

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

In the Matter of)	
)	
Lifeline and Link Up Reform and Modernization)	WC Docket No. 11-42
)	
Affordable Connectivity Program)	WC Docket No. 21-450
)	
Supporting Survivors of Domestic and Sexual Violence)	WC Docket No. 22-238

**COMMENTS ON
NOTICE OF INQUIRY**

by

**Electronic Privacy Information Center (EPIC), and
Cyber Civil Rights Initiative (CCRI),
Clinic to End Tech Abuse (CETA),
Electronic Frontier Foundation (EFF),
EndTAB,
Iowa Coalition Against Domestic Violence (ICADV),
National Coalition Against Domestic Violence (NCADV),
National Consumer Law Center (NCLC),
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Summary

The Commission's Notice of Inquiry regarding how it might more effectively support the needs of survivors of domestic and sexual violence is an encouraging step forward—not only because it addresses an issue that demands attention, but also because the manner in which the Commission has approached the issue suggests an awareness of the unique needs and challenges faced by survivors.

We urge the Commission to continue to be mindful of the unique needs and challenges of survivors throughout this proceeding. We offer the following three principles to assist the Commission in this regard:

1. maximize survivor self-determination and agency;
2. maximize program utilization and access, by minimizing burdens and barriers for survivors; and
3. protect survivors by prioritizing data minimization.

Self-attestation of survivor status and financial hardship is essential to these principles.

We also strongly support the Commission's proposal to create a hidden registry of hotlines, shelters, and other organizations that serve survivors, that would be automatically omitted from customer-facing records (such as call logs). That said, we identify scope and maintenance issues that should be resolved with this proposed registry.

We offer additional context to the Commission, namely: risks to survivors that this proceeding does not address, as well as other programmatic considerations and opportunities the Commission should keep in mind.

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Comments

I. Introduction

The Federal Communications Commission (FCC, or “Commission”) seeks comment on its Notice of Inquiry (NOI) regarding how it might better support survivors of domestic and sexual violence (hereinafter “domestic violence”).¹ The **Electronic Privacy Information Center (EPIC)** and the undersigned survivor advocacy and direct service organizations² submit these comments to emphasize the importance of the Commission’s proposals and to suggest further improvements, including self-attestation from survivors, data minimization best practices, logistical questions regarding registry maintenance, risks to survivors not addressed by this proceeding, and overall considerations and values we encourage the Commission to keep in mind throughout this proceeding.

Access to reliable connectivity enables survivors to benefit from other programs that enhance their physical safety, as well as their emotional wellbeing, economic security, and financial independence.³ Applying for jobs and for most public benefits requires applicants to have internet access. As such, affordable connectivity programs should have the fewest barriers

¹ *In re* Lifeline and Link Up Reform and Modernization, Affordable Connectivity Program, Supporting Survivors of Domestic and Sexual Violence, Notice of Inquiry in WC Docket Nos. 11-42, 21-450, 22-238 (July 18, 2022), available at: <https://docs.fcc.gov/public/attachments/FCC-22-56A1.pdf> [hereinafter: “NOI”].

² See the Appendix for descriptions of the organizations joining in these comments.

³ Financial independence can be a precondition for physical safety in some circumstances. *See* Shaina Goodman, *The Difference Between Surviving and Not Surviving: Public Benefits Programs and Domestic and Sexual Violence Victims’ Economic Security*, National Resource Center for Domestic Violence (NRC DV) at 7 (Jan. 2018), https://vawnet.org/sites/default/files/assets/files/2018-10/NRC DV-TheDifferenceBetweenSurvivingandNotSurviving-UpdatedOct2018_0.pdf, (“Often abusers use financial means to control their victims; many who flee abusive relationships do not have access to money of their own. This is a MAJOR reason why people, especially people with children, do not leave. Having access to receipt of benefits allows people who flee to pick up their lives faster, and feel safer faster.”).

