

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

**In re Lifeline and Link-Up Reform            )**  
**)**  
**And Modernization                                )**                               **WC Docket No. 11-42**

**Comments of the Joint Consumers:**

- Action Ohio Coalition for Battered Women**
- Advocates for Basic Legal Equality**
- Benton Foundation**
- Center for Accessible Technology**
- Center for Media Justice**
- Common Cause**
- Free Press**
- Global Action Project (New York, NY)**
- The Greenlining Institute**
- Illinois Low Income Utility Advocacy Project**
- Instituto de Educacion Popular del Sur de California (LA, CA)**
- Media Alliance (Oakland, CA)**
- Media Literacy Project (Albuquerque, NM)**
- National Consumer Law Center, on behalf of its low-income clients**
- National Hispanic Media Coalition**
- New Jersey SHARES**
- Ohio Domestic Violence Network**
- Ohio Poverty Law Center**
- Open Access Connections**
- Pro Seniors**
- Springwire**
- United Church of Christ, OC Inc.**

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## **I. Introduction**

The Wireline Competition Bureau seeks comment on how the National Lifeline Accountability Database (NLAD) can accommodate participants of state administered Address Confidentiality Programs (ACPs).<sup>1</sup> The Action Ohio Coalition for Battered Women, Advocates for Basic Legal Equality, the Benton Foundation<sup>2</sup>, the Center for Accessible Technology, the Center for Media Justice, Common Cause, Free Press, Global Action Project (New York, NY), the Greenling Institute, the Illinois Low Income Utility Advocacy Project, the Instituto de Educacion Popular del Sur de California (Los Angeles, CA), the Media Alliance (Oakland, CA), the Media Literacy Project (Albuquerque, NM), the National Consumer Law Center, on behalf of its low-income clients, the National Hispanic Media Coalition, New Jersey SHARES, the Ohio Domestic Violence Network, the Ohio Poverty Law Center, Open Access Connections, Pro Seniors, Springwire, and the United Church of Christ, OC Inc. (“Joint Consumers”) submit these comments in support of accommodating the participation in the Lifeline program for survivors of domestic violence, sexual assault and stalking, by waiving certain Lifeline rules regarding the NLAD. Joint Consumers strongly support the expeditious grant of all necessary waivers and related clarifications required to facilitate access to the Lifeline program for eligible survivors of domestic violence, who have an enhanced need for confidentiality and anonymity coupled with a heightened need for phone service to access police and emergency help.

## **II. The Bureau Should Waive The Lifeline Rule Limiting The Use Of Post Office Boxes And Facilitate Access To The Lifeline Program For ACP Participants**

The current Lifeline rules do not permit subscribers to Lifeline to use Post Office Boxes (P.O. Boxes) for their residential address.<sup>3</sup> The current rules permit the use of a P.O. Box for a billing address, but not the applicant’s residential “Lifeline address.”<sup>4</sup> However, the majority of states have established Address Confidentiality Programs (ACPs) which are basically address forwarding services for 1<sup>st</sup> class mail and agency mail for survivors of domestic violence, sexual assault and stalking. ACPs provide survivors with a substitute mailing address to shield their true address from abusers who could search public records in an attempt to find them. This address can be used on drivers’ licenses and other agency benefits or public records. Private entities, like utilities do not have to participate, but often do. The ACPs are

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<sup>1</sup> Public Notice, *Wireline Competition Bureau Seeks Comment on How the National Lifeline Accountability Database Can Accommodate Addresses for Participants of Address Confidentiality Programs*, WC Docket No. 11-42 (DA 13-2240) (rel. Nov. 21, 2013).

<sup>2</sup> The Benton Foundation is a nonprofit organization dedicated to promoting communication in the public interest. These comments reflect the institutional view of the Foundation and, unless obvious from the text, are not intended to reflect the views of individual Foundation officers, directors, or advisors.

<sup>3</sup> See Lifeline Reform Order, 27 FCC Rcd at 6695, para. 87.

<sup>4</sup> 47 C.F.R. § 54.410(d)(2)(i)-(iv); See also Lifeline Reform Order, 27 FCC Rcd at 6695, para. 87.

often run through a central state agency like the state Attorney General's office<sup>5</sup> or the Secretary of State's office.<sup>6</sup> Another common feature of ACP programs is that the application is submitted at select domestic violence programs throughout a state using trained ACP application assistants.<sup>7</sup>

State ACP programs can use the same P.O. Box number for all ACP participants. In Maryland, ACP participants use the same P.O. Box number in Annapolis, regardless of where the actual participant lives in the state and the 1<sup>st</sup> class mail is then forwarded to that participant.<sup>8</sup> The P.O. Box is the common type of address for the ACP programs. The Bureau should thus allow a waiver of the Lifeline program rules to allow a P.O. Box used by participants of ACP programs.

