

## Common Sense Comments for Senator Ben Ray Lujan USF Working Group

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### **Introduction**

Common Sense Media is the nation's leading independent nonprofit organization dedicated to helping kids and families thrive in an increasingly digital world. We empower parents, families, teachers, and policymakers by providing unbiased information, trusted advice, and innovative tools to help them harness the power of media and technology as a positive force in all kids' lives. Our research investigates technology's effect on kids and families; our ratings and reviews help parents navigate the evolving world of online content; our advocacy makes the internet safer, healthier, and more accessible to all; and our outreach campaigns connect thousands of households to benefits for broadband affordability, digital literacy, and family wellbeing.

We provide digital literacy curriculum to students, professional development to teachers, and family engagement resources to parents and caregivers. We reach over 150 million families through our website, and more than 1.2 million educators use our curriculum in more than 85,000 schools, including 74% of Title 1 schools. As leaders in digital inclusion and digital equity advocacy, we submit the following comments in response to a request from Senator Lujan on behalf of the Senate's Universal Service Working Group.

### **Universal Service is Central to the FCC's Purpose**

Universal service is a core principle of the Communications Act. In fact, the statutory language creating the Federal Communications Commission specifically states its purpose as to regulate communication services so as to “make available, so far as possible, to all the people of the United States.”<sup>1</sup>

The Universal Service Fund (USF) programs are critical to ensuring that universal service is provided when the cost of connection is too high or the community seeking connection is too remote. These programs work to ensure that the networks we, especially our children, all need are available, reliable, and affordable. Without these programs, millions of people and the communities they work, learn, and live in would be forever designated to the wrong side of the digital divide.

### **Connections Matter Now More than Ever**

While the telephone or radio may have been the most used communications service when the Communications Act was passed in 1934, today families utilize a wide variety of technologies to access information, education, and entertainment. The operators and wires that once dominated our networks have been overtaken by fiber cables that deliver broadband across the country and wireless communications that surf our airwaves.

Certainly, the digital divide was present long before the COVID-19 pandemic. However, the pandemic put a critical spotlight on the impact of not having accessible and affordable communications services.

Common Sense Media, in partnership with the Boston Consulting Group, Education Superhighway, and the Southern Education Foundation, produced a series of three reports on the digital divide, students, and teachers. Through these studies, we demonstrated that the digital divide creates lasting and inequitable learning and earning deficits for impacted students. As we

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<sup>1</sup> 47 U.S.C. 151

found in our first report, 15 to 16 million K-12 public school students were caught in the digital divide.<sup>2</sup> The digital divide most severely impacts students in southern rural states, as well as disproportionately affects lower income students and Black, Latinx, and Native American students. But our report made it clear that a significant number of students, and many teachers, were caught in the digital divide in every state in the country.

Now, more than ever, the connections made possible by the Universal Service Fund are key to our students' and our communities' ability to achieve success in the 21<sup>st</sup> century. Specifically, the Lifeline program provides a subsidy for voice services that is not replicated elsewhere. And while the current national focus may be on broadband deployment, we cannot forget the importance of access to voice calls and texting, especially for those seeking 911 or emergency assistance during natural disasters, for survivors of domestic violence, or those seeking mental health support via 988.

As the leading voice in technology access for students, Common Sense has seen the indispensable impact the internet has had on education. From facilitating communications between schools and students and parents, to opening up a world of knowledge to students at their fingertips, to helping children compete in the modern era, there is no question internet access has been an invaluable tool for educators and the families and communities they serve. The FCC's E-Rate program is the only permanent program that provides discounts to eligible schools and libraries for telecommunications, internet service, and internal connections. Ensuring this program is sustainable through the USF is critical to ensure schools and libraries have high quality internet service they can rely on year over year.<sup>3</sup>

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<sup>2</sup> Chandra, S., Chang, A., Day, L., Fazlullah, A., Liu, J., McBride, L., Mudalige, T., Weiss, D., (2020). Closing the K-12 Digital Divide in the Age of Distance Learning. San Francisco, CA: Common Sense Media. Boston, Massachusetts, Boston Consulting Group.

<sup>3</sup> Comments by Common Sense, Next Century Cities, and National Consumer Law Center, FCC Docket 21-476

As Congress and the Administration have deployed over \$60 billion in broadband funding through NTIA’s BEAD program and digital equity grants as well as the Affordable Connectivity Program, ensuring that the Universal Service Fund is set up for success is a vital piece of the connectivity ecosystem. By being thoughtful now about the future of USF, Congress, the FCC and the Administration can safeguard the promise of universal connectivity embedded in the Infrastructure Investment and Jobs Act.

Common Sense is eager to work with Congress and others to ensure USF programs continue to be run efficiently and effectively so that they can continue to provide communications services and access to technology for the millions of children, families, and communities who are relying on it today.

### **Recommendations for Further Study**

Common Sense submits the following recommendations for the USF Working Group:

- *Encourage School-Led Digital Needs Assessments*: One of the easiest ways to close the k-12 digital divide is by connecting disconnected students and their families. Congress can work in close collaboration with the FCC and the U.S. Department of Education to recommend school-led digital needs assessments that can inform and help direct federal programming resources and needs. The data collected by schools, often multiple times a year as connectivity needs of students may change over time, is uniquely granular and can help programs target limited resources<sup>4</sup>. This data can also help inform federal and state broadband access mapping tools and help to better coordinate technology needs, IT supports, and digital literacy and inclusion resources. We applaud FCC Chairwoman

Rosenworcel’s “Learn without Limits” proposal to allow E-Rate to support wi-fi on buses

