

**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
)	
)	

REPLY COMMENTS OF TRACFONE WIRELESS, INC.

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I. INTRODUCTION AND SUMMARY

Comments filed in response to TracFone Wireless, Inc.’s (“TracFone”) Emergency Petition and Petition for Rulemaking (the “Emergency Petition”)¹ conveyed an urgent message to the Federal Communications Commission to address concerns relating to implementation of the National Lifeline Eligibility Verifier (“National Verifier”). TracFone has been a strong advocate of the National Verifier, recognizing its potential to protect against waste, fraud, and abuse, lower costs through administrative efficiencies, and facilitate choice and improved enrollment experience for beneficiaries. Yet, despite numerous efforts by TracFone and other Lifeline carriers to engage the Universal Service Administrative Company (“USAC”), the rollout of the National Verifier remains haphazard and mired in confusion. Its decision-making process is opaque, with ensuing outcomes that reflect little, if any, input from the Lifeline community who are on the frontline serving millions of eligible customers each day. Inadvertently yet inevitably, USAC’s implementation of the National Verifier undermines the aforementioned objectives undergirding the National Verifier’s creation in 2016. As USAC plans to expand the National Verifier’s hard-launch into five additional states and one territory next month, TracFone was compelled to once again engage the Commission through the Emergency Petition with a substantive list of corrective actions that it believes the FCC must direct USAC to undertake to avoid serious impairment to the National Verifier and, by extension, the Lifeline program overall. TracFone believes that the Lifeline program is a literal digital lifeline to the job hunter, the medical patient, the elderly, and last but certainly not least—the veteran who has nobly

¹ Emergency Petition of TracFone Wireless, Inc. for an Order Directing USAC to Alter the Implementation of the National Verifier and a Waiver of 47 C.F.R. § 52.410(d)(3) and Petition for Rulemaking, WC Docket Nos. 17-287, 11-42, 09-197 (filed Nov. 30, 2018) (“TracFone Emergency Petition”).

served to protect this country; all of whom deserve a fully robust and user-friendly program to access.

Lifeline service providers, public interest groups, a member of the Nebraska Public Service Commission (“PSC”) and others share TracFone’s concerns. Commenters agree, as a matter of law, USAC lacks authority to provide rule clarifications or guidance with respect to the National Verifier. Such decisions must be made by the FCC and only through public notice-and-comment rulemaking proceedings. Commenters further agree, as a matter of policy, many of USAC’s requirements impede eligible Americans from enrolling in the Lifeline program, and do so without offering meaningful improvements to program integrity.

TracFone therefore once again urges the Commission to (i) grant its Petition for an Order directing USAC to carry out eleven recommendations to improve National Verifier implementation,² and (ii) initiate a new rulemaking proceeding to properly develop certain policies for the National Verifier.³ TracFone also urges the Commission to adopt additional recommendations offered by commenters, including Q Link Wireless, LLC (“Q Link”) and

² Specifically, TracFone requests that the FCC direct USAC to promptly: (1) suspend the additional proof requirement associated with proof of current low-income program participation, (2) suspend the additional proof requirement associated with submitting online the latitude and longitude of an “invalid” address, (3) waive the “initialing” requirement of 47 C.F.R. § 52.410(d)(3), and allow applicants to use either check marks in boxes or initials; (4) redesign the Lifeline paper application to one page, double sided; (5) simplify the paper application language using clear and direct language; (6) to the extent that applications continue to include instructions and legal disclosures on separate pages, not require those pages to be included in the application in order for USAC to deem the application complete; (7) allow the applicant to select the service provider’s name on the paper application, and for USAC to inform the chosen service provider for enrollment purposes once subscriber eligibility has been verified by USAC; (8) provide a field on the paper application for the service provider to enter its company logo; (9) put the service provider back into the paper process by allowing the consumer to send the service provider the paper application, the service provider to submit it to National Verifier via API, and allowing the service provider to further work with USAC to verify the application via API; (10) allow service providers to check applicant eligibility via API; and (11) enable service provider pre-screening on applicants and communicate pre-screening results to National Verifier via API by implementing APIs. *See id.* at iii.

