

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

In the Matter of)	
)	
Lifeline and Link Up Reform and Modernization)	WC Docket No. 11-42
)	
Telecommunications Carriers Eligible for Universal Service Support)	WC Docket No. 09-197
)	
Connect America Fund)	WC Docket No. 10-90
)	

**COMMENTS OF MEMBERS OF THE RURAL BROADBAND POLICY GROUP:
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CENTER FOR RURAL STRATEGIES, CENTER FOR MEDIA JUSTICE, INSTITUTE
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APPALACHIAN YOUTH), TERZETTO CREATIVE, LLC, AND VIRGINIA RURAL
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Access Humboldt, Access Sonoma Broadband, Appalshop, California Center for Rural Policy, Center for Rural Affairs, Center for Rural Strategies, Center for Media Justice, Institute for Local Self Reliance, The STAY Project (Stay Together Appalachian Youth), Terzetto Creative, LLC, and Virginia Rural Health Association, representative of the membership of the “Rural Broadband Policy Group” (RBPG), respectfully submit the following comments in response to the Commission’s Notice of Proposed Rulemaking on Lifeline Modernization.

I. THE DIGITAL DIVIDE AND POVERTY IN RURAL AMERICA

Today, people need Internet service to find a job, apply for college, and sign up for a healthcare plan. Indeed, the Internet has become an essential service for basic tasks. But for rural America, broadband access is a matter of planning for the next generation. In rural communities with less opportunity, the Internet is a lifeline to education, employment and information. For rural residents, the Internet can be a powerful tool to lift people out of poverty and transform their communities. Yet 53% of Americans living in rural areas and 63% living on Tribal lands do not have access to high-speed broadband.¹

At the annual YouthBuild² Rural Caucus this March, 21 young people gathered to talk about the challenges they face and to draft a vision of wellness and opportunity for their communities. A brief survey of the participants illustrated the digital divide rural, Native, and poor youth face. Only 13 out of the 21 participants had Internet access at home, seven rely on the public library for access, and 19 get online at work or, occasionally, on their phone. All of the participants had faced economic hardship at some point and some even homelessness. Next to

¹ Federal Communications Commission. (2015). *Tenth Broadband Progress Report*.

² YouthBuild USA is a national education and job-training model where low-income young people ages 16 to 24 work full-time toward their General Education Development Certificate (“GED”) or high school diplomas while learning job skills by building affordable housing in their communities. At the program’s completion, participants are placed in college, jobs, or both. YouthBuild is a member of the Rural Broadband Policy Group.

availability, cost was the prime obstacle participants faced to access broadband service in their rural communities.

Extending Internet networks to rural and Tribal areas is an essential component in helping close the digital divide. But, for millions of Americans living in poverty or experiencing economic hardship, this measure alone is not sufficient.

While the U.S. economy shows promising recovery from the Great Recession, rural areas continue to experience employment at levels *below* the 2007 crash.³ And, with 18% of residents living under the poverty line, rural communities are suffering the highest levels of poverty since the 1980s.⁴ According to the Economic Research Service of the U.S. Department of Agriculture, out of the 375 counties that experience persistent poverty – 20 percent or more of their population lived in poverty over the last 30 years – 301 are rural.⁵ In order to make Internet service truly available to all Americans, it must be affordable for all.

Modernizing the Lifeline program will help bring the Internet to poor, rural, and Tribal communities, and allow them to participate in the social and economic opportunities of the 21st century. For this reason, the Rural Broadband Policy Group respectfully encourages the Federal Communications Commission (Commission) to include broadband as a service the public can obtain via Lifeline, and to consider the following recommendations to modernize the program.

