

March 23, 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: Docket Nos. 11-42, 09-197, 96-45, 17-287

EMERGENCY REQUEST FOR INCREASED LIFELINE SUPPORT
DURING THE COVID-19 CRISIS

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

As the United States is facing an unprecedented emergency, with almost all Americans—old and young—required to work, learn, and function while staying at home, the need for connectivity across the country has never been greater. Internet and telephone access are extremely urgent at this time as families stay at home to protect public health and struggle to recreate their lives online. Existing disparities in communications access are only being exacerbated during this national emergency. The Chairman’s Keep Americans Connected Pledge and Federal Communications Commission’s (“FCC” or “Commission”) decision to temporarily waive recertification and reverification requirements for existing Lifeline customers were laudable first steps in the early days of the crisis, but more is needed as the extent and length of the emergency becomes evident. The undersigned organizations therefore request the FCC immediately take the following actions to adapt the Lifeline program to meet the COVID-19 crisis:

- Immediately prohibit disconnections of Lifeline consumers;
- Within no more than one week, require Lifeline providers to offer unlimited voice minutes and unlimited texting and commensurate voice-only financial support; and
- Within no more than 21 days, create an emergency Lifeline broadband benefit.

Lifeline is the only existing program designed to help low-income consumers afford essential communications services. The program design can quickly be ramped up to provide additional services and benefits to help households acting in accordance with national directives to maintain social distance while also receiving health care, continuing work, participating in distance learning and providing mutual aid and support.¹ Immediate action is needed. Our organizations are hearing urgent requests from frontline public health providers, legal services, public housing authorities and others that highlight the public health threat from limited Lifeline minutes. For example, just this week a community health care professional was alarmed to see many low-income patients coming in-person to the clinic because they could not afford to use voice minutes to call ahead. And public housing authority workers reported elderly Lifeline tenants rationing their Lifeline minutes to their detriment. Public health and the economy will be severely impacted if millions of low-income people do not have access to adequate telephone and Internet connections.

The Commission has ample precedent to take this action to protect the most vulnerable members of our society. In 2005, the Commission acted in response to Hurricane Katrina. Six weeks after Hurricane Katrina hit, the Commission issued an emergency order making support available for wireless

service for the first time and drawing upon existing emergency designations to determine who was eligible for support.ⁱⁱ The Commission should draw on this precedent to take the steps described below to adopt emergency measures starting immediately and ending 30 days after COVID-19 emergencies cease.ⁱⁱⁱ

Prohibit disconnections of Lifeline customers. Lifeline customers should not lose access during the COVID-19 crisis and for a reasonable period (e.g., 120 days) after the crisis. The Commission should immediately eliminate the non-usage rule and should continue its waiver of the recertification and reverification requirements for the full length of the emergency.^{iv}

Unlimited voice minutes, unlimited text and commensurate voice-only support. Within one week, the Commission should immediately require unlimited voice minutes and unlimited texting until the crisis is over. At the same time the Commission must also temporarily increase voice support to a level sufficient to cover the increased minutes. Further support for phones that can tether or offer hotspots would also ameliorate current limits on broadband access.^v

Emergency Lifeline Broadband Benefit. Within no more than 21 days, the Commission should create an Emergency Lifeline broadband benefit for low-income households for \$50 per month to fill in the gaps once the initial corporate commitments for 60 days of free service end. An adequate broadband service to the home would provide 100 megabits per second downstream/10 megabits per second upstream to allow for multiple members of the household to have the connectivity necessary for two-way video.^{vi} To be eligible, such products should not include any waiting period for service or prohibitions for consumers with arrearages. The Commission should forbear from the obligations that broadband providers be designated ETCs.^{vii}

In addition to these actions, emergency Lifeline assistance should easily be available to households that have experienced a sudden drop in wages due to the COVID-19 crisis. While federal benefits programs are likely to see a rapid influx of participants and thus many will be able to rely upon existing program eligibility rules, the Commission should adopt rules that will streamline access for households impacted suddenly by the COVID-19 emergency.^{viii}

The temporary expansion of Lifeline benefits described here will fulfill the Communications Act, advances the Congressionally mandated goals of universal service and is in line with Commission precedent.^{ix} Millions of people in this country must stay home in order to limit the spread of the coronavirus and it is in our country's national interest to continue as much of our economic and civic life as possible during this time. In the near-term telephone and Internet access will be necessary for health care, employment, the national census, primary elections, education and more. We strongly urge the Commission to act immediately. Our organizations are willing and able to collaborate to ensure these actions are as timely and successful as possible.

