In the Matter of	**)**	
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Lifeline and Link Up Reform and	**)**	WC Docket No. 11-42
Modernization	**)**	
	)	
Lifeline and Link Up	**)**	WC Docket No. 03-109
	)	
Federal-State Joint Board on Universal	**)**	CC Docket No. 96-45
Service	**)**	
	)	
Advancing Broadband Availability	**)**	WC Docket No. 12-23
Through Digital Literacy Training	**)**	
	)	

COMMENTS OF THE NATIONAL HISPANIC MEDIA COALITION (NHMC)

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April 2, 2012

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SUMMARY

NHMC applauds the Commission for taking the first steps towards bringing universal service into the broadband age. NHMC is particularly pleased that the Commission recognizes the importance of schools and libraries in promoting digital literacy and increasing broadband adoption, especially in low-wealth communities and communities of color where a home broadband connection is often out of reach. NHMC is also glad to see the Commission moving forward with proposals to simplify Lifeline eligibility and allow the Lifeline benefit to be used for bundled services including broadband. These initiatives and others will have a significant impact on many communities that traditionally lag in home broadband adoption.

Latinos are less likely to have a home broadband connection than any other racial or ethnic group and disproportionately use public access broadband in schools or libraries to complete a number of vital tasks, such as completing homework assignments, applying for jobs, or using e-government websites to secure important social services. Often unfamiliar with how to complete these everyday tasks in the digital age, many rely on school or library computer center staff to assist them. Many schools and libraries, in recognition of the importance of the access they provide, have gone to great lengths in the face of limited resources to ensure that their communities are served. For those who lack Internet access at home, or are forced to interact with the digital world through the tiny screen of a mobile device, time spent at a computer workstation at a school or library is time spent in pursuit of the American dream. In light of this reality, NHMC takes every opportunity to advocate for ways in which to increase and enhance this type of access, so that our communities can stop falling behind and begin to profit from all that broadband makes possible.

In this proceeding, NHMC makes a number of recommendations on how the Commission can best increase and enhance access to broadband through the Universal Service Fund ("USF"), including:

- Supporting existing digital literacy efforts in schools and libraries by allowing USF funds, administered through the E-rate program, to be used to train and deploy teachers and librarians to public computer centers in schools and libraries so that they may remain open longer and provide more meaningful assistance to patrons;

- Supporting current teachers and librarians who often lead technology training classes or provide point-of-service assistance to patrons attempting to complete certain tasks, such as using e-government websites, completing homework assignments, and applying for jobs, among other things;

- Ensuring that schools and libraries in low-wealth communities can benefit from this support, even schools that cannot currently provide after hours access or libraries that already offer some type of training to patrons;

- Granting automatic Lifeline eligibility to individuals who are enrolled in the Supplemental Nutrition Assistance Program for Women, Infants, and Children ("WIC") or the Homeless Veterans Program, both of which serve a large percentage of Latinos; and

- Allowing low-wealth consumers to use their Lifeline benefits to purchase a bundled service offering while adopting measures that ensure fair pricing, allow for non-predatory repayment plans, and allow customers to change freely to a more inexpensive service tier should they become unable to afford all bundled services.

NHMC is confident that the recommendations listed above create a common sense, cost-effective framework for the Commission to follow that will enable it to expand and enhance broadband access at schools and libraries, promote digital literacy, spur home broadband adoption, and move closer towards ensuring that all are able to benefit from access to telecommunications services in this country.

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COMMENTS OF THE NATIONAL HISPANIC MEDIA COALITION (NHMC)

The National Hispanic Media Coalition ("NHMC") respectfully submits this comment in response to the Federal Communications Commission's ("FCC" or "Commission") Report and Order and Further Notice of Proposed Rulemaking ("FNPRM") seeking input on improvements to the Lifeline and Link Up programs to enable low income individuals to receive the services they need while reducing waste, fraud, and abuse.[1] NHMC is pleased that the Commission appears to be moving forward with a number of NHMC's proposals from previous filings in this and other proceedings. Notably, the Commission has taken steps to expand program eligibility, enhance digital literacy in schools and libraries, and explore the provision of broadband through bundled service offerings and a pilot program. The Commission should swiftly implement these enhancements after considering comments in this proceeding on precisely how these changes should be implemented.