³ Kusmin, L. (November 2014). United States Department of Agriculture. Economic Research Service. *Rural America at a Glance, 2014 Edition*. Retrieved from the United States Department of Agriculture website <http://www.ers.usda.gov/publications/eb-economic-brief/eb26.aspx>

⁴ Farrigan, T. (March 2014). *Poverty and deep poverty increasing in rural America*. Retrieved from the United States Department of Agriculture Economic Research Service website <http://www.ers.usda.gov/amber-waves/2014-march/poverty-and-deep-poverty-increasing-in-rural-america.aspx#.Vd-O4M7EiCW>

⁵ United States Department of Agriculture. Economic Research Service. *Geography of Poverty*. Last updated on May 18, 2015. Retrieved from the United States Department of Agriculture website <http://www.ers.usda.gov/topics/rural-economy-population/rural-poverty-well-being/geography-of-poverty.aspx>

II. LIFELINE HELPS RURAL AMERICA

Historically, rural, Native, and low-income communities have struggled to access communications services. Prior to the creation of the Universal Service Fund, millions of people did not have a telephone line. The Lifeline Program launched in 1985, and began to help qualifying low-income individuals pay for landline telephone service. The successful program was expanded to include wireless telephone service in 2005. Undoubtedly, Lifeline has helped many rural residents, for example, Sharell Harmon. Sharell is a young single mother from Elkins, West Virginia, and a Lifeline telephone recipient. She uses her Lifeline wireless phone to communicate with employers, social workers, and her children's daycare. She is grateful the program exists because it helps her navigate daily life and stay in touch with important contacts.

“My Lifeline phone has literally been ‘my lifeline.’ When I was pregnant, I scheduled all of my Ob-Gyn visits with the lifeline phone and the doctors and different specialist were able to contact me on the lifeline phone. I also used the phone to enroll my children in the Head Start program, find housing in Randolph County, and to communicate with the school about my children. My kids were terribly sick fall 2014 and it was a blessing to be connected with the lifeline phone. I don't think there is a better name for the program. For many people and their families, it can save their lives.”⁶

Although available data does not specify how many of the current 12 million Lifeline recipients reside in rural communities, at least 1.1 million rural households participating in the Supplemental Nutrition Assistance Program could benefit from Lifeline Modernization.⁷

Currently, Sharell cannot afford Internet access at home because her financial situation requires her to prioritize rent, groceries, and utilities.

⁶ Harmon, S. (2015, June 16). Speak your piece: take lifeline online. *The Daily Yonder*. Retrieved from <http://www.dailyyonder.com/phone-program-literal-lifeline/2015/06/16/7875>

⁷ Bailey, J. M. (July 2014). *Supplemental Nutrition Assistance Program and Rural Households*. Center for Rural Affairs. Retrieved from <http://files.cfra.org/pdf/snap-and-rural-households.pdf>

“When I pay bills, it’s always a process of elimination for what bills will get paid that paycheck and which will get paid the next time around. Paying for the Internet was always an issue, and many times I’ve faced disconnection. When I lost my Internet connection earlier this year because I couldn’t pay the bill, I sold some household items and electronics to get reconnected. But that won’t work month after month.”⁸

Sharell wants Internet service at home to continue her education, pursue her professional goals, and help her children’s education. She believes a Lifeline program that offers Internet service would allow people who are struggling financially like her to transform their lives.

“Because the Internet has become such an important part of how we all communicate, I believe that broadband service should be incorporated into the Lifeline program. Many employers and educators require online job applications and email communication. The Internet is also the way I’m furthering my education. I can’t be physically in a classroom, so online classes are critical. And you never know the importance of being connected until you are disconnected.”⁹

Too many low-income youth like Sharell, in rural communities and across the country, miss out on opportunities to improve their lives because they cannot afford broadband service. RBPG believes modernizing the Lifeline program to offer Internet service is an essential step to get rural, Native, and low-income Americans online.

