

August 10, 2020

Chairman Ajit V. Pai  
Commissioner Michael O’Rielly  
Commissioner Brendan Carr  
Commissioner Jessica Rosenworcel  
Commissioner Geoffrey Starks  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: WC Docket Nos. 11-42, 09-197, 96-45, 17-287

REQUEST TO EXTEND THE COVID-19 LIFELINE WAIVERS, RESTORE LIFELINE VOICE  
SUPPORT AND FREEZE LIFELINE MINIMUM STANDARDS

Dear Chairman Pai, Commissioners O’Rielly, Carr, Rosenworcel and Starks:

The public health and economic devastation from the COVID-19 pandemic continues to devastate low-income households and communities, particularly communities of color. We are in the throes of an economic and public health crisis in which access to affordable and free communications services is essential to save lives and revitalize our economy. As of now the need for communications has not decreased. Lifeline is the only existing program designed to help low-income consumers afford essential communications services.<sup>1</sup> The undersigned organizations representing civil rights, anti-poverty, consumer, labor, faith and technology rights organizations respectfully urge the Commission to act expeditiously to shore up the Lifeline program by:

- Immediately extending certain Lifeline program rule waivers through the end of the year;<sup>2</sup>
- Fully restoring Lifeline voice support to the \$9.25/month subsidy;
- Freezing the Lifeline minimum service standards for broadband service until the FCC completes a pending study on the program or increases the existing Lifeline benefit amount.

***The Pandemic Continues to Impact Vulnerable Communities***

As of July 31, the United States has almost 4.5 million cases of COVID-19 and 150,000 COVID-related deaths, with death rates continuing to disproportionately impact Black, Hispanic and Indigenous communities.<sup>3</sup> Workers of color and low-wage workers are experiencing

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<sup>1</sup> 47 U.S.C. §§ 214, 254; 47 C.F.R. §§54.000 *et seq.*

<sup>2</sup> See FCC Order, WC Docket No.11-42, DA 20-577 (June 1, 2020)(order providing the waiver easing the application and enrollment process on rural Tribal lands and extending the prior Lifeline COVID-19 waivers through August 31, 2020).

<sup>3</sup> Ctr. of Disease Control and Prevention, *Cases in the U.S.* (updated June 30, 2020), <https://www.cdc.gov/coronavirus/2019-ncov/cases-updates/cases-in-us.html>; Demographic Trends of

disproportionately higher rates of income loss and unemployment due to the pandemic.<sup>4</sup> Stay-at-home orders, currently in place or being reimposed across the country, caused and will cause many schools and businesses to remain virtual for the foreseeable future, making the need for Internet access even more essential. Broadband and voice communications have been an instrumental tool during the pandemic, helping people in the United States access telework, medical information, government resources, distance learning, and the latest health news about coronavirus.<sup>5</sup> They are needed still as infection rates rise.

### ***Extend the COVID-19 Lifeline Program Rule Waivers***

The Commission's waivers of the Lifeline program's recertification, reverification, general de-enrollment, usage requirements, income documentation requirements, and the easing of Lifeline application and enrollment processes for residents of rural Tribal lands have been critical to helping to protect access to voice and data for vulnerable low-income households. Lifeline customers should not lose access to essential communications services until the COVID-19 crisis is over. We urge the Commission to extend these Lifeline protections through December 31, 2020.

### ***Fully Restore Lifeline Voice Support***

Even as broadband is essential many vulnerable groups continue to require and rely upon telephone calls for many tasks, from consulting with a doctor, talking with teachers or school staff to conversing with family. Frontline public health providers, legal services, public housing authorities are seeing vulnerable populations such as seniors, veterans, people with disabilities and others go without needed support or attempt to continue to utilize in-person health care

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COVID-19 cases and deaths in the US reported to CDC, <https://www.cdc.gov/covid-data-tracker/index.html#demographics>. See Olivia Wein and Cheryl Leanza, *Affordable Broadband Service Is a Racial Equity and Public Health Priority During COVID-19*, Leadership Conference on Civil and Human Rights (June 29, 2020), <https://civilrights.org/blog/affordable-broadband-service-is-a-racial-equity-and-public-health-priority-during-covid-19/>; APM Research Lab, *The Color of Coronavirus: COVID-19 Deaths by Race and Ethnicity in the U.S.* (July 8, 2020), <https://www.apmresearchlab.org/covid/deaths-by-race>; Reis Thebault and Alyssa Fowers, *Pandemic's weight falls on Hispanics and Native Americans, as deaths pass 150,000*, Washington Post (July 31, 2020), <https://www.washingtonpost.com/health/2020/07/31/covid-us-death-toll-150k/?arc404=true>.

