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(Original Signature of Member)

110TH CONGRESS  
2D SESSION

**H. R.**

To reform the collection and distribution of universal service support under the Communications Act of 1934.

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IN THE HOUSE OF REPRESENTATIVES

Mr. BARTON of Texas (for himself and Mr. STEARNS) introduced the following bill; which was referred to the Committee on

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**A BILL**

To reform the collection and distribution of universal service support under the Communications Act of 1934.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Universal Service Re-  
5 form, Accountability, and Efficiency Act of 2008”.

1 **SEC. 2. UNIVERSAL SERVICE PRINCIPLES, SUPPORTED**  
2 **SERVICES, CONTRIBUTION MECHANISM, AND**  
3 **SUPPORT.**

4 (a) IN GENERAL.—Section 254 of the Communica-  
5 tions Act of 1934 (47 U.S.C. 254) is amended by striking  
6 subsections (b) through (e) and inserting the following:

7 “(b) UNIVERSAL SERVICE PRINCIPLES.—The Com-  
8 mission and the Joint Board shall base policies to advance  
9 the goal of universal service while reforming the universal  
10 service support and contribution mechanisms on all of the  
11 following principles:

12 “(1) AFFORDABILITY.—Voice communications  
13 service shall be available to low-income households  
14 and households in high cost areas at rates that are  
15 affordable to such households.

16 “(2) EFFICIENCY.—Universal service support  
17 and contribution mechanisms for the provision of  
18 services described in subsection (c) shall impose the  
19 lowest possible costs on telecommunications service  
20 subscribers and users.

21 “(3) CONTRIBUTION AND DISTRIBUTION RE-  
22 QUIREMENTS.—Neither the provision of universal  
23 service support nor the contribution mechanisms for  
24 the provision of universal service shall favor any par-  
25 ticular provider of voice communications service or

1 any particular technology used to provide voice com-  
2 munications service.

3 “(4) TRANSPARENCY.—The rules governing  
4 both the provision of and contribution to universal  
5 service support shall—

6 “(A) be clear and enforceable; and

7 “(B) clearly define, and require the annual  
8 measurement of, the goals and outcomes of uni-  
9 versal service, including the performance meas-  
10 ures developed under section 4 of the Universal  
11 Service Reform, Accountability, and Efficiency  
12 Act of 2008.

13 “(5) CONSUMER FOCUSED.—The paramount  
14 goal of the universal service program shall be to sup-  
15 port the availability of affordable voice communica-  
16 tions service for consumers in low-income households  
17 and households in high cost areas throughout the  
18 United States, rather than to provide financial sup-  
19 port to any new or existing carrier, service provider,  
20 or vendor.

21 “(6) ACCESS TO ADVANCED TELECOMMUNI-  
22 CATIONS SERVICES FOR SCHOOLS, LIBRARIES, AND  
23 RURAL HEALTH CARE PROVIDERS.—Elementary and  
24 secondary schools, libraries, and rural health care  
25 providers should have access to advanced tele-

1 communications and information services as de-  
2 scribed in subsection (h).

3 “(c) DEFINITION OF SERVICES SUPPORTED.—

4 “(1) VOICE COMMUNICATIONS SERVICE SUP-  
5 PORT.—

6 “(A) IN GENERAL.—Except as provided in  
7 paragraph (2), universal service support is to be  
8 used solely to provide voice communications  
9 service to consumers in households in high cost  
10 areas throughout the United States and to con-  
11 sumers in low-income households.

12 “(B) DEFINITIONS.—For purposes of this  
13 section, the following definitions apply:

14 “(i) HIGH COST AREA.—The Commis-  
15 sion shall define the meaning of the term  
16 ‘high cost area’.

17 “(ii) VOICE COMMUNICATIONS SERV-  
18 ICE.—The term ‘voice communications  
19 service’ includes any service using any  
20 technology that provides real-time inter-  
21 active communications by voice utilizing  
22 the public switched telephone network, in-  
23 cluding IP-enabled voice service.

24 “(iii) IP-ENABLED VOICE SERVICE.—  
25 The term IP-enabled voice service means

1 the provision of real-time voice communica-  
2 tions offered to the public, or such classes  
3 of users as to be effectively available to the  
4 public, transmitted through customer  
5 premises equipment using Internet pro-  
6 tocol, or a successor protocol, with inter-  
7 connection capability such that the service  
8 can originate traffic to, or terminate traffic  
9 from, the public switched telephone net-  
10 work.