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[1] *Lifeline and Link Up Reform and Modernization*, WC Dkt. No. 11-42; *Lifeline and Link Up*, WC Dkt. No. 03-109; *Federal-State Joint Board on Universal Service*, CC Dkt. No. 96-45; *Advancing Broadband Availability Through Digital Literacy Training*, WC Dkt. No. 12-23, Report and Order and Further Notice of Proposed Rulemaking, (rel. Feb. 6, 2012) ("FNPRM"). FNPRM").

BACKGROUND

Meaningful and sustainable broadband connections remain out of reach for many

Americans. Today one-third of Americans still lack home broadband connections.[2] As the

Commission rightly points out in the FNPRM, the percentage of non-adopters among low-

income Americans may be as much as double the national rate.[3] Latinos are much less likely to

be online at home with only 45.2 percent of Latinos having a home broadband connection – the

lowest-measured adoption rate for any racial or ethnic group.[4] Almost forty-six percent of those

that do not have high speed Internet access at home claim that they "don't need" or "don't want"

the service.[5] Thirty-four percent of Latinos have cited this as the reason they lack broadband

access at home.[6] Cost is the primary obstacle to adoption in the Latino community with 35.9

percent of Latinos citing the costs associated with broadband as the reason that they have chosen

not to adopt.[7]

The Commission's Broadband Adoption Taskforce has defined the digital divide that

exists between those that have broadband and those that do not, as an "opportunity divide" that

manifests itself in a number of ways.[8] For instance, more than eighty percent of Fortune 500

companies, including huge employers like Wal-Mart and Target, only accept job applications

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[2] FCC BROADBAND ADOPTION TASKFORCE, BROADBAND ADOPTION PRESENTATION TO FCC OPEN MEETING, at slide 7 (Nov. 30. 2011) *available at* http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-311281A1.pdf ("Broadband Adoption Taskforce Presentation").

[3] FNPRM at ¶ 416 (citing AARON SMITH, PEW INTERNET & AMERICAN LIFE PROJECT, HOME BROADBAND 2010, at 8 (Aug. 11, 2010) *available at* http://pewinternet.org/~/media//Files/Reports/2010/Home%20broadband%202010.pdf).

[4] NTIA U.S. DEPT. OF COMMERCE, DIGITAL NATION: EXPANDING INTERNET USAGE, *(NTIA RESEARCH PREVIEW 2011)* 21, 23 (Feb. 2011), http://www.ntia.doc.gov/reports/2011/NTIA_Internet_Use_Report_February_2011.pdf ("Digital Nation 2011").

[5] *Id.* at 20.

[6] *Id.* at 23.

[7] *Id.* at 21, 23.

[8] Broadband Adoption Taskforce Presentation at slides 4-5.

online.[9] In the next decade, nearly eighty percent of jobs will require some digital literacy skills.[10] And students with broadband at home graduate at a rate 6-8% percent higher than students who lack such access.[11] Consumers with broadband at home can save up to $7,000 per year on goods and services, and annual revenues of small businesses with broadband access are, on average, $200,000 higher than those without broadband.[12] Additionally, programs such as the Supplemental Nutrition Assistance Program ("SNAP"), Medicare, Medicaid, and the Children's Health Insurance Program encourage use of online applications to receive benefits. Those without home Internet access face enormous hurdles to accessing basic services and engaging in what many of us take for granted as every day American life.[13]

For students, life without home broadband is especially difficult. Seventy-seven percent of K-12 teachers report that they, or their colleagues, assign homework that requires the use of the Internet.[14] In communities where the majority of students lack home broadband access, certain homework from textbooks simply cannot be assigned or completed without the availability of school or library Internet access, leaving many children behind. In preparing a

