letter at 2-4, & Attachments.

³⁰ *Id.* at 4.

APIs whatsoever. As explained in Section IV below, ETCs can assist with the eligibility verification process using standardized forms provided by USAC whether that assistance is provided online or in person.

II. TO ENSURE THAT RURAL CONSUMERS ARE NOT DISADVANTAGED IN OBTAINING ACCESS TO LIFELINE, THE FCC SHOULD DIRECT USAC TO RESTORE CARRIER APIS.

USAC's unexplained removal of carrier APIs may seem like a narrow technical issue, but it has tremendous policy implications that the Commission, and not USAC, must decide.³¹ If left uncorrected, the elimination of carrier APIs could deny access to mobile wireless broadband and voice services to millions of low-income Americans in rural areas, and to other Americans that are uniquely dependent on online enrollment, such as veterans with disabilities or homebound seniors.

In 2018, convenient online enrollment should be the norm for any commercial service or instrument of good government. Indeed, through the Government Paperwork Elimination Act and the E-Sign Act,³² Congress directed agencies, including the FCC, to provide individuals or entities that deal with agencies the option to submit information or transact with the agency electronically, and to maintain records electronically, when practicable.³³ For rural Americans

³¹ See 47 C.F.R. § 54.702(c) (USAC “may not make policy, interpret unclear provisions of the statute or rules,” and must “seek guidance from the Commission” where “the Commission’s rules are unclear, or do not address a particular situation”); *see also 2016 Lifeline Modernization Order* ¶ 126 (clarifying that the Wireline Competition Bureau and Office of Managing Director are in charge of “all aspects of the development, implementation, and performance management of the National Verifier”).

³² Government Paperwork Elimination Act, P. L. 105-277 at Title XVII, 112 Stat 2681 (1998); Electronic Signatures in Global and National Commerce Act, P. L. 106-229, 114 Stat 464 (2000).

³³ See Implementation of the Government Paperwork Elimination Act, Office of Management and Budget, Executive Office of the President, <https://www.whitehouse.gov/wp->

seeking to participate in Lifeline in particular, the need is especially critical. Unlike their urban counterparts, rural Americans are less likely to have easy access to brick-and-mortar locations, or tents erected in convenient locations, where they can obtain in-person assistance from carrier representatives. It also takes more work to ensure that rural Americans are even aware of the Lifeline program.

Precisely because it has leveraged online enrollment, Q Link has emerged as the largest wireless Lifeline provider to rural America. Q Link currently serves at least 20,000 *rural* customers in ten states:

- Ohio (~40,000)
- Michigan (>40,000)
- Louisiana (~40,000)
- Texas (~36,000)
- Pennsylvania (~36,000)
- Missouri (~28,000)
- Indiana (~21,000)
- Georgia (~21,000)
- Kentucky (~21,000)
- West Virginia (~20,000)

Sixty-seven (67) percent of Q Link customers reside in rural or suburban areas, and eighty-two (82) percent of Q Link's customers are new to Lifeline, meaning they were previously unserved by other ETCs.

Q Link penetrates underserved rural markets effectively not only by reaching customers where they live and work rather than at distant retail locations, but also by working with its

[content/uploads/2017/11/Implementation-of-the-Government-Paperwork-Elimination-Act-May2-2000.pdf](https://www.fcc.gov/content/uploads/2017/11/Implementation-of-the-Government-Paperwork-Elimination-Act-May2-2000.pdf) (citing S. Rep. 105-335 (1998)).

customers remotely to navigate the online enrollment process. Customers sign up wherever they can access an internet connection, such as at work, a library, or at a friend's house. During enrollment, Q Link performs a robust series of screens to ensure that applicants will have network coverage, are who they say, and are eligible under the program. Q Link also fields questions over the phone at a volume of more than one million calls per month, and sends an even higher volume of customer support emails. In addition, Q Link allows customers to submit documentation online, mails self-addressed stamped envelopes to facilitate the physical collection of verification documents, and allows customers to send documentation using fax machines at UPS Stores with the charges billed to Q Link. Q Link does not depend on on-site personnel, such as store clerks or street agents, to perform any of these functions. While that model may work in some parts of the country, it has its limits in sparsely populated or remote rural areas that are difficult to serve cost-effectively using in-person enrollment methods.