Also, because ACP programs can use the same P.O. Box number for all participants, the use of the One-Per-Household worksheet<sup>9</sup> should not apply. For this extremely vulnerable population, the worksheet would not serve its function as it would unnecessarily apply to those living in single family dwellings because there would be no way to distinguish whether the applicant is in group housing like shelters or not. The point of the ACP is to keep the participants' true addresses confidential from abusers. Thus, limiting the forms of documentation describing a survivor's true housing situation is critical. A state entity holds that information and keeps it restricted to protect the health and well-being of the participants.

ACP participants are screened by the program administrators, either the State AG's office or the office of the Secretary of the State. Participants are issued ACP cards which have their name, signature, substitute address and ACP number. The ACP number is a unique number and is included as part of the participant's address. Thus, there is a unique identifier for ACP participants, the ACP address and the unique participation number. The FCC and the Universal Service Administrative Company could coordinate with the state's Attorney General's Office or the Secretary of State, depending on which entity oversees the ACP program to assuage any fraud, waste and abuse concerns. In addition, the ACP participant would still be required to certify that he or she is only receiving one Lifeline benefit per household.<sup>10</sup>

The Bureau seeks comment on acceptable documentation of ACP participation. As described above, the FCC and USAC could receive a list of ACP P.O. Box numbers

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<sup>5</sup> See e.g., About Oklahoma's Address Confidentiality Program available at [www.oag.ak.gov/aogweb.nsg/v-acp.html](http://www.oag.ak.gov/aogweb.nsg/v-acp.html) and About The Texas Address Confidentiality Program available at [www.oag.state.tx.us/victims/acp.shtml](http://www.oag.state.tx.us/victims/acp.shtml).

<sup>6</sup> See e.g., Minn. Stat. § 8290.0100 *et seq* (Secretary of State Safe at Home Program) and About Maryland's Safe at Home Program administered by the Secretary of State available at [www.sos.state.md.us/acp/safeathome.aspx](http://www.sos.state.md.us/acp/safeathome.aspx).

<sup>7</sup> See e.g., Maryland's Safe at Home Program administered by the Secretary of State available at [www.sos.state.md.us/acp/safeathome.aspx](http://www.sos.state.md.us/acp/safeathome.aspx).

<sup>8</sup> Maryland's Safe at Home Program administered by the Secretary of State available at [www.sos.state.md.us/acp/safeathome.aspx](http://www.sos.state.md.us/acp/safeathome.aspx)

<sup>9</sup> See 27 FCC Rcd at 6691, para.78 n.208.

<sup>10</sup> See 47 C.F.R. § 54.410(d)(3)(vi).

from the state entity administering the ACP programs; this will be a very limited list of addresses as ACP programs are centralized-state run address forwarding programs. Applications using such an address in combination with a unique personal ACP number should flag for USAC that this is a participant in the ACP program. The applicant should not be required to fill out the one-per-household worksheet as true address and living arrangements must remain confidential to protect the health and safety of the ACP participants. Abusers may search public records to find information locating ACP participants. The NLAD application process should not bring any unnecessary attention to the ACP applicant, especially in public places, that there is anything unusual about the application. Processes that involve a lot of back and forth about participating in the ACP program will be counter-productive. We urge the FCC and USAC to design a work-around that handles the NLAD ACP workaround in the back room, which is the NLAD-side of the application process and not the customer-customer service representative or Lifeline state agent side.

Finally, we urge the Commission to consider extending critical Lifeline deadlines for ACP participants as mail receipt is delayed a few days due to the nature of ACPs having an intermediary forward all first class mail. In particular, there should be special consideration regarding deadlines for annual re-certification and deadlines related to the delivery of notices for pending de-enrollment, e.g., de-enrollment for 60-day inactivity. Lifeline is a critical service to victims of domestic violence, sexual assault and stalking, as the ability to dial for emergency help could make the difference between life and death for this vulnerable population.

### **III. Conclusion**

Joint Consumers commend the Bureau for seeking comments on this important issue and we look forward to working with the Bureau to facilitate access and continued access to Lifeline service for ACP participants.

Respectfully Submitted,

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