to access and enrollment. We applaud the Commission not only for its attention to this issue but also for its clearly well-considered, open-minded, and empathetic approach. We urge the Commission to keep at the forefront of its mind: maximizing self-determination and agency of survivors (Section II); minimizing burdens and barriers that may frustrate survivors' use of the benefits of the Commission's proposed programs (Section III); and minimizing the amount of information collected, retained, and disclosed about survivors by all entities concerned (including local shelters, telecom providers, and law enforcement) (Section IV). In Section V, we pose logistical questions about the Commission's registry proposal. In Sections VI and VII, we offer additional considerations that the Commission should be aware of— for example, an abuser monitoring a survivor's device using stalkerware. We welcome further discussion with the Commission about any of these concerns.

II. The Commission Should Maximize Survivor Self-Determination and Agency by Not Being Prescriptive.

The Commission's willingness to consider alternative processes for application and enrollment for survivors of domestic violence⁴ suggests that the Commission may already understand the importance of focusing on accessibility and utilization of its programs for survivors rather than prescribing what hoops survivors must jump through in order to take advantage of the Commission's programming. We strongly support this approach. Centering the self-determination and agency of survivors is such an important priority that it merits continued emphasis throughout this proceeding.

⁴ See, e.g., NOI at ¶ 2 (noting that existing processes for enrollment may not adequately accommodate survivors of domestic violence); *id.* at ¶ 24 (asking how application and enrollment processes can better serve survivors); *id.* at ¶ 40 (asking about different duration, limitation, and frequency policies for enrollment, recertification, and reverification).

Survivors of domestic violence have endured or continue to endure a highly traumatic experience. Despite this trauma, and on top of daily responsibilities, survivors are simultaneously figuring out multiple, vitally important concerns, such as how to keep physically safe,⁵ how to establish financial independence,⁶ how to find stable housing,⁷ how to protect their children or pets or other loved ones,⁸ and more.⁹ They often are not believed about the abuse, even by law

⁵ See Create a Safety Plan, National Domestic Violence Hotline, <https://www.thehotline.org/plan-for-safety/create-a-safety-plan/> (last accessed Aug. 17, 2022).

⁶ See Financial Abuse Fact Sheet, National Network to End Domestic Violence (July 2019), https://nnedv.org/wp-content/uploads/2019/07/Library_EJ_Financial_Abuse_Fact_Sheet.pdf (financial abuse occurs in 99% of domestic violence cases, 2012 Cornell study notes over 30% of domestic violence service providers reported that more than a quarter of clients were prohibited from opening a bank account or had their credit score lowered because of economic abuse) ; National Coalition Against Domestic Violence, Quick Guide: Economic and Financial Abuse, <https://ncadv.org/blog/posts/quick-guide-economic-and-financial-abuse> (last accessed Aug. 17, 2022) (stating that finances are often cited as the biggest barrier to leaving an abusive relationship); Carla Sanchez-Adams and Andrea Bopp Stark, Advising Clients When an Abusive Partner Coerces Debt, National Consumer Law Center Digital Library (Aug. 9, 2022), <https://library.nclc.org/advising-clients-when-abusive-partner-coerces-debt>; The Difference Between Surviving and Not Surviving at 1 (noting that survivors from marginalized communities often face intersecting issues that can exacerbate and compound their vulnerability to poverty and economic instability).

⁷ See Domestic Violence, Housing, and Homelessness, National Network to End Domestic Violence (NNEDV) (July 2019), https://nnedv.org/wp-content/uploads/2019/07/Library_TH_2018_DV_Housing_Homelessness.pdf.