Sincerely,

Access Humboldt, Eureka, CA
Access Now
ACTION-Housing, Pittsburgh, PA
African American Health Alliance
AIDS Alabama, Birmingham, AL
AIDS Foundation of Chicago
AIDS Law Project of Pennsylvania
Alianza Nacional de Campesinas
Alternate ROOTS, Atlanta, GA

American Civil Liberties Union
American Federation of Teachers, AFL-CIO
American Library Association
America's Health Insurance Plans / AHIP
Anixter Center, Chicago, IL
Anne Arundel County, Department of Health, Anne
Arundel County, MD
Appalshop, Central Appalachian Region, KY, VA,
WV, TN

The Arc of the U.S., Washington, DC
 Ashbury Senior Computer Community Center,
 Cleveland, OH
 Asian Americans Advancing Justice—Los Angeles
 Asian Americans Advancing Justice | AAJC
 Asian Pacific American Labor Alliance, AFL-CIO
 Association for Behavioral Healthcare,
 Massachusetts
 Association for Community Affiliated Plans,
 Washington
 Association of Assistive Technology Act Program,
 Washington
 Association of Nurses in AIDS Care
 Autistic Self Advocacy Network
 Benton Institute for Broadband & Society
 Black Lives Matter DC, Washington, DC
 Blue Cross Blue Shield Association
 Boston Medical Center Health System, Boston, MA
 Brookline Interactive, Brookline, MA
 Byte Back
 California Center for Rural Policy
 California LGBT Arts Alliance, Los Angeles, CA
 CARDBoard Project, Plano, TX
 Center for Advocacy for the Rights and Interests of
 the Elderly (CARIE)
 Center for Digital Democracy
 Center for Law and Social Policy (CLASP)
 Center for New Americans, Northampton, MA
 The Center for Public Representation,
 Massachusetts, District of Columbia
 Center for Rural Strategies
 Center on Halsted, Chicago, IL
 Central West Justice Center, Worcester, MA
 Champaign County Health Care Consumers,
 Champaign, IL
 Charlotte Center for Legal Advocacy, Charlotte,
 NC
 Chicago House and Social Service Agency,
 Chicago, IL
 Chicago Women's AIDS Project, Chicago, IL
 Child Advocacy Center of Franklin Co & North
 Quabbin Inc., Greenfield, MA
 Children's HealthWatch, Boston, MA
 Children's Home & Aid, Illinois
 Choices Coordinated Care Solutions, Indianapolis,
 IN
 Church World Service
 Citizens Action Coalition of Indiana
 Clinical and Support Options
 Coalition to End Stigma and Discrimination,
 Newark, NJ
 Collective Action for Puerto Rico, New York, NY
 Color Of Change
 Colorado Center on Law and Policy
 Colorado Organizations and Individuals
 Responding to HIV/AIDS, Colorado
 Common Cause
 Common Sense
 CommunicationFIRST
 Communications Workers of America
 Community Action, Greenfield, MA
 Community Behavioral Healthcare Association of
 Illinois, Springfield, Illinois
 Community Catalyst, Boston, MA
 Community Education Group, Shepherdstown, WV
 Community Legal Services of Philadelphia, Energy
 Unit, Health and Independence Unit, Philadelphia,
 PA
 Congregation of Our Lady of Charity of the Good
 Shepherd, U.S. Provinces
 Connected Nation, Inc.
 Consortium for School Networking (CoSN)
 Cunningham Township, Urbana, IL
 Denver Public Library, Denver, CO
 Disability Law Center, Boston, MA
 Disability Rights Education and Defense Fund
 (DREDF)
 DuPage Federation on Human Services Reform,
 Lombard, IL
 DynamicChanges LLC, Salem, OR
 El Valle Community Center, Villanueva, NM
 Emmanuel Free Methodist Church, Alton, IL
 Equal Hope, Chicago, IL
 EraseTheRedline Inc., New Jersey
 Esperanza, Philadelphia, PA
 Exprés de Gloria, Chicago IL
 The Family Cafe
 Florida Legal Services, Inc.
 Free Geek, Portland, OR
 Full Color Future, Washington DC
 The Garrett Law Firm, PLLC, Austin, TX
 Generation Justice, Albuquerque, NM
 George Wiley Center, Rhode Island
 Gift of Voice
 Girls Inc.
 Greater Boston Legal Services, Weymouth, MA
 GreaterWorks Inc., Chicago, Illinois
 The Greenlining Institute, Oakland, CA
 GreenTree Peer Center, Winston-Salem, NC
 GROW In Illinois
 Health & Medicine Policy Research Group,
 Chicago, IL