III. LIFELINE MODERNIZATION IS INTEGRAL TO A COMPREHENSIVE STRATEGY THAT CLOSSES THE DIGITAL DIVIDE IN RURAL AMERICA.

Rural communities face multiple overlapping challenges to access Internet service. For example, lack of investment from major providers and statutory hurdles for smaller providers to enter the market create a lack of access to the service. Where service is available, it often lags behind urban areas in speed and quality. Further, the lack of providers in rural areas prevents the growth of healthy competition that would bring service prices within reach of low-income rural

⁸ Harmon, S. (2015, June 16). Speak your piece: take lifeline online. *The Daily Yonder*. Retrieved from <http://www.dailyyonder.com/phone-program-literal-lifeline/2015/06/16/7875>

⁹ *Id.*

residents. The establishment of the Universal Service Fund (USF) and each of its programs is the most comprehensive strategy to address these overlapping challenges and close the digital divide in rural, Tribal, and low-income communities.

Congress assigned the Federal Communications Commission with the responsibility to ensure that “[a]ccess to advanced telecommunications and information services should be provided in all regions of the Nation,”¹⁰ that “[q]uality services should be available at just, reasonable, and affordable rates,”¹¹ and that “[c]onsumers in all regions of the Nation, including low-income consumers and those in rural, insular, and high cost areas, should have access to [advanced] telecommunications and information services that are reasonably comparable to those services provided in urban areas and that are available at rates that are reasonably comparable to rates charged for similar services in urban areas.”¹² This mandate is exemplary American public policymaking that truly serves the overall public, including the most vulnerable members of our society.

To fulfill its mandate, the Commission created and implemented four complimentary, interrelated programs: 1) Connect America Fund, 2) Schools and Libraries, commonly known as E-Rate, 3) Rural Health Care Program, and 4) Lifeline. Each program tackles a specific challenge that rural communities face, and collectively, they help close the digital divide across the country. For instance, the Connect America Fund finances carriers that build networks in rural communities;¹³ thus, promoting investment, competition, and access to the Internet in rural

¹⁰ 47 U.S.C § 254(b)(2)

¹¹ 47 U.S.C § 254(b)(1)

¹² 47 U.S.C § 254(b)(3)

¹³ Federal Communications Commission. *Connect America Fund (CAF)*. Last updated on August 28, 2015. Retrieved from the Federal Communications Commission website <https://www.fcc.gov/encyclopedia/connecting-america>

areas. E-Rate connects schools and libraries to broadband,¹⁴ which improves educational institutions, systems, and standards. The Rural Health Care Program provides funding for hospitals, nursing facilities, and healthcare institutions to access telecommunications and broadband services necessary for the provision of healthcare.¹⁵ As such, the Rural Health Care Program improves healthcare institutions and services in rural areas. Finally, Lifeline helps qualifying, low-income consumers to pay for telephone service.¹⁶ Because of its direct focus on individuals, the Lifeline program is uniquely positioned to address the cost barrier that so many Americans face to attain Internet service. Lifeline represents the human element of the digital divide. Once a community and its institutions – hospitals, libraries, and schools – have access to the Internet, the last connection to make is to the individual, in their home.

Rural communities cannot afford to choose one USF program over another because each program fulfills a unique need. E-Rate, Rural Health Care, Connect America Fund, and Lifeline are complimentary programs that support the overall wellbeing of a community. Together, they help the Commission fulfill its congressional mandate and close the digital divide. Lifeline Modernization is indispensable to a comprehensive, successful strategy that addresses rural communities' telecommunications needs holistically. Further, a strategy that does not include Lifeline Modernization is woefully incomplete.

¹⁴ Federal Communications Commission. *E-Rate – Schools & Libraries USF Program*. Last updated on August 3, 2015. Retrieved from the Federal Communications Commission website <https://www.fcc.gov/encyclopedia/e-rate-schools-libraries-usf-program>

¹⁵ Federal Communications Commission. *Rural Health Care Program*. Last updated on July 10, 2015. Retrieved from the Federal Communications Commission website <https://www.fcc.gov/encyclopedia/rural-health-care>

¹⁶ Federal Communications Commission. *Lifeline Program for Low-Income Consumers*. Last updated on August 5, 2015. Retrieved from the Federal Communications Commission website <https://www.fcc.gov/lifeline>

IV. LIFELINE MODERNIZATION HELPS RURAL AMERICANS ACCESS 21st CENTURY OPPORTUNITIES.

Lifeline Modernization can help rural Americans transform their lives and communities. Rural students would be able to access an essential tool to succeed in their studies, rural patients would see improvement in their access to health care, and rural communities would benefit from their residents ability to join the economic opportunities of the 21st century.