11 “(2) SPECIAL SERVICES.—In addition to the  
12 services supported under paragraph (1), the Com-  
13 mission may designate additional services to receive  
14 universal service support for use by schools, librar-  
15 ies, and health care providers in accordance with  
16 subsection (h).

17 “(d) CONTRIBUTIONS.—

18 “(1) BASIS FOR CONTRIBUTIONS.—In estab-  
19 lishing under the principles set forth in subsection  
20 (b) the contribution mechanism for the support of  
21 universal service, the Commission shall evaluate its  
22 current contribution mechanism and consider alter-  
23 native mechanisms. The Commission shall have the  
24 authority to select any contribution mechanism that

1 is consistent with the principles set forth in sub-  
2 section (b), but such mechanism—

3 “(A) shall be based exclusively upon the  
4 provision of voice communications service;

5 “(B) shall not assess broadband trans-  
6 mission or internet access services; and

7 “(C) shall include an exemption from uni-  
8 versal service contributions for low-income  
9 households.

10 “(2) CAP ON CONTRIBUTIONS.—In establishing  
11 under the principles set forth in subsection (b) the  
12 level for the contribution for the support of universal  
13 service, the Commission shall require that the total  
14 amount of universal service support for all universal  
15 service support mechanisms shall not exceed the  
16 total amount that was collected from all sources for  
17 all universal service support mechanisms in the last  
18 year prior to the date of enactment of the Universal  
19 Service Reform, Accountability, and Efficiency Act  
20 of 2008 and shall decline over time.

21 “(3) ANTI-DEFICIENCY ACT COMPLIANCE.—

22 “(A) IN GENERAL.—In designing the con-  
23 tribution mechanism for the support of uni-  
24 versal service, the Commission shall take such  
25 steps as are necessary to reform such contribu-

1           tion mechanism so that compliance with the re-  
2           quirements of section 3679 of the Revised Stat-  
3           utes (31 U.S.C. 1341; commonly known as the  
4           Anti-Deficiency Act) will not cause a disruption  
5           in the administration of universal service sup-  
6           port.

7                   “(B) REPORT TO CONGRESSIONAL COM-  
8           MITTEES.—The Commission shall determine the  
9           earliest time that complying with such section  
10          will not cause a disruption in the administration  
11          of universal service support, and the Commis-  
12          sion shall report that determination promptly to  
13          the Committee on Energy and Commerce of the  
14          House of Representatives and the Committee  
15          on Commerce, Science, and Transportation of  
16          the Senate.

17          “(e) UNIVERSAL SERVICE SUPPORT.—

18                   “(1) IN GENERAL.—

19                           “(A) After the date specified in subpara-  
20                           graph (B), only an eligible telecommunications  
21                           provider designated under section 214(e), as  
22                           such section is amended by the Universal Serv-  
23                           ice Reform, Accountability, and Efficiency Act  
24                           of 2008, shall be eligible to receive specific Fed-  
25                           eral universal service support for the provision

1 of voice communications service in high cost  
2 areas.

3 “(B) The date specified in this subpara-  
4 graph is the date on which the first set of auc-  
5 tions required under subsection (m) is com-  
6 pleted.

7 “(2) EXCEPTION TO UNIVERSAL SERVICE SUP-  
8 PORT.—The Commission shall develop a mechanism  
9 to prohibit the receipt of universal service support  
10 for the provision of voice communications services to  
11 consumers in households in high cost areas where  
12 the Commission determines, based on publicly avail-  
13 able information, that a service area has a substan-  
14 tially high percentage of households with income at  
15 or above the 95th percentile of national household  
16 income levels or develops an equivalent measure-  
17 ment.”.

18 (b) IMPLEMENTATION OF REFORM MEASURES.—Sec-  
19 tion 254(a) of such Act (47 U.S.C. 254(a)) is amended  
20 by adding at the end the following new paragraph:

21 “(3) PROCEDURES TO REFORM UNIVERSAL  
22 SERVICE SUPPORT SYSTEM.—Notwithstanding para-  
23 graphs (1) and (2), within 9 months after the date  
24 of enactment of the Universal Service Reform, Ac-  
25 countability, and Efficiency Act of 2008, the Com-



1 mission shall implement reform of the universal  
2 service system in accordance with this section, as  
3 amended by such Act, and section 4 of such Act.  
4 The Federal-State Joint Board may submit com-  
5 ments in any proceeding carried out by the Commis-  
6 sion pursuant to this section.”.