Q Link's experience shows that successful online enrollment depends on the service provider's ability to integrate eligibility verification and service enrollment into a continuous process, and to provide dogged assistance and support to the customer. With the National Verifier, that integration and level of support will only be possible if APIs allow carriers to communicate with the National Verifier's eligibility database—*i.e.*, to transfer information interactively—on a machine-to-machine basis during the process of initially establishing the consumer's eligibility. Notably, simple ability to contact the contemplated new consumer portal at checklifeline.org is not enough; in order to provide meaningful assistance to consumers, the ETC must be able to monitor where the consumer is in the eligibility verification process, what additional information may be needed, and what steps the consumer may be having trouble completing. With APIs, ETCs can ensure that a customer interested in signing up with a

provider can submit his or her information and documentation online through the carrier, proceed through the carrier's screens for coverage and identity, and then, as part of the same process, determine eligibility with the National Verifier before being enrolled by the carrier in Lifeline service.

The alternative being implemented by USAC, however, would make it impossible *for online consumers only* to complete eligibility verification and service enrollment as part of a single continuous process, creating unnecessary burdens for rural consumers. For an urban consumer who can apply in-person at a storefront or at a tent, USAC would allow the consumer to begin and end the process with his or her visit to the carrier. Through the National Verifier's agent portal, a consumer can visit the provider's retail location, obtain assistance from an ETC's agent (who would use the agent portal to usher the applicant through the eligibility verification process), enroll with the carrier (using a separate process requiring repetitive input of the same consumer personal information and attestations), and leave with activated service.³⁴ The ETC's agent can assist the consumer with each part of the process, although the consumer must himself or herself make required certifications and acknowledgements, and sign the application.

By contrast, a rural consumer who does not have access to a retail location but who wants to sign up online faces an entirely different and more difficult process:

- First, the rural consumer would have to figure out that he or she first needs to visit USAC's website to demonstrate that he or she is eligible. When the consumer

³⁴ The in-person process currently planned by USAC suffers from some of the same flaws as the online process. The lack of carrier APIs, in addition to impeding online enrollment, also prevents ETCs that use on-site personnel from creating an efficient and integrated process for the consumer. USAC actually prevents ETCs from creating a process that utilizes the information the customer already provides to the National Verifier for the ETC's own enrollment process. This means the consumer must still provide the agent with his or her personal information twice, once to the agent to send to USAC, and again to the agent to submit to the ETC. See USAC, National Verifier Training: Eligibility at Slide 60 (Nov. 2017), <https://www.usac.org/res/documents/li/training/2017/NV-Checking-Eligibility.pdf>.

reaches USAC's consumer portal, he or she must then go through the process of establishing an online account with USAC without any way for the ETC to provide assistance. This process includes the customer's providing his or her name, address, date of birth, last four digits of the Social Security Number or, alternatively, a Tribal Identification Number, creating a username and password, and answering security questions.

- Next, the consumer must successfully login to his or her USAC account and, once logged in, verify his or her name and address. Then, the consumer must identify which qualifying low-income assistance programs he or she participates in by providing enrollment numbers that few people know or remember offhand.
- If the consumer's eligibility cannot be verified by checking a state database electronically—which will be an especially frequent occurrence if eligibility databases are unlinked from large qualifying programs—the consumer will have to provide additional documentation.
- Because the online ETC has not yet entered (and in fact is barred from participating in) this stage of the process, the online ETC cannot help the consumer understand what documentation must be provided, or help ensure that the documentation provided is the correct type of document and clearly photocopied or scanned. A substantial number of consumers likely will be required to provide additional documentation upon hard launch, as none of the initial states selected for the National Verifier rollout verifies participation in all of the qualifying programs, and none automatically verify income. Additional documentation may also be required if USAC has difficulty verifying the consumer's identity or address.
- The consumer also must review and sign online nine separate certifications and acknowledgements, and the application.
- If the consumer successfully completes USAC's process and obtains an eligibility confirmation number, the consumer must then find and contact a Lifeline ETC within 90 days that provides service in their area. If the consumer does not reach out to a Lifeline provider within 90 days, he or she must start anew the eligibility verification process (all steps above other than creating a USAC account).
- The consumer must then provide his or her personally identifying information again to the Lifeline ETC. The ETC will have to take sufficient steps to assure itself that the consumer is who they say they are, has provided their current and correct address, and remains eligible for Lifeline. The FCC has stated that ETCs cannot rely on the National Verifier as a "safe harbor," so ETCs still need to take steps to collect and verify a subscriber's identity and eligibility.³⁵

