

February 10, 2016

VIA ELECTRONIC FILING

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

Re: *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)

The undersigned organizations (together “Disability Advocates”) advocate for and represent the interests of millions of Americans with cognitive, physical, visual, hearing and other disabilities. Each of our organizations has been a leader in working for policies to help people with disabilities lead safer, healthier and more productive lives, including by supporting programs that facilitate wider access to telecommunications services that are necessary for Americans with disabilities to stay connected and participate in society. The Disability Advocates therefore have been strong supporters of the Federal Lifeline program and have actively participated in proceedings before the Federal Communications Commission (“FCC” or “Commission”) as it has sought to expand and reform the program.¹

People with disabilities have been one of the key intended beneficiaries of Lifeline from its inception.² People with disabilities are often in lower income brackets due to unique challenges they face with educational access and employment opportunities.³ The services provided by Lifeline have been critical in allowing Americans with disabilities to stay connected with their families, access health care services, seek employment and educational opportunities and to have the peace of mind to be able to call for help in emergencies.

¹ See e.g., Comments of National Association of the Deaf (NAD), Telecommunications for the Deaf and Hard of Hearing (TDI), Deaf and Hard of Hearing Consumer Advocacy Network (DHHCAN), Association of Late-Deafened Adults (ALDA), Hearing Loss Association of America (HLAA), RERC on Technology for the Deaf and Hard of Hearing at Gallaudet University (DHHH-RERC) (collectively “Consumer Groups”), WC Docket Nos. 11-42, 09-197, and 10-90 (filed Aug. 31, 2015); Comments of the Arc, WC Docket No. 11-42 et al. (filed Aug. 31, 2015); Reply Comments of the American Foundation for the Blind (AFB), WC Docket No. 11-42 et al. (filed Sept. 24, 2015); Letter from Eric Bridges, Interim Executive Director of the American Council of the Blind, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No., 11-42 et al. (filed Sept. 10, 2015).

² See *MTS and WATS Market Structure; and Establishment of a Joint Board; Amendment*, Final Rule, 50 Fed. Reg. 939, 941 ¶ 9. (Jan. 8, 1985) (“[i]n many cases, particularly for the elderly, poor, and disabled, the telephone [has] truly [been] a lifeline to the outside world.”).

³ See *Center on Economic Growth*, World Institute on Disability, <http://wid.org/center-on-economic-growth> (last visited Nov. 19, 2015) (“Only 35% of Americans with disabilities have full- or part-time jobs, compared to 78% of those without disabilities. Further, 34% of people with disabilities live in households with annual incomes of \$15,000 or less, almost three-times higher compared to non-disabled peers”); see also *Poverty*, Annual Disability Statistics Compendium, <http://disabilitycompendium.org/compendium-statistics/poverty> (last visited Nov. 19, 2015) (explaining that in 2013, individuals with disabilities ages 18 to 64 years had a poverty rate of 28.7 percent while individuals without disabilities in the same age group had a poverty rate of 13.6 percent).

We thus applaud the Commission for its leadership in ensuring that millions of Americans with disabilities have been able to access this critical service. As the Commission looks to update and modernize the Lifeline program to enable low-income Americans to more fully participate in the 21st Century digital economy, we are further encouraged by the Commission's proposal to expand the scope of Lifeline to include broadband.⁴ We believe the latest reform effort, if done correctly, will significantly improve the lives of people with disabilities who have heretofore not been able to afford broadband service.

We are concerned, however, that several of the reforms to the Lifeline program proposed by commenters in the proceeding would make it significantly more challenging for people with disabilities to participate in Lifeline. Specifically, we strongly oppose the use of a voucher system for the administration and distribution of Lifeline subsidies, whether it's through a personal "Lifeline Benefits Account" administered by financial institutions utilizing a personal identification number, an Electronic Benefits Transfer (EBT) card, or any other instrument where the obligation to redeem the benefit in order to utilize and maintain the service rests with the consumer. In contrast to the current system where Lifeline customers receive their benefits automatically on their Lifeline phone for the duration of their enrollment period, a voucher system would require recipients to physically visit or otherwise actively contact a provider to be able to continue receiving service on a monthly basis. Such a requirement would impose unnecessary burdens on the significant segment of current program participants who are disabled and who face various physical, cognitive and communications challenges.⁵ For example, for many people with certain physical disabilities, having to travel to a Lifeline provider's retail establishment to redeem a voucher in the form of an EBT card or other similar instrument would be a significant logistical and financial challenge. This is the case with deaf and hard of hearing Lifeline participants who would also have difficulty contacting their providers to continue receiving service on a monthly basis due to communications access barriers. For people with cognitive disabilities, the requirement of having to proactively engage a Lifeline provider monthly or to remember to use a PIN in order to maintain the service will impose significant additional barriers to participation. If the Commission were to adopt the use of vouchers, many qualified recipients with disabilities may be at the risk of losing this vital and affordable communications link. We therefore urge the Commission to maintain the current system of automatic deposit of benefits on a consumer's Lifeline phone and ensure that the benefits remain easy to use and maintain for consumers with disabilities.

