

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of	)	
	)	
Lifeline and Link Up Reform And Modernization	)	WC Docket No. 11-42
	)	
Federal-State Joint Board on Universal Service	)	CC Docket No. 96-45
	)	
Lifeline and Link-Up	)	WC Docket No. 03-109
	)	
Advancing Broadband Availability Through Digital Literacy Training	)	WC Docket No. 12-23
	)	

**Reply Comments of**

**Access Humboldt  
Advocates for Basic Legal Equality  
Benton Foundation  
Center for Media Justice  
Community Voice Mail  
HeartShare Human Services  
Legal Services Advocacy Project (MN)  
Low Income Utility Advocacy Project  
the National Consumer Law Center, on behalf of its low-income clients  
Ohio Poverty Law Center  
Open Access Connections  
Pennsylvania Utility Law Project  
ProSeniors**

**(“Joint Consumers”)**

Olivia Wein  
Staff Attorney  
National Consumer Law Center  
1001 Connecticut Avenue, NW, Suite 510  
Washington, DC 20036  
(202) 452-6252

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## **I. Introduction**

Access Humboldt, Advocates for Basic Legal Equality Benton Foundation,<sup>1</sup> Center for Media Justice, Community Voice Mail, HeartShare Human Services, Legal Services Advocacy Project (MN), Low Income Utility Advocacy Project, National Consumer Law Center, on behalf of its low-income clients, Ohio Poverty Law Center, Open Access Connections, Pennsylvania Utility Law Project, and ProSeniors (“Joint Consumers”) respectfully submit these brief reply comments focused on the issue of the establishment of a digital literacy program within Universal Services.

While Joint Consumers support the establishment of a digital literacy program, we remain concerned that the digital literacy funding not limit the Lifeline program’s ability to meet its core mission of providing Lifeline services to all eligible applicants. We are also concerned that the E-rate program’s funding cap will limit its ability to support the additional funding necessary for digital literacy. The appropriate eligible recipients to perform digital literacy trainings are the front line organizations that already provide services to Lifeline eligible populations (low-income students, seniors and individuals with disabilities, limited-English proficiency populations, low-income families, the homeless and those living in group housing, etc.). It would be inefficient and likely ineffective to direct digital literacy funds through the eligible telecommunications carriers (ETCs). Programs that currently provide digital literacy training and libraries that are struggling with reduced hours should also be eligible for the digital literacy funds. Finally, should the Commission decide that the only choices for housing the digital literacy program are within the Lifeline program or the E-rate program rules, we feel it is better to flow the funds through the schools and libraries than the ETCs.

## **II. Digital Literacy Is an Important Component of Broadband Adoption and Must be Tailored to Serve the Lifeline Eligible Populations**

### **A. Funds for the Digital Literacy Program Should Not Erode the Lifeline and E-Rate Programs’ Ability to Achieve Their Core Missions**

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<sup>1</sup> The Benton Foundation is a nonprofit organization dedicated to promoting communication in the public interest. These comments reflect the institutional view of the Foundation, and unless obvious from the text, are not intended to reflect the views of individual Foundation officers, directors, or advisors.

Joint Consumers disagree with commenters who argue that a digital literacy program is premature.<sup>2</sup> While it is true the Lifeline low-income broadband pilots are just about to get off the ground, it is important to keep in mind that the value of the pilots is to learn how to move the Lifeline program forward into the provision of affordable broadband service. The Lifeline program is focused on low-income household access to communications services and this is critical for true digital inclusion. The digital literacy program envisioned in this Notice<sup>3</sup> addresses the current and pressing reality that broadband digital literacy is an urgent skill and that there have been efforts to provide broadband access to underserved consumers and communities at community anchor institutions through an array of initiatives and through public-private partnerships experimenting with reaching low-income school aged children. We support the investment in a well-designed digital literacy program in the Universal Service Fund and believe this is an appropriate use of these funds.

However, the Lifeline program is now operating under a \$200 million savings target and it is too early to tell whether it will be possible to serve all eligible Lifeline applicants and meet this target.<sup>4</sup> Similarly, as pointed out by American Library Association (ALA), the E-rate, in its current form, is insufficient to fund the full range of connectivity needs of the nation's schools and libraries.<sup>5</sup> The Commission faces the daunting task of funding digital literacy in a manner that does not jeopardize the Lifeline or E-rate programs' ability to achieve their core missions. We urge the Commission to find a way to fund the digital literacy program in a manner that does not harm the currently constrained Lifeline and E-rate programs.

### **B. The Appropriate Recipients for Digital Literacy Funds Are the Organizations That Serve Low-Income Populations**

A range of commenters agree with Joint Consumers that the appropriate recipients of digital literacy program funds are the anchor community institutions that serve low-income consumers

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<sup>2</sup> NTCA Comments (April 2, 2012) at 2-3; ITTA Comments (April 2, 2012) at 8-9; USTA Comments (April 2, 2012) at 3-4.

<sup>3</sup> FCC 12-11 Report and Order and Further Notice of Proposed Rulemaking (Adopted January 31, 2012) at paras. 416-447.

