

TC-2 Resolution to Implement Expeditiously a Properly Functioning and Consumer-Friendly Federal Lifeline National Eligibility Verifier

Whereas on April 27, 2016, the Federal Communications Commission (“FCC”) released a Third Report and Order, Further Report and Order, and Order on Reconsideration addressing Lifeline modernization;¹

Whereas since 1985, the federal Lifeline program has provided eligible low-income households with more affordable access to telecommunications services so that low-income households can be connected to jobs, healthcare, education, family, and friends;

Whereas currently, approximately 10 million households participate in the Lifeline program, receiving \$9.25 per month in basic Lifeline benefits from the Universal Service Fund;

Whereas in the Third Report and Order, the FCC contributed to the modernization of Lifeline by expanding Lifeline to include broadband service² and by establishing the Lifeline National Eligibility Verifier (“National Verifier”) to address waste, fraud, and abuse;³

Whereas in establishing the National Verifier, the FCC recognized the critical importance of a consumer-friendly platform that would allow consumers to enroll in Lifeline online;⁴

Whereas in the Third Report and Order, the FCC designated the Universal Service Administrative Company (“USAC”), which administers the Lifeline program and other Universal Service Fund programs on behalf of the FCC, to play a key role in implementing the National Verifier;⁵

Whereas on June 18, 2018, the FCC’s Wireline Competition Bureau announced that the National Verifier is “now operational in Colorado, Mississippi, Montana, New Mexico, Utah, and Wyoming,” and that “[d]uring the soft launch, only Eligible Telecommunications Carriers will have access to the National Verifier. Consumers will be able to access the National Verifier at a later date once the hard launch takes place”;⁶

Whereas carriers petitioned the FCC and highlighted that there is a flaw in USAC’s technical implementation of the National Verifier that could disconnect millions of Americans from the enrollment process;

Whereas when USAC initially presented its “National Verifier Plan,” diagrams illustrated plans to include machine-to-machine interfaces (application programming interfaces, or APIs) that would have permitted user-friendly, carrier-assisted, online verification and enrollment of Lifeline households;

Whereas such APIs were consistent with the Third Report and Order establishing the National Verifier, which contemplated an “interface . . . geared toward providers that may allow application programming interfaces (machine-to-machine interaction)”;⁷

¹ *In the Matter of Lifeline and Link Up Reform and Modernization*, 31 F.C.C. Rcd. 3962 (2016).

² *Id.* ¶ 5.

³ *Id.* ¶¶ 5, 7, 126-166.

⁴ *Id.* ¶ 138 and text accompanying note 390.

⁵ *Id.* ¶ 132.

⁶ <https://docs.fcc.gov/public/attachments/DA-18-627A1.pdf>

⁷ *Id.* ¶ 137 n.390.

Whereas although USAC announced the soft launch of the National Verifier's service provider's portal, which supports only in-person carrier interaction with consumers, USAC had no stated plans to add an API for use by ETCs, which is an important component of an effective National Verifier;

Whereas without APIs, a customer seeking to enroll online will have to navigate the National Verifier's verification process on his or her own only to repeat the same process with the carrier, imposing on consumers unnecessary burdens and potentially exposing consumers to phishing scams;

Whereas without APIs, ETCs will be unable to provide remote assistance to consumers, and may assist consumers only in person, to the detriment of many low-income households, many of whom rely on online enrollment because they do not live or work near a retail location;

Whereas without APIs, ETCs will no longer be able to screen ineligible applicants, or incorrect or incomplete applicant documents, prior to National Verifier review, saving the National Verifier significant annual operating costs;

Whereas without ETC assistance to consumers or screening, USAC's costs of operating the National Verifier will be significantly inflated;

Whereas the National Verifier cannot operate effectively or efficiently between ETCs and the National Verifier without APIs;

Whereas the modifications to the National Verifier need to be made before use of the National Verifier is mandatory to preserve consumer access to Lifeline voice and broadband connections; *now therefore be it*

Resolved, that the Board of Directors of the National Association of Regulatory Commissioners ("NARUC"), convened at its 2018 Summer Policy Summit in Scottsdale, Arizona, urges the FCC and USAC to work with the states to implement a properly functioning, consumer-friendly National Verifier without further delay; *and be it further*

Resolved, that NARUC urges the FCC to order USAC to incorporate APIs into its National Verifier implementation.

Sponsored by the Committee on Telecommunications.

Adopted by the NARUC Board of Directors on July 18, 2018.