We are also concerned about proposals that may limit Lifeline eligibility to only the participants of the Supplemental Nutrition Assistance Program (SNAP). Although we believe that further coordination between Lifeline and other assistance programs could provide benefits in terms of increasing education about and awareness of the availability of Lifeline, eligibility for Lifeline should not be limited solely to those who participate in SNAP. While, as described above, people with disabilities generally have lower income levels than the average population,

⁴ Improved access to broadband is particularly critical to people with disabilities as only 54% of adults living with a disability use the internet, compared with 81% of adults without disabilities while only 41% of adults living with a disability have broadband at home, compared with 69% of those without a disability. *Technology*, The American Association of People with Disabilities, <http://www.aapd.com/what-we-do/technology/> (last visited Feb 4, 2016).

⁵ Indeed, we believe that the Commission should take other measures to facilitate the ability of qualified Lifeline customers to maintain their service, including considering text messaging as usage for the purpose of demonstrating usage sufficient to avoid de-enrollment from Lifeline service.

many consumers with disabilities who currently participate or who would otherwise be eligible to participate in Lifeline do not participate in SNAP. In fact, in some states including California, statutory laws prohibit SSI recipients from also receiving SNAP. As of December 2014, there were 1,304,400 people on SSI in California alone.⁶ Eligibility for Lifeline should continue to be determined by participation in a broader range of assistance programs including Medicaid, which is relied upon by over 8.8 million Americans with disabilities for critical health care services.⁷ Medicaid is also critical to enrollees in Lifeline with disabilities because healthcare providers are using Lifeline today to text Medicaid enrollees important information and reminders. The opportunity for Lifeline to be used to enhance healthcare for people with disabilities would be lost if Medicaid was eliminated as a qualifying program for Lifeline.

Finally, we are concerned with proposals that would result in Lifeline customers being required to contribute a mandatory co-pay each month in order to receive service.⁸ As noted above, many people with disabilities are often in low income brackets and a requirement to make even a modest monthly payment to ensure Lifeline eligibility would mean many otherwise eligible people would be forced to drop out of the program. In addition, many people with disabilities are “unbanked”, with no credit cards or checking accounts, so even if some of them could afford to pay a modest fee, they would be unable to remit payments. Finally, although a co-pay requirement has been proposed as a way to reduce incentives to commit fraud, no evidence has been introduced to demonstrate that such mandatory charges would have any impact on program integrity.

⁶ See *SSI Recipients by State and County, 2014: California*, U.S. Soc. Sec. Admin. Office of Ret. and Disability Policy, https://www.ssa.gov/policy/docs/statcomps/ssi_sc/2014/ca.html (last visited Feb. 4, 2016).

⁷ See *Individuals with Disabilities*, <http://www.medicaid.gov/medicaid-chip-program-information/by-population/people-with-disabilities/individuals-with-disabilities.html> (last visited Feb. 4, 2016).

⁸ Whether a requirement to make a payment comes in the form of a required co-pay or as a result of the Commission establishing minimum service standards that would exceed the cost of the current subsidy and force a contribution from Lifeline participants, the result would be the same – many needy and deserving people who simply cannot afford to make a payment would be forced to drop out of the program.

The Disability Advocates commend the Commission for its work over the years in establishing Lifeline as a vital tool to enable millions of Americans with disabilities to stay connected to society and for its proposal to extend the Lifeline program to broadband. As noted above, however, we urge the Commission to be mindful of the unintended consequences of certain proposals that, if adopted, would directly limit the availability of critical Lifeline services to people with disabilities.

Sincerely,

American Association of People with Disabilities (AAPD)

Helena Berger
President and CEO
/s/ Helena Berger

The American Foundation for the Blind (AFB)

Mark Richert, Esq.
Director, Public Policy
/s/ Mark Richert

The Arc

Annie Acosta
Director of Fiscal and Family Support Policy
/s/ Annie Acosta

The Association of Assistive Technology Act Programs (ATAP)

Audrey Busch
Director of Policy and Advocacy
/s/ Audrey Busch

Hearing Loss Association of America (HLAA)

Lise Hamlin
Director of Public Policy
/s/ Lise Hamlin

National Association of the Deaf (NAD)

Howard Rosenblum
Chief Executive Officer
/s/ Howard Rosenblum

National Council on Independent Living (NCIL)

Kelly Buckland
Executive Director
/s/ Kelly Buckland

Perkins School for the Blind

Sara Rosta
Legislative Assistant
/s/ Sara Rosta

Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI)

Claude Stout
Executive Director
/s/ Claude Stout

United Spinal Association

Alexandra Bennewith
Vice President, Government Relations
/s/ Alexandra Bennewith

World Institute on Disability (WID)

Anita Shafer Aaron
Executive Director
/s/ Anita Shafer Aaron