³⁵ See *Wireline Competition Bureau Reminds Eligible Telecommunications Carriers of Their Ongoing Responsibility To Claim Lifeline Support Only for Eligible Low-Income Consumers*, Public Notice, DA 17-636, 32 FCC Rcd. 5129 (rel. June 29, 2017).

- If the ETC cannot serve the customer—for example, because of a lack of coverage at the consumer’s home—the consumer will then have to start over with a new Lifeline ETC.
- Only after the consumer has successfully completed all these steps can the consumer start to receive Lifeline broadband and/or voice service. In a height of irony, the ETC, upon signing up its new subscriber, would close the process by enrolling the subscriber in NLAD *using a carrier API*.

It bears reemphasizing that an online applicant will have to complete the first half of this overly complex procedure without any assistance from the ETC. ETCs are forcibly separated from the online consumer’s process of navigating the USAC consumer portal, and only can assist with eligibility verification in-person, through the use of the National Verifier’s agent portal. Moreover, while the applicant may attempt to contact USAC for assistance, the idea that USAC will have the capacity to provide useful, responsive support is wishful thinking given the enormous volume of inquiries at issue. As an example, Q Link today receives about 55,000 calls *each day* from consumers that are applying for Lifeline through Q Link’s online processes. Importantly, USAC’s current implementation also would undermine the efforts of social service offices, veterans service organizations, and managed care organizations to help eligible consumers subscribe to Lifeline. Today, these organizations depend on quick, efficient, one-step online enrollment when they work with the consumer to verify eligibility. Once USAC’s National Verifier becomes mandatory at “hard launch,” however, they would need to retool their systems and procedures and guide consumers through two separate application processes—USAC’s and the ETC’s—or altogether stop providing low-income consumers with assistance signing up for Lifeline.

If USAC creates the APIs necessary to allow machine-to-machine information exchange with ETCs, the online Lifeline enrollment process that would result would be far simpler—and would result in willing ETCs, not USAC, bearing the bulk of the customer support burden:

- A consumer (or social service agency working with the consumer) would reach the ETC's enrollment website.
- The consumer would provide the ETC with all USAC-required personally identifying information, including name, address, last four digits of the Social Security Number or Tribal Identification Number, and the qualifying low-income assistance programs in which the consumer participates. The provider then enters that information into its system and conducts its own automatic screens, including checking its service area (to determine if it has coverage and is authorized to provide Lifeline in that area) and databases such as USPS, Melissa, Lexis/Nexis and NLAD (to verify identity and ascertain whether the subscriber's household already subscribes to Lifeline).
- The ETC ensures that the consumer signs the USAC required certifications and the application. The ETC would use prescribed, standardized forms, the content of which USAC, and not the ETC, controls. As discussed further below, the signature can be handled on USAC's server or on the server of a USAC-trusted third party to ensure that ETCs cannot alter the certification language or its presentation.
- The carrier then can check the National Verifier using the API. This check retains USAC's key role as being the ultimate arbiter of a consumer's eligibility. If the consumer is eligible based on the National Verifier's database dip, the ETC can complete enrollment. If the consumer needs to supply additional documents, the ETC can then inform the consumer and assist them with providing the necessary documents to the National Verifier, and ensure that the consumer provides clear images. (In Q Link's experience, this is a point in the process where assistance is vital. Consumers will send the wrong documents, or provide copies with crucial information cutoff or that is illegible. Q Link today collects an average of 4.5 documents for every successful enrollment.)
- Only after the consumer passes both USAC's screening through the National Verifier and NLAD, and the carrier's screening, he or she can begin to receive Lifeline service.