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[9] *Id.* at slide 10.
[10] *Id.* at slide 11.
[11] *Id.* at slide 14.
[12] *Id.* at slide 19.
[13] National Hispanic Media Coalition, Trends in Latino Mobile Phone Usage And What They Mean For U.S. Telecom Policy, 6 (Feb. 2012), http://nhmc.org/sites/default/files/mobile_policy_report.pdf (citing Comment by David A. Super, WC Dkt. No. 11-42, WC Dkt. No. 03-109, CC Docket No. 96-45, at 5 (Nov. 7, 2011)). *See also* Alexis Stevens & Joel Anderson, *Hundreds lose food stamps with no warning,* Atlanta Journal-Constitution, Oct. 13, 2011, http://www.aic.com/news/cobb/hundreds-lose-food-stamps-1200370.html.
[14] *Survey Says: Schools Are Responding to Students' Increasing Use of Technology*, National Cable & Telecommunications Association (Oct. 2008), http://www.ncta.com/ReleaseType/MediaRelease/Survey-Says-Schools-Are-Responding-to-Students-Increasing-Use-of-Technology.aspx.

previous comment[15] for the E-rate docket, NHMC staff interviewed teachers and librarians from

a school district that serves approximately 15,000 students, with around fifty-eight percent

Latino students, and forty percent African American students. Nearly sixty-five percent of

students in the district qualify for the National School Lunch Program ("NSLP"). One school has

a computer lab with about thirty computers that are connected to the Internet; however, this lab is

only open during school hours and teachers must sign up in advance to bring their students there.

There is no technology expert assigned to the computer lab, so the quality of the students'

experience depends wholly on their classroom teacher. Technology experience of teachers varies

from very sophisticated down to computer illiterate. Many students lack Internet access at home.

This prevents teachers from assigning any homework that requires Internet research. This is

particularly difficult because all textbooks now have a technology component, and students must

forgo this educational opportunity if they do not have Internet access at home. The school library

and the computer lab are not open after school, so that is not a viable option for students.[16]

In this proceeding, and other related proceedings, NHMC has urged the Commission to

take a number of steps to bridge the digital divide and ensure that all people are connected – to

telephone service and broadband alike. NHMC has consistently urged the Commission to adopt

inclusive eligibility criteria and to expand the list of eligible programs that confer automatic

Lifeline eligibility.[17] NHMC has also advocated for a swift transition of the program to inclusion

of broadband services. Further, NHMC has been active in E-rate dockets and has urged the

Commission to add certain staffing and training costs to the E-rate Eligible Services List ("ESL")

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[15] Comments of the National Hispanic Media Coalition, CC Dkt. No. 02-6, GN Dkt. No. 09-51, filed July 9, 2010, http://www.nhmc.org/sites/default/files/NHMC%20E-Rate%20Comment.pdf.
[16] *Id.* at 3.
[17] See e.g. Comments of The Leadership Conference on Civil and Human Rights, CC Dkt. No. 96045, WC Dkt. No 03-109, filed April 21, 2011, http://www.civilrights.org/advocacy/letters/2011/universal-service-lifeline-4-21-11.pdf.

thus opening the door for universal service funding.[18] NHMC has asserted that allowing E-rate

funding for these purposes will increase the availability of Internet access for those who do not

have it at home and help build digital literacy through practice with the technology and

interactions with knowledgeable staff. The Commission has, thus far, declined to add these

important services to the ESL.[19]

As schools and libraries have added broadband connectivity and computer workstations,

they have become a lifeline to their communities – especially for individuals who lack other

means of getting online. A recent survey of public libraries revealed that 99.3 percent offer free

Internet access with 63.4 percent reporting that they are the only provider of free Internet access

in their community.[20] Almost seventy percent of libraries reported increased usage of their

computer workstations over the previous year.[21] However, factors such as decreased funding

have caused 31.7 percent of urban public libraries, and 15.9 percent of public libraries overall, to

cut their hours of operation in the past year.[22] As this comes after a number of years of similar

declines, the cumulative effect is striking. If schools and libraries had *additional* funding for

trained staff to ensure that computer labs are open after school hours and that effective staff

support is available for users, these institutions could better support their local communities in a

number of ways, not the least of which by becoming a homework hub where students can go to

complete Internet-intensive assignments.