³ TracFone petitions the FCC to initiate a new rulemaking proceeding to develop policies that would: (1) explore other methods by which current low-income program participation could be verified more efficiently; (2) explore other methods by which invalid addresses could be verified more efficiently; (3) foreclose the use of commercial addresses, except in the case of homeless and other shelters; and (4) reasonably limit the number of households that may qualify for Lifeline service at a single residential address. *See id.* at iv.

Sprint Corporation (“Sprint”), to further improve the National Verifier and Lifeline enrollment process.

Long-term success of the Lifeline program depends upon safeguards to curb waste, fraud, and abuse, as well as policies to encourage participation by all eligible Americans. At a minimum, the implementation of the National Verifier should seek to “do no harm” to the eligible customers who are already receiving Lifeline service. TracFone looks forward to working side-by-side with the FCC, USAC, and other interested stakeholders to achieve these shared goals.

II. COMMENTERS SHARE TRACFONE’S CONCERNS REGARDING IMPLEMENTATION OF THE NATIONAL VERIFIER.

No commenter opposes TracFone’s Emergency Petition for an Order directing USAC to modify implementation of the National Verifier and a waiver of the Rule 54.410(d)(3) “initialing” requirement and Petition for Rulemaking.⁴ In fact, all commenters support prompt grant of TracFone’s Emergency Petition to address shared concerns regarding National Verifier implementation.

Commenters agree that several recent decisions by USAC—although well intentioned—undermine the FCC’s mission “to protect against waste, fraud, and abuse; to lower costs to the Fund and Lifeline providers through administrative efficiencies; and to better serve eligible

⁴ Although Public Interest Commenters disagree with TracFone’s recommendation to foreclose the use of commercial addresses, except in the case of homeless and other shelters, and to limit the number of households that may qualify for Lifeline service at a single residential address, these commenters support TracFone’s Petition generally. *See* Comments of Access Humboldt, Benton Foundation, Center for Media Justice, Center for Rural Strategies, Free Press, National Digital Inclusion Alliance, National Hispanic Media Coalition, New America’s Open Technology Institute, Public Knowledge, and United Church of Christ, OC Inc., WC Docket No. 17-287, at 10 (filed Dec. 18, 2018) (“Public Interest Comments”) (“We support Commission grant, as outlined herein, of the relief requested by TracFone.”).

beneficiaries by facilitating choice and improving the enrollment experience.”⁵ Public Interest Commenters, for example, “are troubled by changes to the National Verifier that run counter to its goals of providing an efficient, streamlined and accessible eligibility process for low-income consumers.”⁶ And CTIA questions “whether USAC should issue guidance that materially affects the ability to verify the eligibility of low-income consumers without having such guidance adopted through a formal rulemaking process.”⁷

Commenters explained how USAC’s decisions affect participation in the Lifeline program by eligible consumers. Commissioner Crystal Rhoades of the Nebraska PSC (and a former Lifeline subscriber) described how certain National Verifier processes—such as the cumbersome, eight-page paper application requirements and USAC’s additional proof requirements to demonstrate current low-income program participation—threaten enrollment for the 5,700 eligible households in her state that rely on the Lifeline program.⁸ Nationwide, USAC’s new eligibility documentation policies alone could de-enroll more than 3 million eligible Lifeline subscribers, according to the National Lifeline Association (“NaLa”).⁹ TracFone has observed an alarming 50 percent decrease in the number of Lifeline customers signed up through paper applications since USAC introduced the new eight-page form in July.¹⁰

⁵ *Lifeline & Link Up Reform and Modernization*, Third Report and Order, Further Report and Order, and Order on Reconsideration, 31 FCC Rcd 3926, ¶ 128 (2016) (“2016 Lifeline Reform Order”).

⁶ Public Interest Comments at 4.

⁷ Comments of CTIA, WC Docket No. 17-287, at 3 (filed Dec. 18, 2018) (“CTIA Comments”).

