

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

In the Matter of)	
)	
)	
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
)	

**COMMENTS OF Q LINK WIRELESS, LLC IN SUPPORT OF
TRACFONE’S EMERGENCY PETITION REGARDING THE NATIONAL VERIFIER**

Q Link Wireless, LLC (“Q Link”) supports TracFone’s Emergency Petition for an Order Directing USAC to Alter the Implementation of the National Verifier to Optimize the Automated and Manual Eligibility Verification Processes.¹ This Petition, along with Q Link’s petition regarding Application Programming Interfaces (“APIs”),² make the point that the Commission should ensure that USAC is building a robust, but also consumer-friendly National Verifier that utilizes available tools and data to make accurate eligibility determinations without overburdening consumers. Unfortunately, USAC’s design and implementation choices will needlessly burden consumers and USAC itself, erecting barriers to Lifeline enrollment that are not necessary to prevent ineligible or fraudulent enrollments.

¹ See Emergency Petition of TracFone Wireless, Inc. for an Order Directing USAC to Alter the Implementation of the National Verifier to Optimize the Automated and Manual Eligibility Verification Processes, WC Docket Nos. 17-287, 11-42 & 09-197 (filed Aug. 9, 2018) (“Petition”).

² See 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, WC Docket Nos. 17-287, 11-42 & 09-197 (filed July 5, 2018) (“API Petition”).

Q Link wholly supports implementation of the National Verifier. Designed and implemented correctly, the National Verifier will help restore faith that only eligible low-income households are receiving Lifeline support. Importantly, however, the Commission's stated goals for the National Verifier are to detect and prevent Lifeline fraud, while simultaneously ensuring the enrollment process is streamlined and consumer-friendly.³ And it should not be difficult for USAC to design and implement a system that serves both objectives. Unfortunately, USAC's current design will overburden consumers and USAC because USAC inexplicably has not built in the APIs to permit integration of the National Verifier into carrier enrollment systems and the automated exchange of information between carriers and the National Verifier.⁴ This added burden will fall especially hard on rural, disabled (including veterans), and mobility-challenged older consumers.⁵ As Q Link petitioned, and as urged by state commissioners and consumer groups, the Commission should direct USAC to correct its design flaw, and bring the National Verifier into the twenty-first century, to the benefit of all stakeholders.⁶

³ See *Lifeline and Link Up Reform and Modernization*, Third Report and Order, Further Report and Order, and Order on Reconsideration, 31 FCC Rcd. 3962, 4007, 4012-13 ¶¶128, 138-140 & n.390 (2016) (a key objective of the National Verifier is to "better serve eligible beneficiaries by facilitating choice and improving the enrollment experience"); Letter from Chairman Ajit V. Pai, Federal Communications Commission, to the Honorable Susan Collins, Chairwoman, United States Senate Committee on Special Committee on Aging, et al., at 2 (June 8, 2018), <https://docs.fcc.gov/public/attachments/DOC-351688A5.pdf> (noting that the Commission's "lodestar" when implementing the Lifeline program is to "empower low-income seniors and all eligible Americans").

⁴ See generally API Petition.

⁵ See *id.* at 2-3, 13-20.

⁶ See API Petition; Reply of Q Link Wireless, LLC at 2-9, WC Docket Nos. 17-287, 11-42 & 09-197 (filed Aug. 27, 2018); Comments of National Association of Regulatory Utility Commissioners at 4-5, WC Docket Nos. 17-287, 11-42 & 09-197 (filed Aug. 10, 2018); Comments of New America's Open Technology Institute, Access Humboldt, Benton Foundation, Center for Rural Strategies, Common Cause, Consumers Union, Electronic Frontier Foundation, Free Press, NAACP, National Consumers League, National Digital Inclusion Alliance, National Hispanic Media Coalition, Native Public Media, Public Knowledge, The Greenlining Institute, United Church of Christ, OC Inc., WC Docket Nos. 17-287, 11-42 & 09-197 et al. (filed Aug. 10, 2018).

TracFone highlights a separate but related problem. Because USAC has not yet established links between the National Verifier and many Medicaid databases, as well as databases for Supplemental Security Income (“SSI”), federal Veterans or Survivors Pensions, and Tribal assistance programs, many consumers that are not in federally subsidized housing or receiving SNAP food assistance will not be able have their eligibility verified automatically by the National Verifier. These consumers will be forced to find and upload various documents confirming their eligibility to the National Verifier—without the help of carriers if they are applying online rather than in-person. Because these important program databases are not yet included, the burden of navigating cumbersome manual procedures will disproportionately fall on those who are sick, disabled, or elderly, including wartime veterans and survivors.

TracFone correctly suggests that the National Verifier should not become mandatory until USAC has fixed these flaws. That is, there should be no “hard launch” until USAC develops carrier APIs to permit carrier-assisted online enrollment and facilitate enrollment for all consumers, and until USAC ensures that, at a minimum, major qualifying program databases covering the vast majority of eligible subscribers are online to permit automatic eligibility verification. At present, Medicaid eligibility databases are only online for three of the six “soft launch” states, and SSI and Veteran’s Pension data are not online for any of these states. This is not an environment to support mandatory use of the National Verifier.

Q Link also agrees with TracFone that if Medicaid enrollment data is not online for a particular state, the Commission ought to broaden the scope of eligibility verification information it permits. There is no reason to exclude verifications from managed care organizations that have no incentive to fabricate whether a patient is Medicaid-eligible. The Commission and USAC should accept all reasonable evidence of eligibility, and should not

exclude reliable documents simply to make enrollment more difficult for the eligible consumer. These limitations would not prevent waste or fraud, but serve only as a barrier to eligible enrollment. As TracFone points out, a letter from a managed care organization may be harder to counterfeit than a government-issued document.⁷

As with Q Link's API Petition, the Commission need not expend its own staff time to implement TracFone's Petition. It simply needs to direct staff to instruct USAC to take the necessary actions to develop APIs and set "hard launch" dates only after APIs and connections to the critical databases have been implemented.

Respectfully submitted,



John T. Nakahata
V. Shiva Goel
HARRIS, WILTSHIRE & GRANNIS LLP
1919 M Street NW, The Eighth Floor
Washington, DC 20036
(202) 730-1320
jnakahata@hwglaw.com

Counsel for Q Link Wireless, LLC

September 12, 2018

⁷ Petition at 11.