

ONE HUNDRED SIXTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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WASHINGTON, DC 20515-6115

639

Majority (202) 225-2927
Minority (202) 225-3641

August 13, 2020

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

Dear Chairman Pai:

We write to urge you to provide unlimited voice minutes and unlimited mobile data to Lifeline recipients, with an increase in the basic support amount to offset any associated incremental costs, for the duration of the coronavirus disease of 2019 (COVID-19) pandemic, consistent with applicable law and regulation. As you know, the Federal Communications Commission's (FCC) Lifeline program generally helps low-income Americans afford phone or internet service, but during this challenging time, the Lifeline program must be supercharged to accommodate the new necessities for life during the COVID-19 pandemic. While the FCC has taken some small steps since March to tweak the Lifeline program's rules,¹ much bolder action is necessary. A strong response is critical given the supreme importance of connectivity while the country continues its efforts to combat the unprecedented and devastating COVID-19 pandemic.

Notably, such an expansion of the Lifeline program has been undertaken by previous FCCs to help protect Americans during emergencies.² The Lifeline program typically provides \$9.25 to qualifying households per month, but in the aftermath of Hurricane Katrina, the FCC voted to provide \$130 to qualifying households to receive handsets and voice minutes to help

¹ Federal Communications Commission, *FCC Waives Lifeline Program Rules to Help Low-income Consumers During the Coronavirus Pandemic*, Press Release (March 17, 2020); Federal Communications Commission, *FCC Acts to Keep Low-Income Americans Connected During Coronavirus Pandemic*, Press Release (March 30, 2020); Federal Communications Commission, *FCC Eases Lifeline Enrollment Process for Americans Who Have Lost Their Jobs During COVID-19 Pandemic*, Press Release (Apr. 29, 2020).

² See Federal Communications Commission, *Lifeline and Link-Up*, Order, WC Docket No. 03-109, at ¶ 11 (Rel. Oct. 14, 2005).f

them get back on their feet.³ Given the importance of connectivity and remote learning, working, and health care during the pandemic, we believe that the FCC should follow past practices and take aggressive action to support struggling Americans.

Recently, you circulated a draft order to change the minimum service standards required for mobile data service under the program.⁴ Disappointingly, you have chosen only to ask your fellow Commissioners to support changes that could actually result in qualifying low-income Americans paying more for mobile service.⁵ This simply defies logic during a severe economic downturn in which more than 30 million Americans have lost their jobs. You also failed to propose changes, even if temporary, to bring the Lifeline program in line with the connectivity needs of this moment. Now more than ever, Americans need this Lifeline to support telework, telehealth, education, and other services offered online to keep individuals and our communities safe and healthy.⁶

Unfortunately, your proposed rules seem to ignore the fact that coronavirus cases continue to rise,⁷ and the country has experienced nineteen consecutive weeks of over one million unemployment claims.⁸ As the pandemic and its related economic ramifications continue to rage on, it will only become more difficult for low-income Americans to stay connected.

The House passed the Heroes Act in May, which includes several provisions to ensure that Americans can afford the broadband internet service they need.⁹ Among other things, the legislation would require the Lifeline program to provide unlimited voice and data minutes to

³ *See id.*

⁴ Federal Communications Commission, *FCC Chairman Pai Circulates Order to Ensure Predictable Increases in Minimum Standard for Lifeline Mobile Broadband Service*, Press Release (July 30, 2020).

⁵ *See, e.g.*, Letter to Marlene Dortch, Secretary, Federal Communications Commission from John J. Heitmann, Counsel to the National Lifeline Association, Notice of Oral Ex Parte, WC Docket Nos. 17-287, 11-42, 09-197, 10-90 (July 29, 2020).

⁶ New York Times, *The Virus Changed the Way We Internet* (Apr. 7, 2020) (www.nytimes.com/interactive/2020/04/07/technology/coronavirus-internet-use.html)

⁷ Washington Post, *Birx Says U.S. Has Entered a New Phase of Pandemic as Cases, Deaths Rise* (Aug. 2, 2020).

⁸ CNBC, *U.S. Weekly Jobless Claims Rise for a Second Straight Week, Total 1.43 Million* (July 30, 2020) (www.cnbc.com/2020/07/30/weekly-jobless-claims.html).

⁹ *See* H.R. 6800 at Div. M.

Americans struggling during this pandemic.¹⁰ Regrettably, the Senate has yet to consider any meaningful action to assist low-income consumers in affording broadband during this pandemic.

It is, therefore, all the more critical that the FCC use all of its authorities to ensure that the American people have access to internet services at an affordable cost.¹¹ We strongly urge you to provide unlimited voice minutes and unlimited mobile data to Lifeline recipients for the duration of the pandemic, consistent with applicable law and regulation, with an increase in the basic support amount to cover the incidental costs of such increased benefit. Families are facing numerous uncertainties about what the coming months will bring for school, work, and other activities. They should not have to worry about whether or not they can afford the internet service necessary to engage in these activities online during the pandemic.

Thank you for your attention to this important matter. Please provide a response by September 3, 2020. Should you have additional questions, please contact Jennifer Epperson of the Majority Staff at (202) 225-2927.


Sincerely,



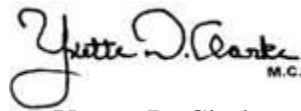
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¹⁰ *Id.* at § 130302.

¹¹ *See* 47 U.S.C. §151.



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cc: The Honorable Michael O’Rielly, Commissioner, Federal Communications Commission

The Honorable Brendan Carr, Commissioner, Federal Communications Commission

The Honorable Jessica Rosenworcel, Commissioner, Federal Communications
Commission

The Honorable Geoffrey Starks, Commissioner, Federal Communications Commission