

FCC Consumer Advisory committee

Recommendation Regarding Access for Eligible Individuals with Disabilities to Lifeline Service

WHEREAS, the federal Lifeline program is designed to help low-income consumers afford essential telecommunication service by providing a subsidy for voice service; and

WHEREAS, low-income consumers are eligible for federal Lifeline assistance if they participate in Medicaid; Supplemental Nutrition Assistance Program (SNAP); Supplemental Security Income; Federal Public Housing Assistance; Low Income Home Energy Assistance Program; National School Lunch Program's free lunch program; Temporary Assistance for Needy Families; and

WHEREAS, individuals with disabilities experience a high rate of unemployment and under-employment and are therefore an important target beneficiary population segment for the Lifeline Program; and

WHEREAS, the Commission is responsible for implementing critical legislative requirements to improve access to telecommunications services and equipment for people with disabilities, including the National Deaf-Blind Equipment Distribution Program; and

WHEREAS, federally-funded programs, as well as any program or service covered by the Americans with Disabilities Act (ADA), must ensure access to the program or service and accompanying information; and

WHEREAS, the Report and Order on Lifeline and Link Up Reform and Modernization adopted January 31, 2012, did not include specific references regarding access to the service or information for people with disabilities; and

WHEREAS, the Biennial Report to Congressⁱ, issued by CGB, on implementation of Section 716 and 717 of the Communications and Video Accessibility Act (CVAA) stated, "several commenters express concerns that wireless phones available to low-income consumers made available by providers who participate in the Commission's Lifeline program are not very accessible, and that some providers still offer no accessible phones at all;" and

WHEREAS, the Biennial Report to Congress, issued by the CGB, on implementation of the Communications and Video Accessibility Act (CVAA) stated, "In most cases,

equipment manufacturers and service providers attempted to work with consumers to resolve their particular needs. Accessibility complaints were often addressed by providing the requested equipment, identifying equipment that was available as an upgrade, or informing consumers of new models with accessibility features that would be issued in the future;” and

WHEREAS, individuals who are deaf, hard of hearing, deaf-blind, or who have disabilities that affect speech, may be more likely to rely on communications via text messaging rather than voice service;

THEREFORE BE IT RESOLVED that the Consumer Advisory Committee (CAC) calls upon the Commission to develop a plan, and, six months from the date of adoption of this resolution, report to the CAC on the implementation of such plan to ensure that both USAC and Lifeline providers recognize that this federally-assisted program and participating carriers have specific obligations under the Communications Act and other laws pertaining to the needs of individuals with disabilities to ensure the availability of accessible and usable communication technology and to ensure the accessibility of program information, including but not limited to program descriptions, promotion, and eligibility determination; and

BE IT RESOLVED, that the Commission is urged to encourage carriers to work with individuals with disabilities who rely on text message communications to facilitate Lifeline service that supports a reasonable level of text message communication and to allow such individuals to maintain eligibility even if they do not make a voice call during a specified period.

Adopted: October 20, 2014

Abstentions: American Consumer Institute; CEA; CTIA; NASUCA; NAB; NCTA; Qualcomm; TWC; TMO; VZ

Respectfully submitted:

Debra R. Berlyn, Chairperson

FCC Consumer Advisory Committee

ⁱ *Implementation of Sections 716 and 717 of the Communications Act of 1934, as Enacted by the Twenty-First Century Communications and Video Accessibility Act of 2010*, CG Docket No. 10-213, Biennial Report to Congress as Required by the Twenty-First Century Communications and Video Accessibility Act of 2010, DA 14-1470.