⁸ See generally Safety Planning with Children, National Domestic Violence Hotline, <https://www.thehotline.org/resources/safety-planning-with-children/> (last accessed Aug. 17, 2022); Heather, Safety Planning for Friends and Family, <https://www.thehotline.org/resources/safety-planning-for-friends-and-family/> (last accessed Aug. 17, 2022); Why It's So Difficult to Leave, Women Against Abuse, <https://www.womenagainstabuse.org/education-resources/learn-about-abuse/why-its-so-difficult-to-leave> (last accessed Aug. 17, 2022); Domestic Violence and Pets, National Domestic Violence Hotline, <https://www.thehotline.org/resources/domestic-violence-and-pets/> (last accessed Aug. 17, 2022); National Resource Center on Domestic Violence, Animal Welfare Institute, Why Pets Mean So Much: The Human-Animal Bond in the Context of Intimate Partner Violence (Sept. 2014), https://vawnet.org/sites/default/files/materials/files/2016-09/NRCDV_TAG-AnimalAbuse-IPV-Sept2014.pdf ; Shelby Elaine McDonald, et al., Intimate Partner Violence Survivors' Reports of Their Children's Exposure to Companion Animal Maltreatment: A Qualitative Study, National Library of Medicine (Jan. 24, 2017), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5904016/>.

⁹ See, e.g., Immigration Policy, NNEDV, <https://nnedv.org/content/immigration-policy/> ; <https://nnedv.org/content/healthcare-policy/> (last accessed Aug. 17, 2022); The Difference Between Surviving and Not Surviving, *supra* note 3, at 9 (“Victims have experienced extensive trauma and

enforcement.¹⁰ As such, we urge the Commission to structure programs designed explicitly for the needs of survivors in such a way that the procedural elements of those programs (e.g., eligibility determinations, deadlines, etc.) do not diminish a survivor’s sense of agency about when and how they participate in the program.

While support systems should have the best interests of survivors in mind, there is no universal experience¹¹ of getting away from an abuser, nor of establishing safety and stability. As such, the Commission should avoid prescribing what a survivor must do or should do¹²—the Commission should instead primarily concern itself with program utilization: making it as easy as possible for a survivor to participate in the Commission’s program(s) at any given point. It should be up to each individual survivor when and to what extent they take advantage of the resources available to them.¹³ Commissioner Starks has echoed this priority: “One refrain from

therefore accessing these services can be an overwhelming and time-consuming ordeal for them in addition to the other circumstances they are navigating (finding safe shelter, obtaining medical care, obtaining temporary protective orders, attending therapy, ensuring the needs of their children are being met). We should strive to make these programs more user-friendly and streamlined.”)

¹⁰ See The National Domestic Violence Hotline, Who Will Help Me? Domestic Violence Survivors Speak Out About Law Enforcement Responses, at 3-5, 7-8, 10 (2015), <https://www.thehotline.org/wp-content/uploads/sites/3/2015/09/NDVH-2015-Law-Enforcement-Survey-Report.pdf>.

¹¹ See Understanding the Importance of Trauma-Informed Care, NNEDV, https://nnedv.org/spotlight_on/understanding-importance-trauma-informed-care/ (last accessed Aug. 17, 2022) (noting each person follows their own path to healing).

¹² See *id.* (emphasizing that a voluntary services approach is important because it reduces the likelihood of re-traumatizing survivors with artificially imposed requirements for receiving services).

¹³ See Center on Children, Families, and the Law at University of Nebraska-Lincoln, Setting the Tone: Understanding Domestic Violence & a Trauma-Informed Approach, at slides 24 (Dec. 13, 2018), https://ccfl.unl.edu/community-services-management/2018_Setting_the_Tone.pdf (noting the importance of helping to build a sense of autonomy, including the right to refuse to answer questions about their trauma).

those meetings was consistent—empowering survivors to reach out when and how they see fit is a key part to supporting them as they look for a fresh start.”¹⁴

We urge the Commission to prioritize survivor self-determination and agency as it continues to develop its programming designed explicitly to meet the needs of this population. Minimizing burdens and barriers to program utilization is one way the Commission can achieve this.

III. The Commission Should Minimize Burdens and Barriers for Survivors, to Maximize Program Utilization—For Example, Eligibility Self-Attestation.