A. Lifeline Modernization Makes Education Available to Poor Americans

Today, teachers distribute homework assignments via email, schools have begun to conduct standardized tests online, and paper applications for college and scholarships are a concept of the past. Internet service has become *essential* to access educational opportunities and achieve academic success. For example, a student’s grade can depend on his access to the Internet after school hours, and another could not submit her application to most law schools without using the Law School Admissions Council website. In fact, any American student aspiring to complete K-12, college, or professional education must have access to broadband. To exemplify the basic need for broadband, Jenny Williams, an English Professor at Hazard Community and Technical College says:

“Try to talk to a student who is in a college class online with dial-up..It really just doesn’t work and there are so many of our students who are trying to do that now, so if we could increase that infrastructure...especially in those rural areas, it would help us to grow in ways that maybe aren’t as evident to someone who is thinking of an urban setting, it’s even more important. We can’t keep ignoring our rural areas, and expecting them to somehow pull themselves up by their bootstraps...with no industry and no way to do it in this economy.”¹⁷

¹⁷ Williams, Jenny (2015) PlaceStories website
<http://d1c2a0092rcrwo.cloudfront.net/pool/video/91/69/82/83oio-1053e49d4b7159384ea7dd284b0af0d8-lo.webm?1439475498>

Yet, about 5 million households with school-aged children do not have broadband, and most of them are low-income.¹⁸ Inability to afford Internet service is an additional barrier to success for students living in poverty or with families experiencing financial hardship. Modernizing Lifeline can help poor students get essential access to the Internet, where they can complete homework, take an exam, or submit a scholarship application. Lifeline Modernization would make education more accessible to the most vulnerable students.

B. Lifeline Modernization Increases Access to Healthcare for Poor Americans

There is a shortage of healthcare professionals in rural areas, despite the fact that one fourth of the population lives there. Rural communities get only about ten percent of physicians, 40 dentists per 100,000 residents, and 20 percent of non-metro counties lack mental health services.¹⁹ Further, rural residents are less likely to have employer-provided healthcare coverage,²⁰ and over six million lack health insurance altogether.²¹ These factors contribute to disproportionate access to health care services in rural areas, and result in 28% of rural adults describing their health as fair or poor, and higher numbers of chronic diseases such as cerebrovascular disease and hypertension.²² In addition, the financial viability of a hospital and the ability of a patient to pay for care often influences decisions to overlook rural patients for

¹⁸ Horrigan, B. (April 2015). *The numbers behind the broadband “homework gap.”* Retrieved from the Pew Research Center website <http://www.pewresearch.org/fact-tank/2015/04/20/the-numbers-behind-the-broadband-homework-gap/>

¹⁹ National Rural Health Association. (2015). *What's different about rural health care?* Retrieved from the National Rural health Association website <http://www.ruralhealthweb.org/go/left/about-rural-health/what-s-different-about-rural-health-care>

²⁰ *Id.*

²¹ Housing Assistance Council (September 2014). *Rural poverty decreases, yet remains higher than the U.S. poverty rate.* Retrieved from <http://www.ruralhome.org/sct-information/mn-hac-research/rnn/990-official-poverty-rate-2014>

²² National Rural Health Association. (2015). *What's different about rural health care?* Retrieved from the National Rural health Association website <http://www.ruralhealthweb.org/go/left/about-rural-health/what-s-different-about-rural-health-care>

preventative and medical treatments. Without preventative treatments, rural patients end up playing a losing game.