<sup>4</sup> See also, Verizon's Comments (April 2, 2012) at 9-10 (While acknowledging digital literacy may play an important role in expanding broadband adoption, the Commission should first see if the \$200 million savings target estimates can be met); i-wireless Comments (April 2, 2012) at 5.

<sup>5</sup> ALA Comments (April 2, 2012) at 21.

and their communities such as community media centers.<sup>6</sup> As New America Foundation and Access Humboldt, who have experience implementing Broadband Technology Opportunities Program (BTOP) projects, explain, “We have found in our work with community partners on BTOP projects that effective broadband adoption efforts require ongoing relationship building and presence within communities.”<sup>7</sup> Schools and libraries are logical and established anchor institutions.<sup>8</sup> Local government commenters noted that local governments have been working on digital inclusion programs for over a decade in an array of locations from Head Start, to public housing complexes, to fire departments in rural communities and city halls.<sup>9</sup>

### **C. The Programs Currently Providing Digital Literacy Training and The Libraries Coping With Reduced Hours Should be Eligible For Digital Literacy Funds**

We agree with the comments submitted which urge the Commission to not exclude existing digital literacy programs in an effort to avoid displacing existing funding streams.<sup>10</sup> However, the BTOP funds will be running out in 2013 and it makes no sense to allow those program investments to wither on the vine while the Commission plants seedling programs (“a new batch of time-limited training programs with no path to sustainability”<sup>11</sup>). We also agree with the comments that the Commission should not limit funds to only those schools that offer community access after regular schools hours. As pointed out by the National Hispanic Media Coalition, this policy would “disproportionately limit support to schools in low-wealth communities, where students would benefit the most from the training. This necessarily frustrates the intent of the program and would cause the schools in most need to fall further behind.”<sup>12</sup>

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<sup>6</sup> Joint Consumer Comments (April 2, 2012) at 6 (range of anchors include community centers, senior centers, schools and libraries, community media centers, independent living centers, town halls, etc.).

<sup>7</sup> New America Foundation’s Open Technology Initiative and Access Humboldt’s Comments (April 2, 2012) at 4.

<sup>8</sup> See National Hispanic Media Coalition’s Comments (April 2, 2012) at 9-11.

<sup>9</sup> NATOA/NACo’s Comments (April 2, 2012) at 3-5.

<sup>10</sup> See e.g., New America Foundation’s Open Technology Initiative and Access Humboldt’s Comments (April 2, 2012) at 7-8; ALA’s Comments (April 2, 2012) at 4-5; National Hispanic Media Coalition’s Comments (April 2, 2012) at 11-12. See also Connected Nation’s Comments (April 2, 2012) at 13 (“would virtually guarantee the Commission’s initiative will result in an unnecessary duplication of effort and work”)

<sup>11</sup> New America Foundation’s Open Technology Initiative and Access Humboldt’s Comments (April 2, 2012) at 8.

<sup>12</sup> National Hispanic Media Coalition’s Comments (April 2, 2012) at 11.

**D. If the Only Choices for Housing the Digital Literacy Program are the Existing Lifeline and E-Rate Programs, It is Better the Funds Flow Through Schools and Libraries Rather Than ETCs**

Should the Commission decide that it can only run the Digital Literacy Program under existing Lifeline or E-rate rules, we urge the Commission to avoid streaming the digital literacy funds through ETCs. This would not be an efficient nor effective use of scarce Universal Service Funds. The New America Foundation and Access Humboldt are correct in noting “ETCs have no specific expertise in formal digital literacy training that would make a subsidy to them for such a service appropriate or even logical.”<sup>13</sup> Thus while the competitive ETCs (Joint Commenters) aver that ETCs can make significant contributions to a digital literacy plan and point in particular, to their unique expertise in locating low-income individuals eligible for Lifeline,<sup>14</sup> Joint Consumers respectfully disagree on directing digital literacy funds through the ETCs. We hope the Commission finds it has the authority to design the digital literacy program so that the range of non-profit anchor institutions that serve low-income consumers and their communities, such as community media centers can receive funding. In the alternative, sending the digital literacy funds to just schools and libraries is far more appropriate and preferable than sending the funds through the ETCs in the Lifeline program. We also note that Cox also supports directing the funds to schools and libraries via the E-rate program.<sup>15</sup>

**III. Conclusion**

We look forward to working with the Commission to further develop a digital literacy program that is an integrated component of Universal Service programs to move the nation towards broadband inclusion regardless of geography or income.

Respectfully Submitted,

/s/ Olivia Wein

Olivia Wein  
Staff Attorney  
National Consumer Law Center,  
on behalf of Joint Consumers

May 1, 2012

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<sup>13</sup> New America Foundation’s Open Technology Initiative and Access Humboldt’s Comments (April 2, 2012) at 7.

<sup>14</sup> Joint Commenters’ Comments (April 2, 2012) at 11-12.

<sup>15</sup> Cox’s Comments (April 2, 2012) at 7-9.