Health Law Advocates, Boston, MA
 Healthcare Leadership Council
 Heartland Alliance, Chicago, IL
 Hepatitis Education Project, Seattle, WA
 Hispanic Technology & Telecommunications Partnership (HTTP)
 Housing Authority City of Austin, Texas
 Indivisible
 Indivisible, Illinois
 InnovateEDU, Brooklyn, NY
 Institute for Intellectual Property and Social Justice
 Joint Center for Political and Economic Studies
 Just Harvest, Pittsburgh, PA
 Just Roots, Greenfield, MA
 Justice Center of SouthEast Massachusetts, Brockton, MA
 Justice in Aging
 The Kennedy Forum Illinois, Chicago, IL
 Kentucky Equal Justice Center
 The Leadership Conference on Civil and Human Rights
 Legacy Hospice, Fishersville, VA
 Legal Aid Chicago
 Legal Council for Health Justice Chicago
 Legal Services Advocacy Project, St. Paul, MN
 Let's Talk About It (LTAI), Gainesville, FL
 Libraries Without Borders
 Line Break Media, Twin Cities, MN
 Liver Health Connection, Denver, CO
 Low Income Utility Advocacy Project, Illinois
 Maine Equal Justice
 Martinez Street Women's Center, San Antonio, TX
 Mass Law Reform Institute
 Massachusetts Health & Hospital Association, Burlington, MA
 Massachusetts Law Reform Institute
 Massachusetts League of Community Health Centers
 Massachusetts Senior Action Council, Dorchester, MA
 Media Alliance, San Francisco, CA
 MediaJustice
 Memorial Behavioral Health, Springfield, IL
 Mental Health America
 Mental Health Legal Advisors Committee, Massachusetts
 Metropolitan Family Services, Chicago, IL
 Michael Reese Research & Education Foundation
 HIV Care Program, Chicago, IL
 Michigan Poverty Law Program
 Mississippi Center for Justice

Montague Catholic Social Ministries, Turners Falls, MA
 More Too Life, Sarasota, FL
 Mother and Child Alliance, Chicago, IL
 Mountain State Justice, West Virginia
 Musica Franklin, Greenfield and Montague, MA
 Muslims Emergency Management Puget Sound, Seattle, WA
 NAACP
 NAMI Chicago, Chicago, IL
 National Advocacy Center of the Sisters of the Good Shepherd
 National Alliance on Mental Illness
 National Alliance on Mental Illness, Massachusetts
 National Association of Community Health Centers
 National Association of Councils on Developmental Disabilities
 National Center for Transgender Equality
 National Community Action Partnership
 National Consumer Law Center, on behalf of its low-income clients
 National Consumers League
 National Council for Behavioral Health, Washington
 National Council of Churches
 National Digital Inclusion Alliance
 National Disability Rights Network
 National Education Association
 National Employment Law Project
 National Fair Housing Alliance
 National Health Law Program
 National League of Cities
 National LGBTQ Task Force
 National Mental Health Consumers' Self-Help Clearinghouse
 National Organization for Women
 National Respite Coalition
 National Urban League
 Native Public Media
 NETWORK Lobby for Catholic Social Justice
 New America's Open Technology Institute
 New Mexico Center on Law and Poverty
 Next Century Cities
 North Carolina Medical Society
 Northeast Justice Center, Massachusetts
 Nurses for Justice Baltimore, Baltimore, MD
 OCA - Asian Pacific American Advocates
 Ohio Valley Environmental Coalition, Huntington, WV
 On Our Own of Carroll County, Inc., Westminster, MD