1. Hospital Closures Limit Access to Health Care in Rural Areas

Hospital access in remote areas is limited. Over the last five years, 57 hospitals have closed in rural locations.²³ Hospital closures force patients to travel far distances to find basic care, such as check-ups, and even urgent care. Consequently, if a patient experiences a life threatening emergency, they might not be able to reach the neighboring county or nearest urban hospital in time. Even patients committed to following their regular medical, blood pressure, cholesterol check-ups, and gynecological visits, will have a harder time staying healthy if they live in a community where the hospital closed. Meeting the needs of vulnerable rural populations will become more difficult for communities that have seen their health care institutions disappear.

Building effective healthcare delivery systems that serve all Americans requires connecting providers *and* patients to the Internet. Internet access enables providers to offer better services to their patients. For example, healthcare providers use the Internet to monitor patients' vital signs, deliver medication, disseminate health information, and stay in touch with their patients. But, patients must also get online in order for the system to work. Patients can use the Internet to research symptoms or access care directly from their home when they lack transportation or are homebound. Contacting health providers via digital channels can be more convenient for patients in remote areas. However, a problem arises when the cost of Internet service adds to the high cost of healthcare, and poor, rural Americans who are unable to pay will

²³ North Carolina Rural Health Research Program. (2015). *57 rural hospital closures: January 2010-present*. Retrieved from the NC Rural Health Research Program webpage <http://www.shepscenter.unc.edu/programs-projects/rural-health/rural-hospital-closures/>

find the digital door to their doctor closed. This gap in affordability creates a gap in health. As healthcare systems increasingly rely on the Internet to deliver services, it is critical that patients can get online. Lifeline modernization can help poor, rural patients pay for Internet service that allows them to access vital healthcare services and stay in touch with their doctor. Offering Internet service in the Lifeline program would help low-income rural patients become the drivers of their own health.

C. Lifeline Modernization Helps Poor Americans Access Economic Opportunity

7.6 million people residing outside of metropolitan areas live in poverty,²⁴ 12% of rural children live in households experiencing “deep poverty” – having an income *below half* of the poverty line,²⁵ – and the majority of U.S. counties with the highest levels of poverty are located in rural areas.²⁶ These figures paint the grim reality many rural residents face. The employment loss rural communities continue to experience makes this harsh economic landscape even more difficult to navigate for poor residents. Today, people everywhere use the Internet to find and apply to jobs, and in some cases, to perform job responsibilities. And, not having Internet service can lock people outside of economic opportunity. Ada Smith, a young activist and Director of Program Development at Appalshop,²⁷ an arts and education non-profit in the small town of Whitesburg, Kentucky, puts it this way:

“Broadband is key to becoming a part of the new economy which is all around tech careers, IT, programming, web security, etc...and we want those opportunities for our young people and our community members and

²⁴ DeNavas-Walt, Carmen and Bernadette D. Proctor, U.S. Census Bureau, Current Population Reports, P60-249, *Income and Poverty in the United States: 2013*, U.S. Government Printing Office, Washington, DC, 2014.

²⁵ Farrigan, T. (March 2014). *Poverty and deep poverty increasing in rural America*.

²⁶ Housing Assistance Council (September 2014). *Rural poverty decreases, yet remains higher than the U.S. poverty rate*. Retrieved from <http://www.ruralhome.org/sct-information/mn-hac-research/rn/990-official-poverty-rate-2014>

²⁷ <http://www.appalshop.org/>

Appalshop can help do that, and provide that educational development if we had better access to broadband.”²⁸

Modernizing Lifeline can help parents and young adults get essential access to the Internet, where they can find jobs that help them emerge from poverty. Amelia Kirby, a small business owner in Whitesburg, Kentucky thinks it is a disservice when aspiring rural entrepreneurs cannot access affordable broadband service.

“Broadband is important to me here in rural Appalachia because...we can be connected to the rest of the world for the products that we sell, the services that we provide, the culture that we make in this place...and the rest of the world can come here as well. It means that we can participate fully in the digital economy that exists in the US now and in the world. It’s a huge, huge deficit if we don’t have access to broadband.”²⁹

Lifeline Modernization would help poor, rural communities access the economic opportunities of the 21st century now found almost exclusively online.

