



October 21, 2011

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Ex Parte* disclosure pursuant to 47 CFR § 1.1206(b) in WC Docket No. 11-42; WC Docket No. 03-109; CC Docket No. 96-45

Dear Ms. Dortch:

On October 20, the following individuals, who represent members of the Leadership Conference on Civil and Human Rights Media and Telecommunications Task Force, met with FCC Chairman Julius Genachowski, his legal advisor Zachary Katz, and Kimberly Scardino and Trent Harkrader of the Telecommunications Access Policy Division. Specifically at the meeting were: Wade Henderson, President and CEO, Leadership Conference on Civil and Human Rights (by telephone); Karen Narasaki, Executive Director of the Asian American Justice Center (by telephone); Terry O'Neill, President of the National Organization for Women; and Hillary Shelton, the Sr. VP for Advocacy and Policy of the NAACP. Additionally attending the meeting were: Corrine Yu, Leadership Conference on Civil and Human Rights; Chris Calabrese, American Civil Liberties Union, Task Force Co-Chair; Cheryl Leanza, United Church of Christ, OC Inc., Task Force Co-Chair; Jason Lagria, Asian American Justice Center; Lisa Bennett, National Organization for Women; Debbie Goldman, Communications Workers of America; Mike Scurato, National Hispanic Media Coalition; and Olivia Wein, National Consumer Law Center.

Mr. Henderson reviewed the top priorities for the Leadership Conference with respect to the Lifeline and high cost universal service proceedings. Mr. Henderson asked the Chairman to:

- Reallocate some of the funds from the savings and efficiencies in the high cost fund to help support for the Lifeline program;
- Expand Lifeline program immediately to broadband, enabling low-income participants to purchase broadband services with their monthly subsidy; and
- Decide against capping the Lifeline program to \$1.2 billion at this time.

Mr. Shelton discussed the importance of broadband services for all Americans and particularly low-income Americans of color. Mr. Shelton emphasized that, as low-hanging fruit, low-income participants should be allowed to purchase bundles including broadband services with their monthly subsidy. He indicated a cap was particularly ill-timed given the difficult economic circumstances of so many people. A cap is also inappropriate because the Lifeline program is underutilized with only approximately 30 percent of eligible households participating.

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Ms. O'Neill discussed the importance of broadband adoption for low-income women, particularly with respect to employment. Ms. O'Neill also emphasized the importance of broadband training to overcome adoption barriers. For example, single moms need help in figuring out approaches to online safety for their children. In addition, she explained how in rural areas, broadband is essential for women with disabilities and families who often must cut back to only one car because of cost, but then who are unable to participate in civic life, virtual meetings, and educational opportunities. She was concerned that low-income women in rural areas who need broadband be able to use a Lifeline subsidy to help them purchase broadband services. She asked the Commission to dedicate at least \$50 million to pilot programs that will address non-cost aspects of broadband adoption.

Ms. Narasaki explained the importance of reallocating funds among the high cost and Lifeline programs. While Ms. Narasaki expressed our strong support for deployment in rural areas, she stressed that we supported a modest rebalancing between the programs in accord with relative need. Ms. Narasaki welcomed recent initiatives announced by the Commission, including projects to support libraries and projects leveraging corporate philanthropy. However, Ms. Narasaki indicated that these projects were not an adequate replacement for Lifeline support of broadband services. For example, while libraries are very important access points, they face limited opening hours in the face of budget cuts at the local level. Ms. Narasaki noted that AAJC has seen the importance of price barriers because of AAJC's broadband awareness outreach to the Asian American community. Her staff have observed that price is always the barrier to broadband adoption while lack of perceived relevance and access have not been barriers.

Ms. Leanza explained that the Leadership Conference had proposed, in its written comments in the spring and its meetings with staff, that its members do not believe the Commission should view the high cost and Lifeline funds as two disparate proceedings. Instead we recommend the Commission listen to the views similar to ones outlined by Blair Levin to allocate federal dollars in line with need—which means allocating more funds for adoption issues in the Lifeline program and fewer dollars toward the high cost deployment program. She emphasized that we felt it was extremely late for the details of the pilot programs to be unclear, given that the Leadership Conference had hoped the pilots would be complete and new program initiatives based on those pilots would be implemented by early 2013. She explained that we wanted to understand why the Commission might be facing legal difficulties with expanding the Lifeline program to broadband when the Commission appears poised to expand the high cost universal service program to broadband.

Ms. Goldman emphasized our desire to work with the Chairman to ensure that Lifeline will be expanded to broadband and to work together in any way necessary to ensure that our mutual goals of expanded access to broadband to all Americans, including low-income Americans, will be met. She emphasized that subsidies to spur deployment to high-cost areas are essential, and so are subsidies to address affordability to spur adoption, which will drive demand and lower the cost-curve for continuous investment in upgrading networks. Job-creating investment is a top priority for CWA. Ms. Narasaki expressed interest in follow-up meetings so that we can better understand what might be barriers, from the Commission's perspective, to the goals we have set out so that we can collaborate to reach them.



Ms. Yu thanked the Chairman for his time and attention to our concerns. She explained that the Leadership Conference has many priorities, but the telecommunications priorities are among the highest of the organization. She offered the assistance of the Leadership Conference to the Commission and accepted the Chairman's offer to work closely with FCC staff to ensure that we could find a way to meet our concerns and enable the FCC to move ahead on these important initiatives.

Sincerely,

A handwritten signature in black ink, appearing to read "Cheryl A. Leanza". The signature is fluid and cursive, with a long horizontal stroke at the end.

Cheryl A. Leanza
Policy Advisor, United Church of Christ, OC Inc.
Co-Chair, Leadership Conference on Civil and Human Rights,
Media and Telecommunications Task Force