



August 14, 2019

Via Electronic Submission

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th St., SW, Room TW-A325
Washington, DC 20554

Re: 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

Dear Ms. Dortch:

Sprint is writing to express its concern about the scope and the timing of the deployment of the Lifeline Representative Accountability Database (“RAD”). Sprint supports the Commission’s and USAC’s goals of identifying and correcting fraudulent NV and NLAD transactions by Lifeline sales agents. However, USAC’s recent guidance about who must register with RAD, and what type of personal information covered users will be required to provide, goes too far. Because these and other key elements of the RAD are currently the subject of a pending FCC rulemaking proceeding, Sprint strongly recommends that USAC pause the implementation of its current version of the RAD at least until the Commission has released an order in the pending rulemaking proceeding. Such a pause will help ensure that the RAD ultimately deployed by USAC is consistent with Commission directive, and is effective at achieving the intended goals.

1. The Commission Should Provide Guidance on the Scope and Design of the RAD Prior to Its Deployment.

In 2017, the Commission initiated a rulemaking proceeding to consider, among other things, which “ETC enrollment representatives” should be required to register in the RAD; what information would be necessary for the creation of the RAD; and what privacy and security practices should be used to safeguard this information.¹ Moreover, there is an open question as to whether registration should extend to service provider employees, or be limited only to third party sales agents.²

¹ *Bridging the Digital Divide for Low-Income Consumers; Lifeline and Link Up Reform and Modernization; Telecommunications Carriers Eligible for Universal Service Support, Fourth Report and Order, Order on Reconsideration, Memorandum Opinion and Order, Notice of Proposed Rulemaking, and Notice of Inquiry*, 32 FCC Rcd 10475, para. 92 (2017) (“2017 Lifeline NPRM”).

² See, e.g., *ex parte* letter of ITTA filed on July 24, 2019 in WC Dockets 17-287, 11-42 and 09-197 (referencing July 11, 2017 letter from Chairman Pai to V. Robinson, USAC).

To date, the Commission has not released an order addressing this portion of the NPRM. Until the Commission has decided these fundamental issues, it would be premature to deploy a RAD, and inappropriate to proceed with deployment of a version of the RAD which is potentially inconsistent or non-compliant with FCC directive and design.

2. The Scope and Requirements of USAC's Current Version of RAD Are Problematic.

Notwithstanding the pending rulemaking to address Lifeline agent registration, USAC launched its version of RAD on June 25, 2019, and, according to its schedule, a representative ID will be required to perform NV and NLAD transactions by Q4 2019.³ USAC has provided examples of who needs to register for a RAD representative ID -- parties ranging from "individuals directly interfacing with potential subscribers to enroll them in Lifeline" to "customer service representatives that update PII for existing Lifeline subscribers."⁴ USAC has also provided a list of personal information an agent must provide to obtain a representative ID.⁵ The reasonableness of both of these lists is a matter of significant concern.

Like many other parties, Sprint is concerned that USAC's list of users who are required to register in the RAD is overbroad and poorly defined.⁶ Moreover, USAC's list does not distinguish between third party sales agents, and individuals who are directly employed by a service provider. This overreach is cumbersome and inefficient, and will not materially help to prevent fraudulent activity.

RAD registration appears to be required not only for sales agents (representatives who solicit new customers), but also for any party who may ever touch a Lifeline account or who is involved in the recertification process. Many of these purportedly covered individuals have little or no incentive or ability to engage in the type of fraudulent transactions the RAD was intended to detect. For example, a Sprint customer care employee might access a Sprint Lifeline customer account to update the customer's address, or might respond to a customer inquiry about the need to recertify annually. That employee does not receive incentive-based compensation related to performing such tasks, and would have no reason to fraudulently manipulate the customer account. Yet, under USAC's current requirements, that employee apparently would be required to register in the RAD and to obtain a representative ID.

Also problematic is the type of personal information a RAD registrant will be required to provide. USAC has advised that an agent must provide his birth date, last 4 digits of Social Security number, home address, and email address to obtain a representative ID. If USAC cannot confirm the registrant's identity, the registrant must also provide a copy of highly

³ USAC Representative Accountability Database (RAD) Office Hours, July 2019, slide 5 ("July RAD Presentation").

⁴ USAC presentation dated June 12, 2019, RAD: Registration and Linking Accounts, slide 11 ("June 12 RAD Presentation").

⁵ June 12 RAD Presentation, slides 12 and 20.

⁶ See, e.g., *ex parte* letter filed jointly by USTelecom, AT&T, CenturyLink, Consolidated, Frontier, Verizon, and Windstream (dated July 3, 2019); NTCA (June 26, 2019); ITTA, Consolidated Communications, TDS Telecom, CenturyLink, and Blackfoot (June 13, 2019).

sensitive documents such as a driver's license, birth certificate, W-2 form, or tax return.⁷ This list of required agent identity documentation, like the list of covered agents, is overbroad and highly problematic. For example:

- Not all allegedly covered representatives will have a Social Security number. For example, many service providers have off-shore customer care operations or other legitimate foreign national employees. These international employees may not be US citizens, and thus would have neither a SSN nor a certificate of naturalization. Under USAC's current RAD requirements, these employees apparently would be barred from obtaining a representative ID.
- It is unclear what measures are incorporated into the RAD to protect agents' highly sensitive PII. Given the ever-increasing risk of identity theft, agents will be justifiably anxious about providing such personal information to USAC or its vendor, particularly without assurance that such information will be reasonably safeguarded.
- Requiring a Lifeline service provider employee to provide such detailed personal information seems unnecessary, assuming that the service provider is able to vouch that the registrant is in fact its employee. For example, there is no apparent benefit to requiring an individual to provide his home address or email ID; far more relevant would be the employee's work address and employer-issued email ID or employee number.

Given the widespread concerns over USAC's current RAD requirements, Sprint urges the Commission to direct USAC to pause its deployment of the RAD at least until the Commission has issued an order in the pending rulemaking proceeding which addresses the very issues of who must register, and what type of information must be provided to obtain a representative ID.

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Pursuant to Section 1.1206 of the Commission's Rules, a copy of this letter is being filed electronically in the above-referenced dockets. If you have any questions, please feel free to contact me at (703) 433-4503.

Sincerely,

/s/ Norina T. Moy

Norina T. Moy
Director, Government Affairs

Cc: Trent Harkrader, FCC
Jodie Griffin, FCC
Michelle Garber, USAC

⁷ June 12 RAD Presentation, slides 12 and 20.