<sup>4</sup> See Chad Stone, *People Already Facing Opportunity Barriers Hit Hardest by Massive April Job Losses*, Ctr. on Budget and Pol'y Priorities: Off the Charts blog (May 12, 2020), <https://www.cbpp.org/blog/people-already-facing-opportunity-barriers-hit-hardest-by-massive-april-job-losses>. See also Steven Brown, *How COVID-19 Is Affecting Black and Latino Families' Employment and Financial Well-Being*, Urban Institute: Urban Wire blog (May 6, 2020), <https://www.urban.org/urban-wire/how-covid-19-affecting-black-and-latino-families-employment-and-financial-well-being>.

<sup>5</sup> See Statement from Commissioner Geoffrey Starks, Federal Communications Commission, before the Committee on Commerce, Science, and Transportation, United States Senate "Oversight on the Federal Communications Commission" (June 24, 2020) <https://www.commerce.senate.gov/services/files/6078B26D-1BD5-4F89-9216-804BEAF0A471>, ¶ 2. See also Monica Anderson and Emily A. Vogels, *Americans Turn to Technology during COVID-19 Outbreak, Say an Outage Would be a Problem*, Pew Research Center (Mar. 31, 2020), <https://www.pewresearch.org/fact-tank/2020/03/31/americans-turn-to-technology-during-covid-19-outbreak-say-an-outage-would-be-a-problem/>.

when a remote consultation is a better option. Ensuring that Lifeline's voice service provides adequate minutes to provide access to emergency services, telehealth and to endure the long hold times to qualify for public services is critical during the pandemic. Unfortunately, the subsidy for Lifeline voice support has steadily decreased from \$9.25/month to \$7.25/month and is set to decrease December 1, 2020 to \$5.25/month without immediate action from the Commission to reverse course. We urge the Commission to fully restore Lifeline voice support to \$9.25/month.

### ***Freeze the Lifeline Minimum Services Standards for Mobile Broadband Service***

The Commission recently issued a news release regarding an upcoming order to revise the Lifeline program's minimum service standards for mobile broadband data.<sup>6</sup> However, the proposed 50 percent increase in data without a commensurate increase in the current Lifeline benefit amount of \$9.25 will jeopardize the availability of no-cost Lifeline service products which are particularly urgent during the pandemic and particularly helpful to the most vulnerable members of our society, e.g., homeless veterans and unbanked families. Mandatory co-pays are not appropriate for a low-income population in the ordinary case and during the COVID-19 such an outcome is even worse. We urge the Commission to revise its proposed order to pause increasing the minimum service standards for mobile broadband data at its current level of 3 GB until the 2021 State of Lifeline Marketplace Report which is required under the 2016 Lifeline Modernization Order. In fact, the \$9.25 benefit has not been increased since it was adopted in 2011, losing value because of inflation. The Commission should consider increasing the benefit to keep pace with the current needs of Lifeline consumers and the minimum standards.

To slow the spread of COVID-19, low-income households need affordable telephone and Internet access to prevent person-to-person transmission. Lifeline is particularly critical for low-income consumer access to health care, employment, education, benefits and emergency services and more. We strongly urge the Commission to act immediately.

If you have any questions with respect to this letter please contact Cheryl A. Leanza, United Church of Christ, OC Inc., [cleanza@alhmail.com](mailto:cleanza@alhmail.com), 202-904-2168 or Olivia Wein, [owein@nclc.org](mailto:owein@nclc.org) or 202-452-6252, ext. 103, or Marcella Gadson, Multicultural Media, Telecom and Internet Council at [mgadson@mmtconline.org](mailto:mgadson@mmtconline.org) or 202-332-0500.

Sincerely,

Access Humboldt  
Black Female Founders (#BFF)  
Center for Rural Strategies  
Common Sense Media  
Communications Workers of America  
Dialogue on Diversity, Inc.  
Hispanic Technology & Telecommunications Partnership (HTTP)

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<sup>6</sup> "FCC Chairman Pai Circulates Order to Ensure Predictable Increases in Minimum Standard for Lifeline Mobile Broadband Service" (Rel. July 30, 2020), available at <https://docs.fcc.gov/public/attachments/DOC-365835A1.pdf>.

Japanese American Citizens League  
LGBT Technology Partnership  
MediaJustice  
Multicultural Media, Telecom and Internet Council (MMTC)  
NAACP  
National Blacks In Government, Inc.  
National Coalition on Black Civic Participation  
National Consumer Law Center, on behalf of its low-income clients  
National Digital Inclusion Alliance  
National Hispanic Media Coalition  
National Organization of Black County Officials (NOBCO)  
National Organization of Black Elected Legislative Women  
New America's Open Technology Institute  
Pennsylvania Utility Law Project, on behalf of our low income clients  
Public Knowledge  
Florida State Senator Audrey Gibson, Senate Democratic Leader  
United Church of Christ, OC Inc.  
United States Conference of Catholic Bishops