

OPPOSE THE USF CAP

August 9, 2019

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

Re: Universal Service Contribution Methodology, WC Docket No. 06-122

Dear Chairman Pai and Commissioners:

The undersigned organizations submit these comments in opposition to the Federal Communications Commission's (FCC) recent proposals to impose an overall budget cap on the Universal Service programs. Our nation's communications policy is based on the fundamental principle of universal service for good reason: people need affordable communications services to connect to the outside world for job opportunities, medical services, educational advancement, and civic participation. A cap that would pit these programs against each other and that would arbitrarily limit funds spent on these programs would fail to meet Congress' universal service mandate and harm the most vulnerable in our society.

We write particularly in support of the Lifeline program, which promotes affordable communications for low-income households and complements the other Universal Service programs that support service for rural and hard-to-reach areas, as well as schools and libraries. The overall Universal Service Fund (USF) cap is just as detrimental as the Lifeline-only cap the FCC previously proposed. This proposal will not address program integrity and instead creates unpredictability for low-income people who might languish on waitlists to receive connectivity at a time of urgent need. It is also cruel and administratively burdensome to no purpose—the Lifeline program is available only to eligible low-income households and the *2016 Lifeline Modernization Order* is being implemented right now—implementing and improving upon those reforms is a better use of resources. Similarly, the critical E-rate program requires funding to support children learning in schools and electronic resources in libraries around the country. Each of these programs has their own-program specific measures that ensure careful allocation of universal service funds and an overall USF cap is harmful, not helpful.

When Congress codified the concept of universal service by enacting the Telecommunications Act of 1996, it called for the creation of different programs tailored to promote affordable communications services for those most in need: from students, library patrons and rural hospitals to low-income and rural communities. Grouped under a single umbrella of the Universal Service Fund, these programs are intended to work in concert to address the “digital divide” and ensure that all consumers have access to high-quality and affordable communications. Indeed, our nation's economic well-being and the well-being of people and businesses in rural and low-income communities require universal access to affordable, quality, high-speed broadband. Congress directed that universal service support “should be explicit and

sufficient to achieve the purposes of this section.”¹ For the Commission to set an overall USF cap would violate Congressional intent that the programs be “sufficient” for their purposes because the funds would be inadequate.

We urge the Commission to quickly end this proceeding and reject any suggestion of an overall USF cap.

Sincerely,

Access Humboldt, Eureka, CA
Advocates for Basic Legal Equality, Dayton, Ohio
Appalshop, Inc., Whitesburg, Kentucky
Benton Foundation
BYP100 DC
Center for Rural Strategies
CNY Digital Inclusion Coalition, Syracuse, NY
Common Frequency
Common Sense Media
Communications Workers of America
Connected Insights, Cleveland OH
Greenlining Institute
IBSA, Inc., Topeka, KS
InnovateEDU, Brooklyn, NY
Media Alliance
Media Justice
Mobile Citizen
NAACP
National Consumer Law Center, on behalf of its low-income clients
National Digital Inclusion Alliance
National Hispanic Media Coalition
Native Public Media
New America's Open Technology Institute
Open Access Connections
Prometheus Radio Project
Public Knowledge
RI Office of Innovation
The Greenlining Institute, Oakland, CA
U.S. Conference of Catholic Bishops
Urbana Champaign Independent Media Center
Vermont Mutual Aid Society
Voqal

¹ 47 U.S.C. § 254(e); *see also* 47 U.S.C. § 254(b)(5) (“There should be specific, predictable and sufficient Federal and State mechanisms to preserve and advance universal service.”).