7 (c) STATE UNIVERSAL SERVICE PROGRAMS NOT  
8 PREEMPTED.—

9 (1) IN GENERAL.—Nothing in this Act, or in  
10 any of the amendments made by this Act, shall pre-  
11 empt or be construed to preempt any State from  
12 adopting laws, rules, or regulations to ensure that  
13 voice communications service, as defined by section  
14 254(c)(1)(B)(ii) of the Communications Act of 1934  
15 (as amended by subsection (a) of this Act), are uni-  
16 versally available to all low-income households and  
17 households in high cost areas at affordable rates, so  
18 long as such laws, rules, or regulations are con-  
19 sistent with, and not in violation of, the principles  
20 established under the applicable provisions of this  
21 Act and the amendments made by this Act.

22 (2) STATES ARE PREEMPTED FROM ASSESSING  
23 INTERSTATE SERVICES.—Notwithstanding para-  
24 graph (1), a State may not assess interstate serv-  
25 ices, including interstate telecommunications serv-

1       ices, information services, or voice communications  
2       services, in order to fund a State’s universal service  
3       program.

4       **SEC. 3. DISTRIBUTION MECHANISM REFORM FOR HIGH**  
5                                   **COST SUPPORT.**

6       (a) IN GENERAL.—Section 254 of the Communica-  
7       tions Act of 1934 (47 U.S.C. 254) is further amended by  
8       adding at the end the following:

9               “(m) DISTRIBUTION MECHANISM FOR HIGH COST  
10       SUPPORT.—

11               “(1) ESTABLISHMENT OF REVERSE AUCTION  
12       DESIGN.—

13               “(A) IN GENERAL.—Not later than 9  
14       months after the date of enactment of the Uni-  
15       versal Service Reform, Accountability, and Effi-  
16       ciency Act of 2008, the Commission shall de-  
17       velop, and shall promulgate regulations to im-  
18       plement, a reverse auction plan to be used to  
19       distribute universal service support for voice  
20       communications service in high cost areas, in  
21       which each auction winner shall have the privi-  
22       leges and obligations of a provider-of-last-re-  
23       sort, as determined by the Commission.

24               “(B) AUCTION DESIGN PARAMETERS.—In  
25       carrying out the requirements of subparagraph

1 (A), the Commission shall ensure that the auc-  
2 tion design provides for—

3 “(i) the provision of quality voice com-  
4 munications service, as defined by the  
5 Commission by regulation prescribed after  
6 the date of enactment of the Universal  
7 Service Reform, Accountability, and Effi-  
8 ciency Act of 2008, consistent with clause  
9 (iv);

10 “(ii) cost-constraining benefits;

11 “(iii) competitive neutrality;

12 “(iv) technological neutrality;

13 “(v) incentives for providers of voice  
14 communications service to become more ef-  
15 ficient;

16 “(vi) conducting the auctions at ap-  
17 propriately gauged intervals that take into  
18 account new information about changes in  
19 the marketplace, so that universal service  
20 support based on current technology does  
21 not become a barrier to entry for service  
22 providers using new technologies;

23 “(vii) in the first set of auctions,  
24 which shall be conducted not later than 15  
25 months after the date of enactment of the

1 Universal Service Reform, Accountability,  
2 and Efficiency Act of 2008, reserve prices  
3 that, in the aggregate, do not exceed the  
4 total amount of support for high cost areas  
5 provided in the year prior to the date of  
6 enactment of the Universal Service Re-  
7 form, Accountability, and Efficiency Act of  
8 2008 and which take into account that  
9 support shall not be provided to more than  
10 one entity per area;

11 “(viii) reserve prices for succeeding  
12 auctions (to be carried out periodically at  
13 the discretion of the Commission) that, in  
14 each service area, are no greater than the  
15 winning bid in the previous auction for  
16 each such service area; and

17 “(ix) avoiding, to the greatest extent  
18 practicable, conducting auctions in which  
19 only 1 firm participates.

