

**STATEMENT OF COMMISSIONER MICHAEL O'RIELLY  
APPROVING IN PART AND DISSENTING IN PART**

*Re: Total Call Mobile, Inc., File No.: EB-IHD-14-00017650*

I support initiating a Notice of Apparent Liability against Total Call Mobile because I am greatly troubled by what appears to be an intentional and widespread effort to enroll duplicate and ineligible consumers into the Lifeline program. I am particularly concerned that the company was allegedly able to use temporary Supplemental Nutrition Assistance Program (SNAP) cards to enroll consumers that were not actually eligible for subsidies. The item notes that agents purchased and managers possessed “stacks” of SNAP cards to serve as false eligibility documents. This is deeply disturbing.

According, while not the subject of this item, I must once again lodge my extreme frustration that the Commission continues to rely on SNAP as an entry point in the Lifeline program, and has the gall to claim that it is a highly accountable program, when it is painfully obvious to anyone paying attention that SNAP is riddled with waste, fraud, and abuse. Some have claimed that moving to a National Lifeline Eligibility Verifier will help clean up fraud in the Lifeline program. However, it will be years before the National Verifier is operational and, even then, the Lifeline program will continue to be marred by underlying fraud in the SNAP program. At best, we will be throwing good money after bad.

I dissent in part because, once again, the Commission goes down the path of proposing a very large fine that does not appear to be fully supported by the law and Commission precedent. In particular, I have questions about whether all of the conduct falls within the statute of limitations period. Perhaps it eases the conscience of a Commission that is in the process of greatly expanding the size of the Lifeline program to be able to point to aggressive enforcement actions and hefty fines. But if everything alleged in this document is true, than an FCC fine of any amount should be the least of the company's concerns. Let's just stick to the law and facts.