

Congress of the United States
Washington, DC 20515

November 15, 2017

The Honorable Ajit V. Pai
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Pai:

Now more than ever, the wake of this year's natural disasters has shown the critical importance that a mobile connection – a literal lifeline – can play in getting Americans back on their feet. We are concerned that proposed changes to the Lifeline program could potentially strand millions of struggling families with no way to connect. With that in mind, we ask that you reconsider these proposals and instead focus the Commission's efforts on ways to help these Americans now, when they need it most.

Even when it is not an emergency, the FCC's Lifeline program is essential every day for millions of Americans who need it to find work, to manage their health, to do their homework, to interact with government, or to simply stay connected with their families. First established in 1985, members of the Reagan Administration noted the goal of the program was not to increase telephone penetration. The aim of both Congress and the Administration was to help low-income Americans through difficult times in their lives. Today, Lifeline remains the only program targeted towards making communications services most affordable for these families, and it has become part of this century's safety net.

We therefore urge you to consider this history and Congressional direction of the Lifeline program. We are concerned that these proposals would have the effect of converting the only means-tested program that helps low income Americans afford phone service into a duplicative version of existing FCC deployment programs. As you know, non-facilities based providers make up nearly 70 percent of the program.

Without those carriers, over 7.3 million Americans would be simply cut off. Importantly, this risks growing the digital divide and decreasing both access and affordability of these services. Nearly three quarters of the customers who already depend on the program rely on these carriers for their mobile connection.

We are also concerned by the proposal to overturn recent safeguards imposed on the program in favor of an arbitrary cap, despite expert testimony before our committee that has demonstrated that a cap is not an effective mechanism to achieve the goal of curbing any waste, fraud, and abuse that exists in the program. Instead, recently adopted safeguards are more likely to be effective without penalizing otherwise qualified recipients. For example, an arbitrary cap would eliminate the safeguards that ensure those living in veterans' homes, women's shelters, or group homes can enroll in the program.

Congress has specifically rejected efforts to cap or end Lifeline's current structure multiple times. Last Congress, the House carefully considered three bills that closely match your proposals—H.R. 4884, H.R. 266, and H.R. 5525. Yet, after being considered before either the House Energy and Commerce Committee or the broader House of Representatives, Congress instead chose to not move forward with these measures in favor of the FCC's existing steps to better oversee the program. We urge you to uphold that congressional policy choice.

The National Verifier has the potential to be the Commission's most important tool towards reducing waste, fraud, and abuse in the program. The 2016 Lifeline Order establishes a minimum benchmark of 25 states or territories by December 2018 and full implementation a year after that. The National Verifier will further improve the program's integrity as well as our shared goal of ensuring Lifeline is an efficient, effective, and fiscally responsible program. Indeed, the Government Accountability Office testified the National Verifier will resolve most remaining issues. We therefore ask that the Commission fully implement and evaluate the 2016 reforms to the program, including the creation of the National Verifier, before taking further action.

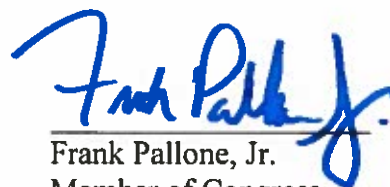
Finally, it is regrettable that you did not mention these proposals at the October 25 Oversight Hearing before this Committee despite several questions about the Lifeline program. Public confidence requires transparency between this committee and those it oversees, yet you chose to avoid telling us that you planned to release this proposal within hours after the hearing concluded, leaving the impression that you are trying to evade congressional oversight. To restore public trust and allow Congress to exercise its oversight responsibility, we therefore ask that you do not take any final actions on your plan—on tribal lands or anywhere in the country—until you have another opportunity to testify before our committee on the impacts of this proposal.

For these reasons, we urge the FCC to immediately reconsider its proposal to set aside the Lifeline program as appropriate under the law.

Sincerely,



Doris Matsui
Member of Congress



Frank Pallone, Jr.
Member of Congress



Mike Doyle
Member of Congress



Bobby L. Rush
Member of Congress



Anna G. Eshoo
Member of Congress



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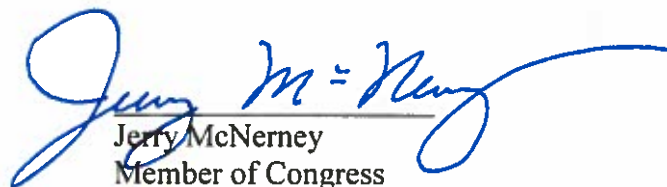
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