⁸ Comments of Commissioner Crystal Rhoades, Nebraska Public Service Commission, WC Docket No. 17-287, at 2-3 (filed Dec. 17, 2018) (“Nebraska PSC Comments”).

⁹ See Comments of the National Lifeline Association, WC Docket No. 17-287, at 2 (filed Dec. 18, 2018) (“NaLa Comments”).

¹⁰ TracFone has also experienced a 127 percent increase in rejected paper applications, most for failing to adhere to new administrative requirements and not due to ineligibility, and a 51 percent decrease in the number of paper applications returned to TracFone after being sent to customers. See TracFone Emergency Petition at 13-15.

Many Lifeline consumers are disabled, veterans, seniors, rural residents with limited access to service centers and the internet, or have limited reading comprehension. NaLa explained that many beneficiaries “will not lose Lifeline because they are ineligible, but instead . . . because USAC has pushed to hard launch in states for which it lacks adequate database access and it has made the manual reverification process too difficult for this vulnerable class of consumers.”¹¹ Commenters agree that enrollment processes must therefore be consumer-friendly and streamlined to maximize Lifeline participation.¹²

III. WITHOUT PROMPT FCC INTERVENTION, WELL-MEANING EFFORTS TO IMPROVE LIFELINE PROGRAM INTEGRITY WILL INADVERTINELY PRECLUDE ENROLLMENT OF MILLIONS OF ELIGIBLE LIFELINE PARTICIPANTS.

TracFone requested in its Emergency Petition that the FCC direct USAC to carry out several recommendations to address National Verifier implementation concerns and that the FCC initiate a new rulemaking proceeding to develop National Verifier policies that appropriately balance program integrity and consumer access.¹³ TracFone does not repeat those arguments here, but calls attention to a subset of those requests warranting particular emphasis.

A. The Commission Should Direct USAC to Suspend its Additional Requirements Associated with Proof of Current Low-Income Program Participation Because They Will Increase Fraud in the Current Program and Preclude a Large Number of Eligible Households from Receiving Their Lifeline Benefits.

In the Emergency Petition, TracFone discussed how it was made aware during a webinar for service providers on November 14, 2018, that USAC planned to implement new guidelines for proof of Lifeline eligibility effective December 4, 2018. This included a new requirement

¹¹ NaLa Comments at 3.

¹² See Comments of Q Link Wireless, LLC, WC Docket No. 17-287 (filed Dec. 18, 2018) (“Q Link Comments”); Nebraska PSC Comments at 3; NaLa Comments at 7.

¹³ See *supra* n.2-3 (citing TracFone Emergency Petition at iii-iv).

that eligibility documentation contain “an issue date within the last 12 months or a future expiration date that aligns with the benefit period.”¹⁴ This new requirement precludes inevitably the use of a current, government-issued Supplemental Nutrition Assistance Program (“SNAP”) Electronic Benefit Transfer (“EBT”) card in the vast majority of states or a Medicaid benefits enrollment card in a minority number of states, notwithstanding the Commission’s explicit instruction that SNAP and Medicaid participation cards are acceptable proof of program eligibility¹⁵ or that over 90 percent of all Lifeline eligibility is triggered through participation in SNAP or Medicaid.¹⁶ TracFone promptly brought the issue to USAC’s attention in a letter on November 20, 2018, stating that the changes were “plainly inconsistent with FCC requirements.”¹⁷ It further requested that USAC not proceed with this new policy unless and until the FCC revises its rules to permit such a change.¹⁸

TracFone did not receive a response from USAC until December 5, 2018—the day after the announced policy changes had become effective.¹⁹ In doing so, USAC sent an unmistakable

¹⁴ USAC, Acceptable Documentation for the National Verifier, <https://www.usac.org/li/tools/national-verifier/acceptable-eligibility-documentation.aspx> (last visited Dec. 2018).

¹⁵ *Lifeline & Link Up Reform and Modernization*, Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 6656, ¶ 101 (2012) (“2012 Lifeline Reform Order”) (stating that “acceptable documentation of program eligibility would include: . . . (3) program participation documents (e.g., the consumer’s Supplemental Nutrition Assistance Program (SNAP) electronic benefit transfer card or Medicaid participation card (or copy thereof))”).