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[18] Comments of the National Hispanic Media Coalition, CC Dkt. No. 02-6, filed July 15, 2011.
[19] *Schools and Libraries Universal Service Support Mechanism*, 26 FCC Rcd 13280, 13287 at ¶ 23, n.62 (rel. Sept. 28, 2011).
[20] *Community Access & Public Libraries*, PUBLIC LIBRARIES & THE INTERNET, http://www.plinternetsurvey.org/analysis/public-libraries-and-community-access (last visited Apr. 2, 2012).
[21] *Id.*
[22] JOHN CARLO BERTOT ET AL., INFORMATION POLICY & ACCESS CENTER, 2010-2011 PUBLIC LIBRARY FUNDING AND TECHNOLOGY ACCESS SURVEY: SURVEY FINDINGS AND RESULTS (June 21, 2011), http://www.plinternetsurvey.org/sites/default/files/publications/2011_plftas.pdf.

I. THE UNIVERSAL SERVICE FUND SHOULD SUPPORT DIGITAL LITERACY TRAINING AT SCHOOLS AND LIBRARIES BY COVERING LABOR AND TRAINING COSTS FOR COMPUTER CENTER STAFF

The Commission has statutory authority to enhance digital literacy through the E-rate program. However, to fully and efficiently realize the intent of the E-rate program, digital literacy training should be understood to encompass both formal training classes as well as the informal point-of-service assistance that is often far more meaningful. Funding should support keeping staff on hand to keep computer centers open and provide patrons with assistance. While many schools and libraries already have staff that assists students or community members, often formal training classes come at the expense of new workstations or increased hours. Allowing E-rate funds to support technology staff at public computer centers is the most cost effective and common sense way to integrate digital literacy training into the current E-rate program and may allow schools and libraries to remain open longer, hire a sufficient amount of trained staff, offset the costs of their current digital literacy programs, and free up funds to confront other challenges, such as lack of workstations to meet demand or insufficient Internet bandwidth. This funding should be added to the ESL and should not be limited to any arbitrary length of time. Finally, this funding should not be limited to schools that currently remain after open after school hours or to libraries that do not currently offer training. This would exclude a number of schools and libraries in low-income communities that simply do not have the funding to stay open after school hours or find it necessary to offer digital literacy training at the expense of other important programs.

A. The Commission's Digital Literacy Efforts Should Be Administered Through The Existing E-rate Program

In the FNPRM, the Commission asks whether digital literacy training should be administered through the E-rate program, Lifeline, the high-cost fund, or a new, standalone program.[23] The Commission also seeks comment on its statutory authority to support digital literacy training with universal service funding.[24] The Commission has sufficient authority to enhance digital literacy efforts through the E-rate program. In Section 254 of the Telecommunications Act of 1996, Congress set forth six universal service principles, including that "'[a]ccess to advanced telecommunications and information services should be provided in all regions of the Nation,' and that '[c]onsumers in all regions of the nation, including low-income consumers . . . should have access to telecommunications and information services, including . . . advanced telecommunications and information services, that are reasonably comparable to those services provided in urban areas and that are available at rates that are reasonably comparable to rates charged for similar services in urban areas.'"[25] Additionally, Section 254(h)(2) directs the Commission "to enhance, to the extent technically feasible and economically reasonable, access to advanced telecommunications and information services" for libraries and school classrooms and 254(c)(3) allows the Commission to designate "additional" services eligible for universal service support for schools and libraries.[26]

In this instance, the "access" to many E-rate supported computer labs in schools and libraries, as envisioned in Section 254, is frustrated as many computer centers cannot remain open during convenient hours, such as after school or on weekends. This is often due to a lack of

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[23] FNPRM at ¶ 425.
[24] FNPRM at ¶ 422.
[25] 47 U.S.C. § 254(b)(1) – (3).
[26] 47 U.S.C. §§ 254(c)(3), 254(h)(2).

funding to train and deploy staff.[27] Allowing E-rate funding to be used to train existing staff and

accommodate increased hours falls squarely in line with the plain language of the statute and the

authority that Congress granted to the Commission. Through its discretion to provide and

enhance access to schools and libraries, the Commission may take steps to ensure that the

computer centers in schools and libraries remain open after the academic day ends and be staffed

by personnel with digital literacy knowledge. Congress did not stipulate how the Commission

should define access, therefore allowing the Commission some discretion in how to best

accomplish the spirit and intent of the mandate. If the Commission elects to define "access"

narrowly, meaning that patrons are given the freedom or opportunity to make use of the

telecommunications services, then access is frustrated by the inability of a school or library to

keep a computer center open.[28] However, if the Commission understands "access" more

holistically, as suggested in the FNPRM, to take into account the "ability of consumers to use the

services once they have access to them," the Commission should ensure that E-rate also covers

training and staffing costs to assist digitally illiterate students and community members in

completing tasks on the equipment provided.[29]