In its Notice of Inquiry, the Commission outlined several challenges facing survivors of domestic violence.¹⁵ Life-threatening danger, life-altering trauma, economic stress and instability, and reduced options for assistance are pervasive concerns. We urge the Commission to continue to keep these multifarious, serious challenges in mind as stakeholders who are not survivors weigh in with their concerns and priorities regarding the Commission’s proposed programming. In keeping with maximizing survivor self-determination and agency,¹⁶ we also urge the Commission to minimize any burdens and barriers its proposed program(s) may otherwise impose on survivors.¹⁷ Such burdens and barriers could include imposing strict

¹⁴ See Statement of Comm’r Geoffrey Starks, *In re* Lifeline and Link Up Reform and Modernization, WC Docket No. 11-42; Affordable Connectivity Program, WC Docket No. 21-450; Supporting Survivors of Domestic and Sexual Violence, WC Docket No. 22-238, Notice of Inquiry (July 14, 2022), <https://docs.fcc.gov/public/attachments/FCC-22-56A3.pdf>.

¹⁵ See, e.g., NOI at ¶¶ 4-7, 19.

¹⁶ See Section II, *supra*.

¹⁷ More than 50% of advocates surveyed indicated that at least half of the victims they work with need assistance in accessing public benefits, due to factors including difficulty understanding the application process, documentation and other requirements that are burdensome for victims, and shifting rules for program compliance. See *The Difference Between Surviving and Not Surviving*, *supra* note 3, at 8-9. Inability to access benefits can make it easier to go back to an abuser, *id.* at 2 (“Making it difficult to

eligibility requirements, requiring identity verification, requiring the survivor to be aware of and initiate programming for the survivor to benefit from programming, and screening out survivors from continued participation based on factors outside of their control. The Commission should also consider how its program could assist in streamlining survivor access to other resources and public benefits programs that could support survivors.

a. The Commission Must Accept Self-Attestation of Survivor Status and Financial Hardship, as Utilization Concerns Should Supersede Program Integrity Concerns.

The Commission asks several questions about documentation requirements for low-income survivors.¹⁸ It also proposes departing from the requirements of the Safe Connections Act to make the process less burdensome for survivors.¹⁹ For all its strengths, the Safe Connections Act still requires survivors to jump through hoops to prove eligibility through third-party validation.²⁰ We support the Commission’s willingness to minimize the burdens on survivors.

We have offered several general principles that we think will best guide the Commission as it develops its programming to support survivors of domestic violence. The most important

obtain benefits makes the decision to give up and go back to an abuser an easier choice.”), and can signify the difference between a program that helps clients and one that does not, *id.* at 8 (“SNAP [helps my clients] because it is accessible. TANF could be a vital support but the barriers to accessing it are a real problem.”).

¹⁸ NOI at ¶¶ 27-28.

¹⁹ NOI at ¶¶ 21, 23, 36.

²⁰ Safe Connections Act of 2022, H.R. 7132, 117th Cong. § 4 (2022), available at <https://www.congress.gov/bill/117th-congress/house-bill/7132/text> (modifying the Communications Act of 1934 to add § 345, subsection (c)(1)(A) of § 345 requires a police report or signed affidavit from a professional in order for a survivor to be eligible for line separation without the typical termination fee).

specific recommendation we can offer is that the Commission must accept self-attestation from survivors.

There are many reasons why requiring third-party proof of survivor status or of financial hardship reflects a disconnect from the reality survivors face. It can be re-traumatizing to require a survivor to have a third party “vouch” for the trauma that happened to them²¹; and it is prescriptive to tell a survivor what does and does not count as “proof” of what they endured. Requiring third-party validation might fail to accommodate survivors with concerns about anonymity and jeopardize their privacy and safety in other ways by disclosing their abuse to more people.²² Similarly, because survivors from marginalized communities often encounter the greatest barriers to reporting or seeking services,²³ the Commission should expect that requiring third-party proof of eligibility will result in reduced utilization of these programs by survivors from these communities. Regarding police reports specifically, the majority of incidents of domestic violence go unreported to law enforcement.²⁴ Additionally, there are many reasons why

²¹ See *The Difference Between Surviving and Not Surviving*, *supra* note 3, at 37 (“The re-traumatizing and disempowering impact of stringent regulations/rules, power differentials, and diminished autonomy and dignity inherent to public benefits provision must be addressed. True trauma-informed systems-change throughout the public benefits realm would offset much of the retraumatization, hopelessness, and sense of [being] overwhelmed that prevents victim-survivors of all types of trauma from accessing, utilizing, and maximizing the supports they need.”) Encouragingly, the Commission seems to recognize this already. NOI at ¶ 19.