¹⁶ See NaLa Comments at 3-4 (citing a CGM analysis of Lifeline subscriber enrollments in 2018).

¹⁷ Letter from Javier Rosado, Senior Officer, Business Development and Government Services, TracFone Wireless, Inc. to Michelle Garber, Vice President, Lifeline Program, Universal Service Administrative Company (Nov. 20, 2018).

¹⁸ See *id.* See also Ex Parte Presentation of TracFone Wireless, Inc., WC Docket No. 17-287 (filed Nov. 30, 2018) (summarizing a telephone conversation between Mark Rubin, Senior Executive-Government Relations, TracFone Wireless, Inc., and Nirali Patel, Wireline Advisor to FCC Chairman Ajit Pai, to express concern that as of November 30, 2018, TracFone had “received no response from USAC and no indication that USAC would delay implementation of this change so as to afford the Commission an opportunity to address the lawfulness of USAC’s announced change”).

¹⁹ Letter from Michelle Garber, Vice President, Lifeline Program, Universal Service Administrative Company, to Javier Rosado, Senior Officer, Business Development and Government Services, TracFone Wireless, Inc. (Dec. 5, 2018) (“USAC Letter”). TracFone has attached a copy of the USAC Letter to these reply comments.

signal that the policy change concerning the eligibility documentation was *fait accompli* and no amount of stakeholder engagement would have resulted in USAC altering its scheduled implementation of the new requirements. Unfortunately, an open, transparent, and sustained engagement with Lifeline providers and other stakeholders was precisely what USAC should have done here for the agency to fully appreciate the impact of its new policy.

TracFone understands and appreciates USAC’s interest in ensuring “that a subscriber’s household currently receives benefits;”²⁰ however, USAC’s new date requirement does little to provide such assurances. Under federal law, the SNAP certification period typically varies between one month and three years, and it could further change from state to state.²¹ Most childless adults between the ages of 18 to 49 years receive only three months of SNAP benefits in a 36 month period unless they have received a waiver or meet certain work requirements, and most households with children typically receive a 12-month certification period. The period is increased to 24 months for most elder or disabled households and households residing on a reservation, and could be further increased to 36 months if they receive SNAP benefits through a “combined application project” with another safety net program, such as SSI. Conversely, states may shorten the certification period to 1 or 2 months, if it appears that the household will become ineligible for SNAP benefits in the near future.

Consequently, USAC’s new requirement—at least as far as the need to demonstrate an issuance date within the past 12 months for any SNAP-qualifying eligibility documentation—will do little if anything to reduce fraud. The new requirement can only demonstrate that a Lifeline subscriber’s household currently receives benefits from SNAP if the household (i)

²⁰ *Id.*

²¹ *See* 7 C.F.R. § 273.10(e)(4)(ii).

includes a dependent child and (ii) has not had their certification period reduced due to anticipated ineligibility. It simultaneously *under-qualifies* those who live in an older or disabled household or household residing on a reservation because of their 24-month certification period, and *over-qualifies* households with only able-bodied adults without dependents because their certification period could have expired long before 12 months from the issued date. USAC's new requirement will arbitrarily exclude those who are seniors, disabled, or participants of the tribal program from receiving the Lifeline benefits they are eligible for, while allowing many ineligible households with able-bodied adults to defraud the program and participate.

In addition to being ineffective, USAC's new requirements are unnecessary. As a service provider charged with reviewing eligibility documentation each day for over a decade and making eligibility determinations under the threat of significant financial penalties, TracFone appreciates fully the need for the National Verifier to guard against waste, fraud, and abuse. However, the lack of an issuance or eligibility date on the face of a SNAP or Medicaid enrollment card poses minimal risk to the integrity of the Lifeline program. Eligible Lifeline participants use their SNAP EBT cards to make purchases at grocery stores regularly; they use their Medicaid cards whenever they visit their doctor or pharmacist. These cards demonstrate their owners' contemporaneous participation in a qualifying federal benefits program for Lifeline, because they are depended upon to make ends meet for the programs' participants.