As noted above, this API-based process retains USAC's core role as the final arbiter of subscriber identity and eligibility verification, and also ensures that consumers see and utilize USAC's prescribed enrollment forms. If the consumer's eligibility cannot be verified using the National Verifier and NLAD, the consumer cannot receive Lifeline service—full stop.

As these comparisons show, USAC's current process for online enrollment unquestionably makes it unnecessarily difficult for consumers to enroll online, and comparatively more difficult to enroll online than in person, because at least some assistance can be provided to the consumer by in-person sales personnel using the National Verifier's agent

portal. Under the current design, there are too many stages in the overlong, repetitive online process at which the customer simply may not know how to proceed or give up; customers that need carrier assistance with the eligibility verification process will have no reliable way to receive it. Yet online enrollment only works if it is user-friendly and backed-up by timely customer support. USAC's current design simply does not reflect that reality, and would put online enrollment, the most important method for ensuring access by rural consumers, at risk of failing completely. Without APIs, the roadblocks posed by the National Verifier to online enrollment will prevent deeper penetration of Lifeline wireless broadband services in rural America—and eliminate existing rural customers from the rolls upon recertification.

Importantly, soft launch testing of the National Verifier does not even test whether USAC's new online consumer portal will create burdensome barriers to enrollment by qualified, needy individuals, as Q Link and others long have feared. In soft launch states, ETCs have no apparent means of using the National Verifier to verify the eligibility of consumers that wish to enroll online. They can only use the National Verifier for applicants that they assist in person through the agent portal. Thus, as USAC recently confirmed to Q Link, “there doesn't appear to be a use case” where a Lifeline service provider utilizing online enrollment “participates in the soft launch.” Upon hard launch, use of the National Verifier will become mandatory, meaning that Lifeline ETCs seeking to enroll consumers online will simply have to wait for the consumer to navigate the National Verifier's untested consumer portal on his or her own—and then force the consumer to undergo a separate and largely duplicative application process with an ETC.

III. USAC'S CURRENT APPROACH TO THE NATIONAL VERIFIER WILL UNNECESSARILY EXPOSE CONSUMERS TO PHISHING SCAMS.

Today, when a consumer enrolls in Lifeline online, the consumer first contacts an ETC, which then collects the potential customer's personal information. As discussed above, in

USAC's current National Verifier approach, the consumer must first navigate USAC's online consumer portal, and then contact a carrier. When the consumer goes to search for a Lifeline provider at this second stage, the consumer will be much more likely to encounter fake phishing websites that pose as ETCs to collect consumers' personally identifiable information.

Under USAC's approach, legitimate ETCs advertising online would have to link interested customers first to USAC's website for eligibility verification through the National Verifier's consumer portal. But search engines and other online advertising platforms have policies that prevent such "bridging." As a result, legitimate ETCs are much less likely to advertise through search engines such as Google.

With legitimate ETCs largely taken off the board, search pages will become wide open to perpetrators of phishing scams. These scam sites already exist today, and the current National Verifier will open the door for them to become more successful—for no reason other than an unwillingness to implement carrier APIs. Indeed, the National Verifier does not have to empower scammers with a higher perch from which to engage in their scams. With APIs, ETCs could design convenient, continuous enrollment processes that allow consumers responding to an online ad and seeking to enroll in Lifeline to contact the ETC and complete eligibility verification and service enrollment in a single transaction, with integrated interaction between USAC and the ETC to ensure that the National Verifier remains the final arbiter of consumer eligibility. This would avoid forcing consumers to separately navigate to USAC's site, only to become prey for scam artists in their hunt for an ETC.

IV. APIS CAN BE IMPLEMENTED QUICKLY, SECURELY, AND WITH MINIMAL ADDITIONAL DEVELOPMENT TIME OR COST, WHILE FURTHER STRENGTHENING ANTI-FRAUD PROTECTIONS.