20 “(C) ESTABLISHING RESERVE PRICES.—In  
21 any high cost area in which support is provided  
22 by a subsidy that is determined pursuant to  
23 this paragraph, the Commission—

24 “(i) shall ensure that the reserve price  
25 of the auction only takes into account the

1 difference in the cost of providing voice  
2 communications service in a high cost area  
3 compared to a non-high cost area;

4 “(ii) shall take any action necessary  
5 to remove excessive support pursuant to  
6 the principle established in subsection  
7 (b)(2);

8 “(iii) shall only consider costs directly  
9 related to the provision of voice commu-  
10 nications service; and

11 “(iv) shall not consider the costs asso-  
12 ciated with any of the following:

13 “(I) Artwork.

14 “(II) Cafeterias, lunch rooms,  
15 and vending facilities.

16 “(III) Patent rights.

17 “(IV) Government franchises.

18 “(V) Charitable contributions.

19 “(VI) Penalties or fines for viola-  
20 tions of statutes.

21 “(VII) Membership fees and dues  
22 in social, political, service, rec-  
23 reational, or athletic clubs or organi-  
24 zations.

1                   “(VIII) Lobbying or public rela-  
2                   tions.

3                   “(IX) Performing personnel ad-  
4                   ministration activities.

5                   “(X) Legal services.

6                   “(XI) Janitorial service, cleaning  
7                   supplies, or guard service.

8                   “(XII) Sewage or water utilities  
9                   or services.

10                  “(D) SERVICE AREAS.—

11                   “(i) IN GENERAL.—In carrying out  
12                   the requirements of subparagraph (A), the  
13                   Commission, within 9 months after the  
14                   date of enactment of the Universal Service  
15                   Reform, Accountability, and Efficiency Act  
16                   of 2008, shall define service areas at the  
17                   smallest geographic level practicable based  
18                   on a new study, conducted at the smallest  
19                   geographic level practicable, of those high  
20                   cost areas throughout the United States  
21                   that require universal service support to  
22                   comply with the principles of universal  
23                   service in subsection (b). The Commission  
24                   shall not define service areas based on  
25                   study areas in existence as of the date of

1 enactment of the Universal Service Re-  
2 form, Accountability, and Efficiency Act of  
3 2008.

4 “(ii) SUBSEQUENT AUCTIONS.—

5 “(I) RE-EVALUATION OF NEED  
6 FOR UNIVERSAL SERVICE SUPPORT.—

7 In advance of each subsequent auction  
8 of a service area, the Commission  
9 shall evaluate whether such service  
10 area still meets the criteria under  
11 clause (i) to determine whether uni-  
12 versal service support should be pro-  
13 vided.

14 “(II) PROHIBITION.—The Com-  
15 mission shall not provide support in a  
16 subsequent auction to a service area  
17 in which, in the absence of a sub-  
18 sidized provider-of-last-resort, con-  
19 sumers would have access to afford-  
20 able voice communications service by  
21 1 or more unsubsidized providers.

22 “(III) VOUCHERS.—The Com-  
23 mission shall have the authority to  
24 issue vouchers to consumers if needed

1 to complete the transition away from  
2 subsidizing a provider-of-last-resort.

3 “(E) CHARACTERISTICS OF AUCTIONED  
4 AUTHORITY.—

5 “(i) IN GENERAL.—Before conducting  
6 each auction, the Commission shall pre-  
7 scribe the obligations and privileges of the  
8 winner of each auction as the provider-of-  
9 last-resort for each service area (defined  
10 pursuant to paragraph (1)(D)(i)). In pre-  
11 scribing such obligations and privileges,  
12 the Commission shall describe the min-  
13 imum quality of voice communications  
14 service to be provided (as defined by the  
15 Commission pursuant to paragraph  
16 (1)(B)(i)) and shall take into consideration  
17 the principles of universal service in sub-  
18 section (b).

19 “(ii) BONDING REQUIREMENT.—The  
20 Commission shall require all auction win-  
21 ners to be bonded (or to provide other as-  
22 surance as deemed appropriate by the  
23 Commission) prior to being designated as  
24 the eligible telecommunications provider  
25 for a service area to ensure that such pro-



1 vider complies with the obligations estab-  
2 lished under clause (i) for the period cov-  
3 ered by the auction.