V. THE FCC MUST IMPROVE MINIMUM SERVICE STANDARDS FOR VOICE IN THE LIFELINE PROGRAM.

The Rural Broadband Policy Group agrees with the Commission’s goal to improve minimum service standards for Lifeline mobile voice service. The Commission found that the cost per-minute for both wireless resell and facilities-based providers has decreased significantly.³⁰ Savings that Lifeline providers have been able to make should be passed on to consumers, thus allowing the American public to extract the most benefit from the program.

Various mobile market competition and consumer use reports found that the average American

²⁸ Smith, Ada (2015). PlaceStories website
<http://d1c2a0092rcrwo.cloudfront.net/pool/video/10/81/30/9jpxi-c0652b0147878240c799d3951db6d9c9-lo.webm?1439389099>

²⁹ Kirby, Amelia (2015). PlaceStories website
<http://d1c2a0092rcrwo.cloudfront.net/pool/video/74/67/20/9csmj-9041537a9d9939248fd4bc3880a0f2b6-lo.webm?1439393192>.

³⁰ See *Second Further Notice of Proposed Rulemaking, Order on Reconsideration, Second Report and Order, and Memorandum Opinion and Order*, WC Docket No. 11-42, para. 42

consumer uses between 690 and 930 minutes per month.³¹ Vulnerable Lifeline recipients rely on their phone to call doctors, employers, schools, and social service agencies with lengthy wait times. Given the drastic decline in cost of providing voice service, we believe that the Commission should require carriers to provide unlimited talk and text to Lifeline consumers. Unlimited talk and text will meet the communication needs of Lifeline consumers, a population already facing hardship in many other sectors of their lives, and will not put them in the difficult situation of having to forego making important calls.

For example, Teresa Collin's father is a Lifeline recipient from Whitesburg, KY, who was suffering from a life threatening disease. While in the hospital, he was unable to call his family because he used the 250 minutes allotted by the Lifeline carrier. After being discharged from the hospital, his post-op recovery required him to stay in a nursing home in another town for an undetermined amount of time. Because he had used all his minutes, he remained unable to contact his family who lived over two hours away. His only other option was to pay \$20 per week to keep a phone in his nursing home room, an impossible amount for him. With unlimited talk and text, Teresa's father would not have encountered yet another barrier at a time when he needed help the most. Since increasing the minimum standard will not come at a cost that deters Lifeline providers, it serves the wellbeing of our society to ensure everyone can access unlimited voice communications. Lifeline recipients already face a multitude of barriers to getting their lives back on track, requiring Lifeline providers to offer unlimited talk and text services will help them get back on track faster.

³¹ *Id.*, para 40.

VI. LIFELINE MODERNIZATION SHOULD FUND BACK-UP BATTERIES FOR VOICE SERVICE.

The old, copper-wire telephone landlines Americans first became accustomed to can work even when household electricity is off. But, the way telephones work is changing. Now, telephone providers have begun to transition from copper networks to wireless and fiber networks that use Internet Protocol (IP) technology. Changing the underlying technology of our telephone network is a process called the "Technology Transitions," and it changes the reliability of telephone service. New technologies do not work when household electricity is off, and now, consumers must acquire backup batteries to power their phone if they want to use it without interruption. Earlier this month, the Commission decided to not require carriers to cover the cost of providing backup batteries their phones require to function without interruption.³² Essentially, telephone carriers now offer a lower quality, less-reliable service and consumers have to pay more to make sure that service works. RBPG believes the FCC's decision allows carriers to pin the cost on consumers and leaves low-income consumers unable to afford backup power at risk.

Poor people have the least ability to pay for backup power, especially at the current cost of carrier-owned batteries. If a poor family has to choose between paying for a backup battery or rent, that family will likely choose to pay their rent. The Commission talked about putting consumers in the driver's seat of opting for backup power, but that seat is available only for those who can afford it. Allowing carriers to pin the cost of backup power on consumers is a step *back* for poor, rural consumers who live in disaster-prone areas, for whom backup power is matter of survival.