APIs are not new to information technology systems, nor to USAC. They are the norm for allowing different software programs to interact with one another and exchange information

efficiently in this day and age. In fact, precisely because of their enormous administrative benefits, APIs are prevalent throughout other aspects of the National Verifier implementation itself. For example, USAC's existing National Verifier implementation plan would use APIs to link the Verifier's database with federal and state sources of data on subscriber eligibility.³⁶

Moreover, APIs that provide integration with carrier systems are currently used by USAC today, in FISMA-compliant systems, to ensure that Lifeline ETCs can interact with the NLAD. These APIs allow Lifeline ETCs to determine, in real-time and on a machine-to-machine basis, whether USAC will accept a prospective customer's identity and address as sufficiently validated and whether a subscriber is already receiving Lifeline service from another provider prior to enrollment. They also are used to populate the NLAD with the Lifeline user's telephone number, the ETC from whom they are receiving service, and the start date and, if applicable, end date for the user's Lifeline service so that the NLAD can properly be used to determine and distribute Lifeline reimbursements to ETCs. There is no conceivable reason why USAC cannot implement similar functionality to allow carriers efficiently to collect and then transmit to USAC the information necessary for USAC to determine whether a subscriber is eligible for service prior to enrollment.

The use of carrier APIs in NLAD also demonstrates that this functionality poses no threat whatsoever to network security. USAC already credentials and authenticates carriers before allowing them to transact with USAC's NLAD using an API. USAC should be able to use this same system to ensure that malicious users do not have access to the National Verifier. If the objection is that upgrades to the existing NLAD process are necessary, the right solution would

³⁶ Jan. 2018 Lifeline National Verifier Plan at Slide 17.

be to implement the change for both NLAD and the National Verifier, rather than to refuse API-based information exchange for the National Verifier while continuing to allow it for the NLAD.

As USAC's familiarity with APIs demonstrates, there are ready technical solutions in place that would make it relatively easy to develop APIs to permit online, carrier-assisted eligibility verification and enrollment in a single, non-mandatory carrier process—which is what the National Verifier needs to ensure that online enrollment in Lifeline continues to be successful. Q Link, which has substantial experience developing information technology systems to manage the Lifeline enrollment process, estimates an additional development time of approximately 20 hours to implement carrier APIs. Even if assuming development takes much longer than anticipated, there is more than enough time between now and the hard launch of the National Verifier to restore APIs and ensure that rural Americans can participate fully in the program by enrolling online.

Importantly, development and implementation of APIs will also further strengthen anti-fraud protections for online enrollment. With APIs, if USAC and the FCC decide it is important, USAC can collect additional information that would further assist with fraud detection, such as the online enrollee's IP address. Moreover, with API-driven online enrollment, USAC can leverage off-the-shelf tools such as cookies, DocuSign or 3D Secure to ensure that the customer attests to certification language that USAC provides using authenticated virtual signatures on USAC-prescribed forms. These signatures would be handled on servers operated by either USAC or USAC-selected trusted third parties, not carriers. Because USAC would obtain the consumer's signature without carrier intervention, it can ensure that the customer, and not a carrier representative, actually signed the form. Carrier representatives that provide remote assistance to customers enrolling for service online simply have no way to sign an attestation on

the customer's behalf because they would not be a participant in the consumer's session with USAC or its trusted third party.³⁷ At most, the provider would be able to view the results of that session.

V. APIS WILL REDUCE PROGRAM COSTS AND BURDENS ON THE USF, AND FAILURE TO IMPLEMENT APIS IS WASTEFUL.

Restoring APIs to permit machine-to-machine information transfers between ETCs and the National Verifier will cut USAC's costs to deploy and operate the National Verifier, and thus reduce the burden on ratepayers and the USF. As discussed above, the incremental development costs for the API are extremely modest—comprised of about 20 hours of software development time. USAC has estimated that, in addition to up to \$30 million in upfront development costs, the National Verifier will cost \$40-55 million annually to run. Of that, \$25-30 million is for the cost of verifications, and \$10-15 million is for customer support.

APIs will reduce the costs of operating the National Verifier because they will reduce the amount of work USAC has to do for the big-ticket recurring expenses of verifications and customer support. With respect to customer support, as mentioned above, Q Link receives 55,000 calls per day (or 1.7 million per month), and responds monthly to 12 million emails and 15,000 social media interactions to support online enrollment. Fifty-eight (58) percent of the customer identity and eligibility documents that Q Link receives are not usable. And the sheer volume of initial inquiries Q Link receives—approximately 34 million in a year, is staggering, but is whittled down to 855,000 applications that were actually sent to NLAD. Under the current

³⁷ As such, with APIs enabling a carrier-assisted online enrollment process, USAC will have near-absolute assurance that the consumer signed the certifications and application. USAC has already accepted a lesser level of assurance in the design of its National Verifier agent portal, which relies on carrier employees or agents to ensure that the consumer executes the required certifications and acknowledgements.

