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April 12, 2016

The Honorable Greg Walden

Chairman

Subcommittee on Communications and Technology

Committee on Energy and Commerce

2125 Rayburn House Office Building

Washington, DC 20515

The Honorable Anna Eshoo

Ranking Member

Subcommittee on Communications and Technology

Committee on Energy and Commerce

2125 Rayburn House Office Building

Washington, DC 20515

SUPPORT LIFELINE, OPPOSE H.R. 4884

Dear Chairman Walden and Ranking Member Eshoo:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 200 national organizations to promote and protect the rights of all persons in the United States, and its Media/Telecommunications Task Force, we write to express our support for the Lifeline program and opposition to H.R. 4884, the "Controlling the Unchecked and Reckless Ballooning of Lifeline Act of 2016." Passage of H.R. 4884 would undercut both the goals of the Lifeline program and the principles for Lifeline modernization supported by our members and a wide range of other consumer and public interest organizations.

We believe that it is essential to ensure that people of color, low-income people, and other vulnerable populations have access to broadband. Without Internet access, students of color cannot do their homework, working single mothers cannot earn degrees online at night, and seniors and people with disabilities cannot utilize the most modern and accessible health care. Accordingly, The Leadership Conference was a strong supporter of the Federal Communications Commission's proposed modernization of Lifeline to include broadband, to address the persistent digital divide between those who have a broadband Internet connection and those who do not.

H.R. 4884 would impose a hard cap of \$1.5 billion annually on the Lifeline program. We oppose the proposed cap, which would prevent eligible participants from using the Lifeline program and preclude universality, a key principle for Lifeline reform.¹ The Lifeline program has never approached full participation rates by eligible populations. This cap could halt payments to eligible consumers mid-stream or result in unacceptable waiting lists for eligible households or other unreasonable and administratively cumbersome management mechanisms. By contrast, the FCC's new budget mechanism combines fiscal responsibility



with the ability to respond intelligently in the event of an unanticipated increase in need, such as one caused by an economic downturn or natural disaster.

In addition, H.R. 4884 would eliminate support for voice-only mobile services in two years. As we stated in our comments to the FCC, it is evident from marketplace choices that mobile services have been a particularly important choice for people of color, low-income people, and other vulnerable populations.ⁱⁱ Moreover, access to mobile services align with important anti-poverty programs.ⁱⁱⁱ The FCC's planned modernization of Lifeline will phase out support for voice-only services by 2021 after a full review and report prior to the phase out, enabling the Commission to weigh the extent to which consumers have moved from voice-only to bundled voice and data plans. This provision of H.R. 4884 is unnecessary and will fail to protect low-income people.

We urge you to oppose H.R. 4884 and to support the Lifeline program and the FCC's modernization of that program. Thank you for considering our views. Please contact Leadership Conference Media/Telecommunications Task Force Co-Chairs Cheryl Leanza, UCC Office of Communication, Inc., at 202-904-2168, Michael Macleod-Ball, ACLU, at 202- 675-2309, or Corrine Yu, Leadership Conference Managing Policy Director at 202-466-5670, if you would like to discuss the above issues.

Sincerely,

The Leadership Conference on Civil and Human Rights
AFL-CIO
American Civil Liberties Union
Center for Media Justice
Common Cause
Communications Workers of America
NAACP
National Consumer Law Center, on behalf of its low-income clients
National Council of La Raza
National Disability Rights Network (NDRN)
National Hispanic Media Coalition
OCA – Asian Pacific American Advocates
United Church of Christ, OC Inc.

ⁱ Letter to FCC Chairman Tom Wheeler from Access El Dorado et al., FCC WC Docket 11-42 (filed June 10, 2015).

ⁱⁱ See Comments of Leadership Conference on Civil and Human Rights, FCC WC Docket 11-42 at 3 (filed August 31, 2015) (citing Pew Research Center, *U.S. Smartphone Use in 2015* (April 1, 2015) available at: <http://www.pewinternet.org/2015/04/01/us-smartphone-use-in-2015>).

ⁱⁱⁱ *Id.*