Further, as noted in the FNPRM, the Commission has discretion to "enhance" access

under Section 254(h)(2).[30] Congress intended this provision to "help open new worlds of

knowledge, learning and education to all Americans … to provide the ability to browse library

collections, review the collections of museums, or find new information on the treatment of an

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[27] JOHN CARLO BERTOT ET AL., INFORMATION POLICY & ACCESS CENTER, 2010-2011 PUBLIC
LIBRARY FUNDING AND TECHNOLOGY ACCESS SURVEY: SURVEY FINDINGS AND RESULTS (June
21, 2011), http://www.plinternetsurvey.org/sites/default/files/publications/2011_plftas.pdf.
[28] See *Merriam-Webster Dictionary*, http://www.merriam-webster.com/.
[29] FNPRM at ¶ 423.
[30] 47 U.S.C. § 254(h)(2).

illness, to Americans everywhere via schools and libraries."[31] The Commission rightfully notes

that "[t]raining on how to use information services … enhances access to those services in

classrooms and libraries and furthers the purposes of section 254(h)."[32] By allowing universal

service funding to be used for training and labor costs so that public computer centers can remain

open and digitally literate staff can assist and train patrons, the Commission satisfies both its

aspiration to provide digital literacy training to communities and the goals of Section 254.

B. Schools And Libraries Are Appropriate Anchor Institutions To Provide Digital Literacy Training

In the FNPRM, the Commission asks whether schools and libraries would be appropriate

recipients of funding for digital literacy training.[33] Schools and libraries are appropriate venues

for digital literacy training and they represent the very best starting points for such efforts. Forty-

one percent of individuals who lack broadband at home rely on schools and public libraries to

stay connected,[34] and a "higher proportion of library public access computer users who lack

home access are Black or Hispanic and are more likely to be poor."[35] This data, and feedback

NHMC has received from constituents, reflects the reality that schools and libraries are already a

trusted broadband resource for many in communities that traditionally lag in home broadband

adoption.

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[31] S. Conf. Rep. No. 230, 104th Cong., 2d Sess. 132 (1996).

[32] FNPRM at ¶ 422.

[33] FNPRM at ¶ 433-436.

[34] An additional eight percent reported using broadband at school and work. NTIA U.S. DEPT. OF COMMERCE, EXPLORING THE DIGITAL NATION: COMPUTER AND INTERNET USE AT HOME 39 (Nov. 2011), http://www.ntia.doc.gov/files/ntia/publications/exploring_the_digital_nation_computer_and_internet_use_at_home_11092011.pdf.

[35] CARLOS A. MANJARREZ AND KYLE SCHOEMBS, INSTITUTE OF MUSEUM AND LIBRARY SERVICES, WHO'S IN THE QUEUE? A DEMOGRAPHIC ANALYSIS OF PUBLIC ACCESS COMPUTER USERS AND USES IN U.S. PUBLIC LIBRARIES, Research Brief No. 4 at 5 (June 2011), *available at* http://www.imls.gov/assets/1/AssetManager/Brief2011_04.pdf (IMLS Brief).

Using schools and libraries to provide digital literacy training would be an effective way to reach non-adopters without much additional FCC outreach. External objectives, such as homework assignments, job searches, or applications for social programs, already drive many people to schools and libraries for the Internet access that they lack at home. According to a study by the Institute of Museum and Library Services, 55.9 percent of respondents use public library Internet for education or employment purposes – the second most popular uses by individuals lacking home broadband.[36] The widespread use of library broadband for educational purposes is not surprising as the Internet is increasingly used as an educational tool. Given the numbers, digital literacy training offered at schools and libraries would have the potential of reaching at least half of broadband users who have not yet adopted broadband at home and even more if the FCC were to devote funds that it would have used to launch an entirely new program into publicizing the enhanced offerings at schools and libraries.