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<sup>4</sup> Common Sense Media State Broadband Primer, January 2022.  
[https://d2e111jq13me73.cloudfront.net/sites/default/files/featured-content/files/homework\\_gap\\_state\\_policy\\_primer.pdf](https://d2e111jq13me73.cloudfront.net/sites/default/files/featured-content/files/homework_gap_state_policy_primer.pdf)

and allow schools and libraries to lend out wi-fi hotspots to students and patrons in need of at-home connection.<sup>5</sup>

- *Device Access Equals Digital Success*: A critical piece of accessing connections is the devices we use daily to interface with teachers, employers, doctors, government services, and loved ones. However, few providers voluntarily include a mobile phone with their Lifeline plans and only 10% of Affordable Connectivity Program providers offer a device.<sup>6</sup> Access to devices is a key barrier to technology adoption and meaningful use of the internet. Moreover, devices become outdated quickly. We encourage congress to look at the Emergency Connectivity Fund, which successfully supported schools and libraries with devices and service. For example, schools act as a model conduit for supplying devices to disconnected students. Schools have a unique lens in to students’ digital needs through assessments and as a trusted resource to the families they serve. Schools are able to recommend and provide technology and devices best suited for children depending on their age and grade and can provide parallel IT support and technical assistance. The homework gap, where students lack the home connectivity and devices needed for school work, is a persistent issue that impacts an estimated 16 million students. Device support that follows a student throughout their entire k-12 student career is especially critical as schools continue to expand and deeply integrate their use of advanced technology into educational services and curriculum. The USF working group should consider the creation of a device voucher program, similar to the Device Access for Every American Act<sup>7</sup> This program could allow entities engaged with communities (ie retailers, digital

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<sup>5</sup> <https://www.fcc.gov/document/chairwoman-rosenworcel-announces-learn-without-limits-initiative>

<sup>6</sup> List of Participating Providers, access 8/16/2023. <https://www.fcc.gov/affordable-connectivity-program-providers>

<sup>7</sup> [https://www.warnock.senate.gov/wp-content/uploads/2021/10/ONE-PAGER-Device-Legislation\\_vFINAL-1019.pdf](https://www.warnock.senate.gov/wp-content/uploads/2021/10/ONE-PAGER-Device-Legislation_vFINAL-1019.pdf)

literacy programs, or community-based groups) to support low income residents seeking devices through vouchers and technical and skills assistance. At a time of historic broadband deployment and digital equity funding, ensuring that Americans have devices to help them access new connections and new opportunities is critical to our shared success.

- *Safeguard USF from Uncertain Annual Appropriations Process:* Currently, USF is not subject to annual appropriations; its programs are funded through contributions included on telecommunications bills. As the Senate working group considers the future of USF funding and considers a variety of proposals on how to reform the contribution methodology, we strongly recommend that Congress should safeguard USF and the families who rely on its programs from the annual appropriations process. Annual appropriations are uncertain and would put consumers and institutions who rely on USF programs at risk of disconnection. A swing in political interests, for example, could put rural connectivity in jeopardy. A non-related funding disagreement could threaten access to rural health care networks and the patients they serve. An unstable funding mechanism could limit connectivity for our schools and libraries, limiting the learning potential of students. Reliance on a volatile appropriations process for services that are critical to the economic future of our nation is at odds with the goal of Universal Service.
- *Telecommunications Affordability Now and in the Future:* With over 20 million households enrolled in the Affordable Connectivity Program<sup>8</sup>, it is clear that Americans in every state and every community are seeking more affordable internet service. With each passing year, affordable connectivity becomes increasingly necessary for individuals and families to be able to attend school, find jobs, seek health care, access

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<sup>8</sup> <https://www.usac.org/about/affordable-connectivity-program/acp-enrollment-and-claims-tracker/>

local, state and federal government services, and even buy baby formula and medicine. Congress should keep the ACP solvent to avoid a connectivity cliff in early 2024 for millions of households. But families rely not only on broadband service, but also voice and texting services too. The Lifeline program supports a vital service to the millions of people who rely on it, especially in times of crisis or emergency. For example, since the launch of the new 988 suicide and crisis prevention hotline in 2022, 988 has received 2.6 million calls, 1 million from the Veteran’s Crisis Line, and more than 600,000 texts.<sup>9</sup> Keeping the cost of mobile and internet service affordable for vulnerable families should be a loadstart for the USF Working Group.

- *Allow non-ETC’s to Participate in USF Programs:* Congress allowed non-ETC providers to participate in the Emergency Connectivity Fund and the Affordable Connectivity program. This allowed a wide variety of providers to participate including co-ops, municipal governments, utility companies, and smaller providers. Congress should support non-ETC’s to participate in USF programs. Expanding the base of providers could allow greater reach of the programs and serve more consumers in the process.

## **Conclusion**

The Universal Service Fund provides invaluable connections for those that rely on them for so much. USF helps guarantee those at risk of disconnection are not relegated permanently to the wrong side of the digital divide. Congress and the Administration must ensure that the future of USF is strong and sustainable so that families and communities can thrive and participate fully in the digital future, no matter where they live or what connectivity challenges they face.

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[https://www.kff.org/mental-health/issue-brief/taking-a-look-at-988-suicide-crisis-lifeline-implementation-one-year-after-launch/#:~:text=Since%20launch%20in%20July%202022%20through%20May%202023%20\(the%20latest,and%20more%20than%20600%2C000%20texts.](https://www.kff.org/mental-health/issue-brief/taking-a-look-at-988-suicide-crisis-lifeline-implementation-one-year-after-launch/#:~:text=Since%20launch%20in%20July%202022%20through%20May%202023%20(the%20latest,and%20more%20than%20600%2C000%20texts.)