National Verifier design, which divorces ETCs from the online enrollment process until after the consumer completes the USAC process, USAC can expect to be deluged with never-completed applications, inquiries both about the eligibility process as well as about aspects of Lifeline service controlled by service providers (such as where service is offered and the nature of service plans), and documents that cannot be used to verify identity or eligibility because they are the wrong documents or illegible.

Restoring APIs will allow carriers to conduct the critical initial screening, as they do today, and to submit to the National Verifier only those application packages that are complete and thus likely to permit an immediate eligibility determination without repeated back-and-forth with the consumer. To be clear, the Petitioners do not contend that ETCs should be forced to use machine-to-machine interfaces. ETCs that wish to direct consumers to use the National Verifier Consumer Portal would continue to be permitted to do so. But carriers who value online customers and have existing customer support processes in place inevitably will leverage APIs to compete in the marketplace, and thereby reduce the load on USAC substantially. While Q Link estimates that APIs will cut USAC's National Verifier workload by as much as 38 times, even if the APIs allowed a mere 50% reduction in verification and customer support costs, that would produce an *annual* savings of \$17 million to \$22 million. And this is on top of the already substantial savings that the National Verifier is projected to bring both to the USF and to ETCs.

There is no reason for USAC to forego these efficiencies because of its stubborn refusal to develop and implement APIs to permit machine-to-machine interaction between ETCs and the National Verifier. The cost-benefit analysis is clear. These APIs cost little, and yield huge benefits both for program integrity and in National Verifier operating costs.

CONCLUSION

The Commission could not have intended that a \$30 million project billed as consumer-friendly and state-of-the-art would turn the clock on online enrollment—and the Lifeline program’s back on rural America. Yet USAC’s current implementation of the National Verifier would do just that.

Carrier-assisted online enrollment has emerged as a critical tool for expanding wireless Lifeline service to rural, disabled, and homebound Americans, and has been the linchpin of Q Link’s success in reaching hundreds of thousands of rural low-income consumers nationwide. USAC’s sudden removal of carrier APIs from the National Verifier, however, would make it extremely difficult for these Americans to get the help they need to navigate the eligibility verification process, even though their urban counterparts would benefit from in-person assistance provided through a dedicated National Verifier sales agent portal. In addition, the removal of carrier APIs would force online customers to discover and complete two separate application processes in order to sign up for Lifeline service, whereas today they can proceed through just one.

APIs facilitating the exchange of information between carriers and the National Verifier are the obvious tool to avoid these absurd results and streamline the Lifeline online enrollment process, while ensuring that the National Verifier acts at all times as the final arbiter of consumer eligibility.

APIs will also save tens of millions of dollars in annual operating costs for the National Verifier, and will reduce the likelihood of phishing scams successfully attacking low income consumers.


The Commission therefore should direct USAC to restore carrier APIs prior to the National Verifier's hard launch, which would harmonize USAC's implementation with its initial plans, and with the Commission's Order establishing the National Verifier.

No one at USAC or at the Commission has assumed responsibility for the decision to remove APIs, or provided a legitimate reason for USAC's change in approach. Instead of green-lighting, through agency inaction, the confusing and repetitive online enrollment process that USAC plans to deploy at hard launch, the Commission should take charge and force USAC to fix the problem before it is too late.

If it acts quickly, the Commission can put USAC's initial implementation plan back on track without delaying the rollout of the National Verifier. APIs are familiar tools that can be implemented with minimal cost and minimal development time—and far before “hard launch” later this year. Moreover, the modest investment required would pay dividends throughout the life of the project by substantially decreasing the customer support burden on USAC, resulting in savings of tens of millions of dollars per year.

Accordingly, the Commission expeditiously should grant the Petition.

Respectfully submitted,



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