³² See Ensuring Continuity of 911 Communications Report and Order 15-98.

Since the Lifeline Modernization proceeding is about ensuring that low-income Americans can access essential voice and broadband services, the RBPB believes the Commission should allow consumers to use the Lifeline subsidy to pay for battery and backup power. 10 years ago this month, our country experienced the devastating force of Hurricane Katrina. As carriers switch to networks that are not as reliable as copper and shift the cost of reliability onto the consumer, the Commission has a responsibility to ensure that people are not caught without the tools to survive natural disasters. Allowing Lifeline recipients to use the subsidy to cover backup power will literally give them a Lifeline during a time they need it most.

VII. THE FCC MUST CONSIDER SUBSCRIBER USE FOR MINIMUM SERVICE STANDARDS FOR BROADBAND.

Americans use the Internet for a multitude of daily tasks: to pay bills, stream a college class, oversee a business website, video-call their doctor, or submit a job application. The use each consumer has for the Internet typically dictates the level of broadband capacity, speed and data, they need at home or in their mobile device. The Commission must consider Lifeline subscriber use, present and future, and establish flexible service levels in the program.

A. Usage and Data Caps

The 21 young people gathered at this year's YouthBuild³³ Rural Caucus discussed a variety of reasons to get online. Some use the Internet to pursue their education, complete school assignments, research, take online courses, and apply for scholarships; others seek employment, complete and submit job applications, and communicate with potential employers; and some use

³³ YouthBuild USA is a national education and job-training model where low-income young people ages 16 to 24 work full-time toward their General Education Development Certificate ("GED") or high school diplomas while learning job skills by building affordable housing in their communities. At the program's completion, participants are placed in college, jobs, or both. YouthBuild is a member of the Rural Broadband Policy Group.

the Internet to apply for social services that help them get ahead such as FAFSA, food stamps, and healthcare.

Rural Caucus participants also wanted to launch on-line projects to transform their communities, such as “The Cabbage Patch” –a community website that engages citizens in community projects and local government– and a separate website that connects local businesses and employers to consumers and potential employees. Rural Caucus participants learned about Lifeline and drafted recommendations for the Commission to consider in its process to modernize the program. They measured data caps against the uses they envision for affordable broadband service, and outlined the following recommendation:

“Prevent wired and wireless data caps. We believe no Internet service should have data caps, including Lifeline Internet. If a cap must be enacted, policymakers must consider the size of a recipient’s family and the goals of the Lifeline subscriber. Too little data divided among a big family or to stream daily college classes would not be much help at all.”

The Commission should avoid setting Lifeline data caps on wireline and wireless services that prevent subscribers from accessing employment and education opportunities.

B. Speed

The official broadband definition as outlined by the Commission is 25 megabits downstream, and 3 megabits upstream.³⁴ Although this speed is already antiquated amongst leaders in the global market, it is a dream for most U.S. rural communities. On the other hand, the Commission requires all Universal Service Fund grantees to provide or seek minimum speeds of 10 Mbps downstream, and 1 upstream. This requirement means that the slowest broadband speed a USF recipient can provide is 10 down, 1 up. In accordance with this requirement, 10 down, 1 up should be the baseline speed that Lifeline providers offer. However,

³⁴ Federal Communications Commission. (2015). *Tenth Broadband Progress Report*.

in communities where even this speed is aspirational, the Commission needs to carefully consider whether enforcing this speed would preclude the community from obtaining basic Internet access or it would lock it into a woefully substandard service. Considering the benefits and drawbacks of allowing a Lifeline recipient to offer slower speeds will be crucial in Tribal communities, which suffer the least access to Internet service. To ensure that Tribal communities are not stuck with woefully substandard service, the Commission should require interested providers to demonstrate that they have collaborated with Tribal leaders in developing a proposal that meets the needs of the community. In addition to these considerations, the Commission should see 25 Mbps down, 3 Mbps up as the speed standard to achieve and encourage providers that offer this or faster options to Lifeline subscribers.