On Our Own of St. Mary's, Leonardtown, MD	Springfield Center for Independent Living, Springfield, IL
Open Access Connections, St. Paul, MN	Stavros, Center for Independent Living, Amherst, MA
Open MIC (Open Media and Information Companies Initiative)	Success Against All Odds
Opportunity Ministries, Inc., Anne Arundel, MD	Sunrise Community for Recovery and Wellness, Asheville, NC
Oregon Citizens' Utility Board, Portland, OR	Supportive Housing Providers Association, Springfield, IL
Our Lord's Lutheran Church	Tech It Out Robotics
Partners Bridging the Digital Divide	Treatment Action Group
Partners HealthCare, Community Health, Boston, MA	Tree of Hope Association, Rockville, MD
Pax Christi USA	Trilogy, Inc., Chicago, IL
PDG Rehabilitation Services, Inc., Millersville, MD	TruEvolution, Inc., Riverside, CA
Peer Wellness & Recovery Services, Inc., Silver Spring, MD	UI Health Community Clinic Network, Chicago, IL
Pennsylvania Coalition Against Domestic Violence	Union for Reform Judaism
Pennsylvania Utility Law Project, on behalf of its low-income clients	United Church of Christ, Justice and Witness Ministries
Permanent Beauty LLC, Union City NJ	United Church of Christ, OC Inc.
Personal Disability Consulting, Inc., Newton, MA	United States Society for Augmentative & Alternative Communication
Portland Raging Grannies, Portland, OR	Urbana Champaign Independent Media Center, Urbana, IL
Positive Women's Network USA	Vermont Legal Aid, Inc.
Project Appleseed, the National Campaign for Public School Improvement	Vermont Mutual Aid Society
Project Vida, Chicago, IL	VetsFirst
PROTEC, Detroit, MI	Virginia Citizens Consumer Council
Public Knowledge	Virginia Harm Reduction Coalition, Roanoke, VA
Public Utility Law Project of New York	Voices for Racial Justice, Minneapolis, MN
Pueblos de Lucha y Esperanza, Minneapolis MN	Washington Technology Policy Podcast Corporation (WashingTECH)
RCHN Community Health Foundation	The Well Project
RCHN Community Health Foundation	Western Center on Law and Poverty, California
Rural Women's Health Project, Gainesville, FL	Wildfire: Igniting Community Action to End Poverty in Arizona
Safer Foundation, Chicago, IL/Davenport, IA	William E. Morris Institute for Justice, Arizona
San Francisco AIDS Foundation	WinstonNet
Senior Services Plus, Alton, IL	The Women's Center, Inc. of Columbia/Montour, Bloomsburg PA
SeniorLAW Center, Pennsylvania	Women Employed, Chicago, IL
SHLB Coalition	Women's Law Project, Pennsylvania
Shriver Center on Poverty Law	
Sisters of Mercy of the Americas Justice Team	
Sol-Caritas, New York, NY	
South Carolina Appleseed Legal Justice Center	
South Side Help Center, Chicago IL	

ⁱ Presidential Coronavirus Guidelines for America, available at [Coronavirus.gov](https://www.whitehouse.gov/presidential-actions/proclamation-declaring-national-emergency-concerning-novel-coronavirus-disease-covid-19-outbreak/); Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak, available at <https://www.whitehouse.gov/presidential-actions/proclamation-declaring-national-emergency-concerning-novel-coronavirus-disease-covid-19-outbreak/>.

ⁱⁱ In the Matter of Federal-State Joint Board on Universal Service et al., 20 FCC Rcd 16883, Docket Nos. 96-45, 02-6, 02-60, 03-109, FCC 05-178 (2005) (“*Katrina USF Order*”). The Commission drew upon the universal service goals in Section 254(b) and made a finding for good cause shown under its rules. *Id.*, ¶6-7 (citing 47 U.S.C. § 254(b); 47 C.F.R. § 1.3; *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990)). The Commission authorized \$130 for a minimum of 300 minutes and an additional \$30 benefit for initiating service to

any person approved for individual FEMA housing assistance or determined by FEMA to be eligible for such individual housing assistance. *Id.*, ¶¶11-14.

ⁱⁱⁱ If the emergency is located in various regions of the country in the future, rather than nationally, the Commission should make these emergency benefits available in any state or locality where an emergency has been declared.

^{iv} Wireline Competition Bureau, *Covid-19 Lifeline Order*, WC Docket No. 11-42, DA 20-285 (rel. Mar. 17, 2020).

^v Increased data for devices offering hotspots where wired Internet is not available should also be considered.

^{vi} Jonathan Sallet, *Broadband for America's Future: a Vision for the 2020s*, (Benton Institute for Broadband & Society), https://www.benton.org/sites/default/files/BBA_full_F5_10.30.pdf. The Commission should also consider supporting access to devices as it authorized support for handsets in the *Katrina USF Order* at ¶¶17, 22.

^{vii} The *Katrina USF Order* used Section 10 forbearance to adopt a streamlined certification process in lieu of eligible telecommunications carriers (ETCs) designation so additional carriers could receive universal service support during the crisis. *Id.*, ¶¶19-21.

^{viii} For example, program participants could demonstrate eligibility if they can document a layoff or an unemployment application, combined with a self-certification that it is connected to the COVID-19 crisis.

^{ix} The Communications Act's goal is to "make available, so far as possible, to all the people of the United States, without discrimination on the basis of race, color, religion, national origin, or sex, a rapid, efficient, Nation-wide, and world-wide wire and radio communication service with adequate facilities at reasonable charges, for the purpose of the national defense, for the purpose of promoting safety of life and property...." 47 U.S.C. §151; "Consumers in all regions of the Nation, including low-income consumers and those in rural, insular, and high cost areas, should have access to telecommunications and information services...." 47 U.S.C. §254(b)(3).