TracFone has rarely, if ever, come across Lifeline participants holding onto their expired SNAP or Medicaid card for the purpose of defrauding the Lifeline program. Many potential participants are indeed made aware of their eligibility to sign up for Lifeline when they initially enrolled in SNAP or Medicaid. Furthermore, for an ineligible consumer to fraudulently use an expired SNAP or Medicaid card to obtain Lifeline benefits, the individual must (i) live in a state

in which the National Verifier does not have access to the state SNAP or Medicaid database to perform the automated eligibility verification and (ii) be aware that the National Verifier does not have such capabilities to exploit the manual eligibility verification process by submitting an expired SNAP EBT card or Medicaid enrollment card. At that point, they will face the same deterrents to Lifeline enrollment as those who wish to participate legitimately: they must perform the arduous tasks of locating a computer with a scanner, scan in their expired SNAP or Medicaid card, then digitally upload the document using the National Verifier's consumer portal, all to cheat the government out of \$9.25 a month.

In contrast, based on years of experience serving the Lifeline-eligible population, TracFone understands that the only eligibility documentation consumers often have in their possession is the SNAP EBT or Medicaid enrollment card due to their regular use of these cards. Indeed, over 25 percent of TracFone's Lifeline customers provided either a SNAP EBT card or a Medicaid enrollment card as their proof of eligibility. Due to the transient nature of their housing arrangements, many eligible customers do not hold onto their initial SNAP or Medicaid enrollment letter. The burden of obtaining such physical documentation could be significant, including a trip to their state or local benefits office for those without access to their SNAP or Medicaid accounts online. The burden imposed by the new eligibility documentation requirements on Lifeline-eligible consumers therefore greatly outweigh the potential benefits these policy changes are likely to generate to reduce waste, fraud, and abuse in the Lifeline system.

B. The Commission Should Act Immediately to Clarify That USAC’s New Document Requirements Do Not Have the Force of Law.

Not only are the new eligibility documentation requirements bad public policy, USAC also lacks legal authority to adopt these new policies or to interpret FCC rules. The *2016 Lifeline Reform Order* delegates to the Wireline Competition Bureau (“Bureau”) and Office of the Managing Director “all aspects of the development, implementation, and performance management of the National Verifier.”²² It further delegates to the Bureau exclusive authority to provide any rule clarifications or guidance with respect to the National Verifier.²³ USAC lacks such delegated authority and, as Q Link explained, must seek guidance from the Commission if the agency’s rules are unclear or do not address a particular situation.²⁴

Furthermore, requirements for eligibility documentation to display an issuance or expiration date constitute a “substantive rule” or “legislative” rule, because it “adopts a new position inconsistent with existing regulations, or otherwise effects a substantive change in existing law or policy.”²⁵ It is therefore subject to the Administrative Procedure Act’s notice-and-comment requirements. USAC’s December 5th letter to TracFone quotes Section 54.410(c)(i)(B) of the FCC’s rules providing for the types of acceptable documentation of program eligibility from a qualifying assistance program, but nowhere does the rule require the documentation to also include the presence of an issuance or expiration date. Furthermore, since the new requirements exclude most of the SNAP EBT cards and some of the Medicaid enrollment cards from the list of acceptable documentation, it “effects a substantive change in

²² *2016 Lifeline Reform Order*, ¶ 126.

²³ *Id.*

²⁴ See Q Link Comments at n.5 (citing 47 C.F.R. § 54.702(c) (USAC “may not make policy . . . [or] interpret unclear provisions of . . . [the Commission’s] rules[.] . . . Where the . . . Commission’s rules are unclear, or do not address a particular situation, the Administrator shall seek guidance from the Commission.”)).