Where Lifeline customers choose a service that is available to the general public, there should not be a speed requirement. Not enforcing a speed requirement in these situations follows the understanding that a Lifeline recipient can make the best decision that suits her needs based on the services available to her. However, where carriers offer a service targeted specifically to Lifeline customers, we encourage the Commission to enforce a minimum requirement, given the considerations outlined in the previous paragraph.

VIII. A THIRD-PARTY ELIGIBILITY SYSTEM FOR ENROLLMENT CAN ADDRESS PROVIDER-BASED FRAUD AND ABUSE IN PROGRAM.

RBPG commends the Commission for proposing to shift enrollment responsibility to a trusted third party verifier. We believe this measure will further mitigate provider-based waste, fraud, and abuse in the program. A third-party verifier will help safeguard against provider-based fraud in the program because as an independent entity, it would not profit from enrolling as many subscribers as possible. In other words, the third-party verifier does not have “skin in the game” that incentivizes it to take advantage of the needs of low-income Americans. In addition,

a neutral third-party verifier could help Lifeline subscribers feel more comfortable disclosing personal information about their financial status, with dignity and free from judgment.

A. Special Considerations for Tribal Lifeline Providers and Communities

Tribal communities suffer the least access to broadband service in the country. Lack of investment in broadband infrastructure in Tribal lands and lack of interest from carriers to serve Native communities are major factors contributing to the shameful 63% of Native Americans that cannot access Internet service. The Commission must carefully consider whether enforcing a third-party verifier would prevent Tribal enrollment in Lifeline. Considering the benefits and drawbacks of allowing a Lifeline provider to do special outreach to enroll Native recipients is crucial to appropriately serve Tribal communities in this program. The Commission and third-party verifier might consider working closely with Tribal Lifeline providers to ensure that they are doing appropriate outreach to enroll Native members. The Commission should require interested providers to demonstrate that they have collaborated with Tribal leaders in appropriate outreach that prioritizes the needs of the community and not the profits of the provider. The RBPG urges the Commission to work with Tribal communities and leaders such as the National Congress of American Indians to figure out what would be the best policy.

IX. THE FCC MUST COLLABORATE WITH STATE AND FEDERAL AGENCIES TO FACILITATE LIFELINE ENROLLMENT.

The Commission should collaborate with other federal agencies, state agencies, and community organizations to encourage enrollment in the Lifeline program. The aforementioned entities are allies to the Commission in disseminating information about Lifeline. Rural, poor Americans rely heavily on state agencies and social benefit programs, and their offices are natural spaces where potential recipients can learn about Lifeline enrollment. To disseminate eligibility information to potential participants, there needs to be an all hands on deck approach.

Completing and submitting applications in a secure online portal would be ideal, but if the applicant does not have Internet access, a paper application should be made available. State agencies, social benefit programs, and community organizations can step in to facilitate enrollment for the recipient especially when he or she does not have access to the Internet.

The Commission should also ensure that social benefit programs used by Native communities continue to be considered sufficient qualification to participate in Lifeline, and used as outreach resources for potential applicants. Native Americans do not always use the same social benefit programs that non-Natives use. For example, the Bureau of Indian Affairs General Assistance, Tribally-Administered Temporary Assistance for Needy Families, and the Food Distribution Program on Indian Reservations are unique to Tribal communities and trusted by their residents. The Commission must ensure these programs continue to be ramps of access to Lifeline because the populations they serve will not be reached via any other programs.

X. CONCLUSION

The Rural Broadband Policy Group commends the Commission in its efforts to ensure that all Americans have access to affordable, quality broadband that enhances their lives and helps them emerge from poverty. Lifeline Modernization is one of the most meaningful proceedings the Commission has tackled in recent years – it has the potential to help the most vulnerable members of our society to improve their lives. Lifeline Modernization, at its core, is about building an inclusive nation where all can access education, healthcare, economic opportunity, and full participation in society. We are thankful for the opportunity to submit comments in this proceeding. Thank you for considering our comments.

Respectfully submitted,

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