4 “(iii) STATE PREEMPTION.—Any eligi-  
5 ble telecommunications carrier that is des-  
6 ignated as the carrier-of-last-resort by a  
7 State and that does not win an auction for  
8 a service area shall be released from all ob-  
9 ligations imposed as a carrier-of-last-resort  
10 by such State.

11 “(2) DUPLICATE SUBSIDIES PROHIBITED.—The  
12 Commission shall designate only 1 eligible tele-  
13 communications provider per service area to receive  
14 universal service support for providing the services  
15 described in subsection (c)(1).”.

16 (b) CONFORMING AMENDMENTS.—

17 (1) ELIGIBLE TELECOMMUNICATIONS PRO-  
18 VIDERS.—

19 (A) IN GENERAL.—Section 214 of the  
20 Communications Act of 1934 (47 U.S.C.  
21 214(e)) is amended by striking subsection (e)  
22 and inserting the following new subsection:

23 “(e) UNIVERSAL SERVICE SUPPORT VIA ELIGIBLE  
24 TELECOMMUNICATIONS PROVIDERS.—The Commission  
25 shall deem the winner of an auction under section

1 254(m)(1)(A) as the eligible telecommunications provider  
2 for a service area, defined in accordance with section  
3 254(m)(1)(C). Such provider shall, throughout the service  
4 area for which the designation is received—

5 “(1) offer the voice communications service that  
6 is supported by Federal universal service support  
7 mechanisms under section 254(c)(1), either using its  
8 own facilities or a combination of its own facilities  
9 and resale of another provider’s services;

10 “(2) meet or exceed the service quality stand-  
11 ards developed by the Commission pursuant to sec-  
12 tion 254(m)(1)(E); and

13 “(3) advertise the availability of such service  
14 and the charges therefor using media of general dis-  
15 tribution.”.

16 (B) EFFECTIVE DATE.—The amendment  
17 made by subparagraph (A) shall take effect 15  
18 months after the date of enactment of this Act.

19 (2) RURAL TELEPHONE EXEMPTION CON-  
20 FORMING AMENDMENT.—Section 251(f)(1)(A) of the  
21 Communications Act of 1934 (47 U.S.C.  
22 251(f)(1)(A)) is amended by striking “section 254”  
23 and all that follows and inserting “section 254.”

24 (3) ADDITIONAL CONFORMING AMENDMENT.—  
25 Section 254(h)(1)(B) of such Act (47 U.S.C.

1       254(h)(1)(B)) is amended by striking “subsection  
2       (c)(3)” and inserting “subsection (c)(2)”.

3       **SEC. 4. ACCOUNTABILITY.**

4       (a) IN GENERAL.—The Federal Communications  
5       Commission (in this Act referred to as the “Commission”)  
6       shall take such steps as are necessary to make the reforms  
7       described in this section.

8       (b) FEDERAL-STATE JOINT BOARD ON UNIVERSAL  
9       SERVICE REFORM.—

10           (1) ECONOMIC ANALYSIS REQUIRED.—Not later  
11       than 180 days after the date of enactment of this  
12       Act, the Commission shall require that the Federal-  
13       State Joint Board on Universal Service (in this Act  
14       referred to as the “Joint Board”) include an eco-  
15       nomic analysis in all of its decisions and rec-  
16       ommendations that explains how such decisions and  
17       recommendations comply with the principles in sec-  
18       tion 254(b) of the Communications Act of 1934, as  
19       amended by this Act.

20           (2) DIVESTITURE OF FINANCIAL INTERESTS  
21       BEFORE SERVING.—Not later than 60 days after the  
22       date of enactment of this Act and within 60 days  
23       after the appointment of each new member of the  
24       Joint Board, the Commission shall review any finan-  
25       cial interests of any member of the Joint Board and

1 shall take necessary actions to eliminate any con-  
2 flicts of interest.

3 (c) UNIVERSAL SERVICE ADMINISTRATOR'S BOARD  
4 OF DIRECTORS.—

5 (1) NEW REQUIREMENTS FOR SERVICE.—The  
6 Commission shall reconstitute the board of directors  
7 of the Commission's designated administrator of the  
8 universal service fund to ensure that all board mem-  
9 bers have professional training and expertise in pub-  
10 lic administration and no financial interest or affili-  
11 ation with any organization or company that may re-  
12 ceive universal service support.