Finally, schools and libraries, which already serve as anchor institutions for broadband access, have the potential to demystify broadband for entire communities, particularly in low-income communities and communities of color where broadband adoption is lagging. As more people become familiar with broadband and experience the impact that it can make on their lives, they will be more likely to prioritize obtaining a broadband connection, provided that it is affordable. It is also likely that these new adopters will educate others in their community about the benefits of broadband. According to a recent survey of those who adopted broadband in the past year, 19 percent said that they were convinced to subscribe by a friend or family member and 18 percent said hearing about the benefits of broadband in the news or in their community

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[36] *Id.* at 6 (Indicating social connections were the top use at 77.7 percent).

contributed to their adoption.[37] Community broadband access creates broadband promoters and word of mouth has been shown to be a powerful tool in driving adoption rates.

C. Digital Literacy Funding Should Be Available To All Schools And Libraries In Low-Income Communities

In the FNPRM, the Commission proposes to "limit funds to entities that do *not* already offer formal digital literacy training services" and to "those schools that offer community access after regular school hours."[38] It would be shortsighted to limit funds in this way. First, many schools and libraries currently offer digital literacy training with varying levels of formality, often at the expense of other programs or services, and it would require arbitrary, and often meaningless, distinctions to limit funds in this way. Second, limiting funds to schools that are open after school hours could disproportionately limit support to schools in low-wealth communities, where students could benefit most from the training. This necessarily frustrates the intent of the program and would cause the schools in most need to fall further behind.

Libraries that currently offer formal digital literacy training should not be excluded from the program. While the Commission was correct to cite a study showing that "only 38 percent of public libraries [offer] formal digital literacy courses," that same study found that 78.8 percent offer informal, point-of-use technology training. While this training may not take place in the context of a classroom, it is arguably more important as it assists users as they complete real world tasks – many which will need to be repeated – such as completing job applications or applying for social services. For instance, while 89.7 percent of libraries provided assistance to patrons for understanding how to use and access e-government websites, those libraries also

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[37] Dev Joshi, Travis Lane, Chris McGovern, Raquel Noriega, and John Walker, *Late to the Party: How New Broadband Subscribers Compare to Early Adopters*, TPRC 2011, at 9 (Aug. 2011), available at SSRN: http://ssrn.com/abstract=1995130.
[38] FNPRM at ¶ 430.

reported that lack of staff or lack of staff expertise was the most important challenge they face when providing e-government assistance.[39] Indeed, while many schools and libraries currently offer some type of digital literacy training, some lack the funding needed to hire and train additional staff, purchase additional workstations, upgrade to a sufficient Internet connection, or stay open during evenings or weekends.[40] Allowing funds to be used at a library's discretion, to support existing digital literacy programs, could help alleviate some of the strain caused by lack of funds.

Schools that do not currently offer after school access should not be excluded from this program. As discussed above, schools in low-wealth communities often cannot afford to pay staff to stay in computer labs after hours. Instead of proposing to limit funding, the spirit of the program demands that the Commission find ways to improve access at these schools. It is at schools in these communities where students and community members would benefit most from funds to increase staff levels and staff expertise. If the Commission were to exclude these schools from its digital literacy program, they will fall even further behind as better-resourced schools take advantage of the fruits of the program.

D. To Strengthen Digital Literacy Training, E-rate Should Support Labor And Training Costs, Among Other Things

In the FNPRM, the Commission seeks comment on whether additional services should be included on the ESL such as:

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[39] JOHN CARLO BERTOT ET AL., INFORMATION POLICY & ACCESS CENTER, 2010-2011 PUBLIC LIBRARY FUNDING AND TECHNOLOGY ACCESS SURVEY: SURVEY FINDINGS AND RESULTS 41 (June 21, 2011), http://www.plinternetsurvey.org/sites/default/files/publications/2011_plftas.pdf.
[40] *Analysis: Digital Literacy & Public Libraries*, PUBLIC LIBRARIES & THE INTERNET, http://www.plinternetsurvey.org/analysis/public-libraries-and-digital-literacy (last visited April 2, 2012).