²⁵ *Mendoza v. Perez*, 754 F.3d 1002, 1021 (D.C. Cir. 2014). See also 5 U.S.C. § 553(d).

existing law or policy” and reverses the FCC’s *2012 Lifeline Reform Order* explicit decision that “program participation documents” as listed under Section 54.410(c)(i)(B) include “the consumer’s Supplemental Nutritional Assistance Program (SNAP) electronic benefit transfer card or Medicaid participation card.”²⁶ Therefore, not only does USAC lack the authority to impose such a new requirement, the FCC may only do so following a notice-and-comment process as required by the Administrative Procedure Act.

Several commenters agree that any new policies must be made by the FCC through public notice-and-comment proceedings.²⁷ Public rulemaking proceedings enable more fulsome discussion, reduce confusion and uncertainty, and, in this case, would have helped “to identify process ‘pain-points’ early on.”²⁸

TracFone supports Q Link’s request for the Commission to immediately clarify that USAC’s new document requirements do not have the force of law.²⁹ USAC’s requirement that SNAP benefit cards or Medicaid participation cards must include an issue date or expiration date to demonstrate program eligibility contradict the FCC’s clear direction that these state-issued cards—many of which do not satisfy USAC’s new criteria—are acceptable forms of documentation.³⁰

It is worth reiterating the degree of urgency with which TracFone seeks Commission action to annul the new eligibility documentation requirements imposed by USAC. Although the

²⁶ *2012 Lifeline Reform Order*, ¶ 101.

²⁷ *See, e.g.*, CITA Comments at 4; Q Link Comments at 4-5; Public Interest Comments at 6-7; NaLa Comments at 8.

²⁸ Public Interest Comments at 6.

²⁹ *See* Q Link Comments at 3.

³⁰ *See id.* at 2-3 (citing 47 C.F.R. § 54.410(c)(1)(i)(B); *2012 Lifeline Reform Order*, ¶ 101; and *2015 Lifeline Reform Order*, 30 FCC Rcd 7818, ¶ 95).

new requirements do not apply directly to any non-National Verifier hard-launched states, they do apply to the reverification process for existing subscribers migrating to the National Verifier. Carriers currently conducting eligibility verification in non-National Verifier states thus have no choice but to follow the new eligibility documentation requirements when signing up new subscribers today or risk failing the reverification process several months later when the states are selected for the National Verifier's soft launch. The impact of the new requirements will thus be felt immediately nationwide, regardless of a state's hard launch status for the National Verifier.

C. The FCC Should Streamline the Paper Application Process and Allow Service Providers to Assist Lifeline Applicants with the Enrollment Process.

TracFone is grateful that after several meetings with the FCC and USAC, USAC staff clarified that Lifeline applicants do not need to return all eight pages of the paper application but only the pages that required input from the applicant in order for an application to be considered complete. TracFone urges USAC to seek input from outside parties in its decision-making process early and often, to provide meaningful opportunities for stakeholders to provide input, while continuously assessing whether it is communicating information to outside parties in a consistent, uniformed manner.

Among the remaining requests made by TracFone, it is worth noting that commenters support TracFone's recommendations to permit service providers to assist Lifeline applicants with the paper application and to allow applicants to select a Lifeline service provider as part of the eligibility process.³¹ As TracFone has stated repeatedly, the enrollment process would be

³¹ See, e.g., Q Link Comments at 6 ("Even without an API, service providers could facilitate this process by transferring paper materials to the Commission through a bulk transfer process, akin to what Q Link has proposed in its recent waiver request"); Comments of Sprint Corporation, WC Docket No. 17-287, at 4 (filed Dec. 18, 2018) ("Sprint Comments").

more efficient and accessible for applicants, if carriers could collect the paper application and submit it to the National Verifier through Application Programming Interfaces (“APIs”). And allowing applicants to select their Lifeline carrier as part of the eligibility application would simplify Lifeline enrollment from a two- to one-step process from the consumers’ perspective.