13 (2) ADVISORY BOARD.—The Commission, at its  
14 discretion, may establish a non-voting advisory board  
15 that includes individuals who do not meet the re-  
16 quirements of paragraph (1).

17 (d) PERFORMANCE MEASURES.—

18 (1) IN GENERAL.—The Commission shall de-  
19 sign and implement performance measures, which  
20 shall include specific goals, outcome measures, and  
21 efficiency measures, to determine whether the goals  
22 of advancing universal service are being achieved in  
23 an economically efficient way.

24 (2) PRINCIPLES.—In developing performance  
25 measures under paragraph (1), the Commission shall

1 consider independent research on the consequences  
2 and effectiveness of universal service programs. The  
3 following principles shall govern the development of  
4 these performance measures:

5 (A) Outcome measures shall reflect both  
6 proposed progress and actual benefits to the  
7 public produced by universal service support.

8 (B) Efficiency measures shall identify the  
9 cost per unit of a successful outcome, rather  
10 than the cost per unit of output.

11 (C) The relevant measure of costs shall in-  
12 clude the full economic effect, including any  
13 economic inefficiencies, of the universal service  
14 program's expenditures.

15 (3) MINIMUM REQUIREMENTS FOR PERFORM-  
16 ANCE MEASURES.—

17 (A) HIGH COST AREAS AND LOW INCOME  
18 PROGRAM.—In order to ensure the existence of  
19 an affordably priced service option for voice  
20 communications service for consumers in high  
21 cost areas and consumers in low-income house-  
22 holds, the Commission shall monitor avail-  
23 ability, price, and subscription rates for such  
24 consumers. The Commission shall measure, per  
25 million dollars spent, the change in penetration

1 rate or number of subscribers and the avail-  
2 ability of voice communications service.

3 (B) SCHOOLS AND LIBRARIES.—In order  
4 to ensure that the program carried out under  
5 section 254(h)(1)(B) of the Communications  
6 Act of 1934 (47 U.S.C. 254(h)(1)(B)) has led  
7 to an increase in access to the Internet by  
8 schools and libraries and that improved edu-  
9 cational outcomes are directly attributable to  
10 such increased access, the Commission shall  
11 measure, per million dollars spent, the improve-  
12 ment in educational outcomes attributable to in-  
13 creased Internet access.

14 (C) RURAL HEALTH.—In order to ensure  
15 that increased access to advanced services by  
16 rural health care providers under section  
17 254(h)(1)(A) of the Communications Act of  
18 1934 (47 U.S.C. 254(h)(1)(A)) has directly  
19 contributed to improved health outcomes and  
20 the reduced cost of maintaining a healthy popu-  
21 lation, the Commission—

22 (i) shall ascertain the extent to which  
23 universal service support increases the use  
24 of various communications services by  
25 health care providers serving rural areas,

1 compared to such use in the absence of  
2 universal service support; and

3 (ii) shall measure, per million dollars  
4 spent, whether, and by how much, the in-  
5 creased use of various communications  
6 services has improved health outcomes or  
7 reduced health care costs.

8 (e) REPORT TO CONGRESS.—The Commission shall  
9 publish annually a report on whether, and to what extent,  
10 the goals of advancing universal service are being achieved  
11 in an economically efficient way, including an analysis of  
12 the performance measures implemented.

13 (f) ANNUAL REPORT REQUIREMENT.—The Commis-  
14 sion shall require each eligible telecommunications pro-  
15 vider, school, library, and rural health care provider who  
16 received universal service support in the previous fiscal  
17 year to file an annual report with the Commission about  
18 how such support funds were used during such year.

19 (g) AUDITS.—The Commission shall strengthen the  
20 oversight structure of the universal service program and  
21 shall provide the Commission's Inspector General with ap-  
22 propriate resources to conduct regular and thorough au-  
23 dits and investigations.

24 (h) PENALTIES.—The Commission shall permanently  
25 bar anyone who commits fraud related to the universal

1 service program from receiving any future universal serv-  
2 ice support subsidies. The Commission shall also develop  
3 increased penalties for wrongdoing associated with the  
4 universal service fund.