- Labor costs for trainers: dedicated personnel to provide digital literacy training for a minimum number of hours per week;

- Staff training for the trainers: providing effective in-person digital literacy training courses, including supporting costs for in-person training, conferences, and online training;

- Curriculum development: staff time developing curriculum, purchase of training content for in-person digital literacy classroom courses, one-on-one training, and online tutorials;

- Software and materials to facilitate in-person digital literacy training;

- Marketing: staff time spent on marketing the training classes, including time spent developing marketing materials as well as printing and advertising costs;

- Volunteer recruitment: staff time spent on recruiting and training volunteer digital literacy trainers; and

- Administrative costs: staff time spent administering the program, including scheduling the classes and reserving rooms.[41]

While each of the items listed above would be a welcome addition to the ESL, certain definitions should be altered to maximize the use of the funds. First, the "labor costs" item should be written as follows:

- Labor costs for technology staff: personnel to staff computer centers and provide formal or informal classes or point-of-service digital literacy training for a minimum number of hours per week;

This definition would eliminate the requirement that dedicated staff be hired and allow current staff, such as teachers or librarians, to staff computer centers. This is more cost effective than hiring new staff and could allow schools and libraries to offer access during additional hours each day, rather than bringing a new staff member in during regular hours. Preference could be given to applicants that propose to increase operating hours, such as schools that propose to use the funding to keep computer centers open after the academic day for the first time, or entities that propose to offer digital literacy support for the first time.

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[41] FNPRM at ¶ 436.

Second, the "staff training" item should be written as follows:

- Staff training for technology staff: providing effective in-person digital literacy training courses, including supporting costs for in-person training, conferences, and online training;

This slight change would allow funds to be used to train computer center staff who often already act as digital literacy trainers. Allowing this staff to be trained would improve the service that they provide to students and community members and maximize the use of equipment. It would also increase the efficiency of computer centers, as users would be able to obtain more effective help if they need it and would, therefore, be able to complete their tasks more quickly and cede the workstation to other users.

If the Commission deems it impracticable to add all of the items above to the ESL, special priority should be given to labor and training costs and volunteer recruitment. As discussed throughout this comment, computer labs frequently close due to lack of funds for staff, leaving many hours lost and wasting the precious broadband connections and equipment that E-rate funding provides. Further, many teachers and librarians do not receive any professional development on technology, and thus have limited or no efficacy when it comes to assisting students who are unfamiliar with the technology due to lack of use at home.[42] Therefore, training and deployment of staff and volunteers is of utmost importance to ensuring that access at schools and libraries is maintained.

The Commission also asks whether four years would be an appropriate length of time to fund digital literacy training.[43] Funding eligibility for these services should not be limited to four years. Rather, these services should remain on the ESL indefinitely, subject to notice and comment on the Universal Service Administrative Company's ("USAC") annually submitted

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[42] Comments of the National Hispanic Media Coalition, CC Dkt. No. 02-6, filed July 15, 2011.
[43] FNPRM at ¶ 434.

draft ESL.[44] Allowing these items to remain on the ESL, and soliciting comment on them each year, will ensure their eligibility for funding continues as needed. This prevents the Commission from having to set an arbitrary deadline for their expiration, while at the same time creating a process by which to evaluate their efficacy on a yearly basis.

II.   THE COMMISSION SHOULD CONFER AUTOMATIC LIFELINE ELIGIBILITY UPON THOSE ENROLLED IN THE WOMAN, INFANTS, AND CHILDREN PROGRAM AND THE HOMELESS VETERANS PROGRAM

In the FNPRM, the Commission seeks comment on new ways to ensure that as many low-income consumers as possible can take advantage of the Lifeline program. First, the Commission asks whether it should add the Supplemental Nutrition Assistance Program for Women, Infants, and Children (WIC) to the list.[45] The Commission then asks how it can best include homeless veterans who have no proof of income.[46] The Commission should add both WIC and the Department of Veterans Affairs Homeless Veterans Program to the list of federal assistance programs that confer automatic eligibility for Lifeline. Both programs are worthy of inclusion and support many of the most vulnerable people in this country. Further, inclusion of the entire Homeless Veterans Program will circumvent any issues with proof of income. As shown below, Latinos disproportionately rely upon both programs and inclusion of these programs would undoubtedly help connect many Latinos who may be heretofore unconnected.