Q Link proposes, in addition to TracFone’s recommendations, that the FCC permit applicants to complete the paper application online and using electronic signatures. Carriers could then bundle the completed and signed eligibility applications and associated documentation for submission to the National Verifier.³² Sprint offers recommendations to refine the consumer process for pre-selecting their service provider until implementation of APIs.³³ TracFone supports Q Link and Sprint’s proposals and agrees that they would “significantly reduce the burden on consumers, at no loss to the National Verifier’s ability to prevent waste, fraud, and abuse.”³⁴

D. The Commission Should Reconsider its Decision to Forgo APIs.

Commenters strongly support implementation of APIs to facilitate participation in the Lifeline program by eligible consumers.³⁵ APIs will increase efficiency and reduce costs by allowing carriers to work collaboratively with the FCC and USAC to verify applicant eligibility.

TracFone understands that the FCC may have reservations with API deployment based on concerns that APIs facilitated fraud in the National Lifeline Accountability Database (“NLAD”) Third Party Identity Verification (“TPIV”) Failure Resolution process. The TPIV Failure Resolution process involved manual determination of subscriber eligibility and is

³² See Q Link Comments at 6-7.

³³ See Sprint Comments at 4 (recommending that USAC notify carriers of consumer pre-selections through a daily report so carriers may begin the enrollment process without delay).

³⁴ *Id.* at 7.

³⁵ See, e.g., CTIA Comments at 2-3; Q Link Comments at 7-8; Sprint Comments at 2.

fundamentally different than APIs, which are simply mechanisms through which the NLAD communicates with various eligibility databases. **Although APIs would enable carriers to pre-screen applicants, final low-income verification would remain the exclusive responsibility of USAC.** APIs would therefore facilitate efficient and effective verification of subscriber enrollment without increasing the risk of program fraud or abuse.

IV. TRACFONE SUPPORTS ADDITIONAL RECOMMENDATIONS BY SPRINT TO FURTHER IMPROVE NATIONAL VERIFIER IMPLEMENTATION.

Sprint offers four additional proposals,³⁶ which TracFone agrees will facilitate a coordinated and efficient rollout of the National Verifier with minimal expense.

- **Improve Communication of Deployment Schedules.** TracFone echoes Sprint's request for USAC to provide notice of plans for soft and hard launch of the National Verifier in new states well in advance.³⁷ Four days' notice—the amount of time between USAC's announcement and soft launch of the National Verifier in Guam, Hawaii, Idaho, New Hampshire, North Dakota, and South Dakota—makes it difficult for service providers to make required operational changes.
- **Adjust the Process Order in “Batch States.”** TracFone also supports Sprint's suggestion that in states where the National Verifier lacks real-time access to databases the National Verifier process applications by reviewing *first* the Federal HUD database for the Lifeline applicant, *second* the applicant's supporting documentation, if he or she is not found in the Federal HUD database, and *third* the state database, to the extent necessary (a process requiring up to three days to complete). This revised order of operations will, as Sprint notes, increase the percentage of near real-time eligibility determination by the National Verifier and enable applicants who are assisted by a live agent to establish services in an uninterrupted process flow.³⁸
- **Support Consumer Education Efforts.** TracFone agrees that increased consumer education and outreach by the FCC and USAC will help eligible Lifeline recipients navigate the revised enrollment process.³⁹

³⁶ See Sprint Comments at 5-7.

³⁷ See *id.* at 5-6.

³⁸ See *id.* at 6

³⁹ See *id.*

- **Allow Application Submission via an “App.”** Finally, TracFone supports Sprint’s proposal to allow applicants to upload eligibility documentation using an app rather than by the service provider agent.⁴⁰ To the extent feasible, this approach would prevent the need for service providers to collect and store this information on their systems.

V. CONCLUSION

TracFone stands ready to work collaboratively with the FCC, USAC, and other interested stakeholders to ensure the success of the Lifeline program. By engaging with stakeholders early and often, the FCC can facilitate successful, common-sense implementation of the National Verifier and appropriately balance program integrity and consumer access. As an essential first step, TracFone encourages the Commission to grant waiver of its Emergency Petition without delay to correct USAC policies that have inadvertently made it overly burdensome for eligible Americans to enroll in the Lifeline program.

Respectfully submitted,

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See id. at 6-7.