Participation in WIC should confer automatic Lifeline eligibility on consumers.[47] This represents an opportunity to reach the Latino community, as Latinos comprise 41.2 percent of

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[44] *See* 47 C.F.R. § 54.502(b).
[45] FNPRM at ¶¶ 483-485.
[46] FNPRM at ¶¶ 486-487.
[47] Comments of the Leadership Conference on Civil and Human Rights, WC Dkt. Nos. 11-42, 03-109, CC Dkt. No. 96-45, filed Sept. 2, 2011.

WIC enrollees, representing the largest racial or ethnic group in the program.[48] Adding WIC to

the list of qualifying federal programs will also provide easy and efficient Lifeline access to a

number of consumers who may not currently be enrolled in the program. As the Commission

notes, over thirty-five percent of WIC recipients do not participate in another federal assistance

program.[49] This represents the ability to capture a large amount of low-income consumers who

may not have otherwise known about or participated in Lifeline.

The most effective way to ensure the participation of homeless veterans in the Lifeline

program is to confer eligibility on participants of the Homeless Veterans Program through

collaboration with the Department of Veterans Affairs. As the Department of Veterans Affairs

has pointed out in this proceeding, homeless veterans would benefit enormously from

participation in the Lifeline program.[50] Further, while one in ten veterans living in poverty

become homeless generally, one in four Latino or African American poverty-stricken veterans

find themselves without shelter.[51] Granting eligibility to participants in the Homeless Veterans

Program, without requiring further proof of income, which is often difficult to obtain in the

absence of formal employment, will ensure that homeless veterans can participate in Lifeline

without being hindered by additional certification burdens.

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[48] *See Reaching Low-Income Hispanics With Nutrition Assistance*, USDA Food and Nutrition
Service (Feb. 2012), http://www.fns.usda.gov/cga/factsheets/reaching.htm; *see USDA Notice of
Ex Parte Communication on Lifeline and Link Up Reform and Modernization*, WC Dkt. No. 11-
42 (Aug. 17, 2011), http://apps.fcc.gov/ecfs//document/view.action?id=7021703884.
[49] FNPRM at ¶ 484.
[50] Letter from Peter Dougherty, Homeless Veterans Initiative Office, Department of Veterans
Affairs to Marlene Dortch (filed August 23, 2011).
[51] *Id.*

III. APPLYING THE LIFELINE DISCOUNT TO BUNDLES THAT INCLUDE BROADBAND IS A POSITIVE STEP BUT PREDATORY PRACTICES AND LOSS OF SERVICE SHOULD BE PREVENTED

In the FNPRM, the Commission seeks comment on how to implement the requirement that eligible telecommunications carriers ("ETCs") permit Lifeline consumers to use their benefit on bundled services, or service plans that include both voice and broadband functionality.[52] Lifeline eligible bundled service offerings could be a feasible way to increase broadband penetration in communities that currently struggle with adoption, such as low-income consumers in the Latino community.[53] However, even if ETCs are required to allow Lifeline consumers to purchase bundles, the Commission must take appropriate steps to make sure that bundles are used to the benefit of the consumer, and not to his or her detriment.

Bundled service offerings, in the context of the Lifeline program, should be a vehicle by which disadvantaged communities may obtain broadband connectivity, not simply a way for ETCs to increase revenue and reduce churn. For that reason, special effort should be made to ensure that Lifeline bundled products offered by ETCs are reasonably priced for the services provided. Further, to comport with the spirit of universal service, there must be a failsafe mechanism to ensure that consumers who are suddenly unable to afford a bundled service product are still able to maintain basic voice service with their Lifeline benefit. Such mechanisms could include ensuring consumers have the ability to change to a lower service tier upon demand, automatic cancellation of non-essential services such as premium video channels upon inability to pay, or non-predatory repayment plans prior to discontinuation of service. Loss

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[52] FNPRM at ¶ 488-493.

[53] *See* Comments of the Leadership Conference on Civil and Human Rights, CC Dkt. No. 96-45, WC Dkt. No. 11-42, filed Apr. 21, 2011.

of Lifeline voice access due to an inability to pay is paradoxical and frustrates the purpose of the Lifeline program.

CONCLUSION

Wherefore, NHMC respectfully requests that the Commission accept the recommendations herein.

Respectfully Submitted,

___/s/_____

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