²² The Iowa Coalition Against Domestic Violence shared that even where a local provider offered to travel to meet survivors (as opposed to serving survivors in a central location, e.g. the program’s offices), many survivors preferred locations that preserved anonymity (e.g. a library), and indicated that they would not have sought services if they could not do so anonymously. Private email correspondence from Laura Hessburg, Public Policy Director, Iowa Coalition Against Domestic Violence (most recent email Aug. 18, 2022) [hereinafter “Hessburg email”].

²³ See Joanne Hulley, et al, *Intimate Partner Violence and Barriers to Help-Seeking Among Black, Asian, Minority Ethnic and Immigrant Women: A Qualitative Metasynthesis of Global Research* (Feb. 2, 2022), available at <https://journals.sagepub.com/doi/10.1177/15248380211050590>.

²⁴ The Bureau of Justice Statistics estimates that fewer than 42% of incidents of domestic violence were reported to law enforcement in 2020. See Morgan, R. and Thompson, A., *Criminal Victimization, 2020*, Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice at 7, Table 4,

a survivor may be unable to satisfy documentation requirements to show hardship, despite being in a state of financial hardship.²⁵

And to anticipate responses that the federal government cannot administer programs in such a trauma-informed way: at least one program already does, and has done so for years.²⁶ The Commission should trust survivors.

<https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/cv20.pdf> (41.1% victimizations reported in 2020). Field staff estimate closer to 80% of incidents go unreported. *See* The Difference Between Surviving and Not Surviving, *supra* note 3, at 31 (“Victims are usually required to provide extensive documentation of their victimization. This can be problematic, as an estimated 80% of sexual violence and domestic violence incidents go unreported, for many reasons. Therefore, victims that choose not to report the violence to the legal system are at risk of not receiving benefits.”).

²⁵ Income eligibility for public programs is routinely based on income earned and assets a survivor can no longer access, or earnings from a job a survivor no longer has. *See, e.g.*, “We Would Have Had to Stay”: Survivors’ Economic Security and Access to Public Benefits Programs, Joint report of The National Domestic Violence Hotline, National Resource Center on Domestic Violence, and National Latin@ Network for Healthy Families and Communities at Casa de Esperanza at 9 (Nov. 2018), https://vawnet.org/sites/default/files/assets/files/2018-11/NRC DV_PublicBenefits-WeWouldHaveHadToStay-Nov2018.pdf (“I understand that because I am currently living with my spouse and being supported by him (when he wants to), I do not qualify for public benefits because he makes too much. Because I will not report him or reach out anonymously to be considered a domestic abuse victim, I cannot take advantage of the benefits offered to domestic abuse victims.”); “I make over \$50k, but my credit is really bad from my husband using it and running up my credit cards, because my income is ‘high’ gross I won’t be eligible even though [if it was based on] net income I probably would [be eligible] because of debt.”); Hessburg email, *supra* note 22. (“For example, a survivor served by one of our programs had a good job working for a government agency. She was in the process of divorcing her partner but escalating risks to her safety required her to quit her job suddenly and she relocated at great economic cost. She had school-age children and struggled for months to access public benefit programs to help meet basic needs because income eligibility for many programs was based on money she could not access. In her previous job her paycheck was automatically deposited into a joint bank account her abusive partner was able to control. ‘On paper’ it appeared she had too many assets, but she had no access to this money. Our program helped her untangle the joint account, but domestic violence cost this professional woman a good paying job with retirement benefits, access to all savings, and she lived in poverty for 4 months before she could access public benefit programs providing food and rental support.”). Additionally, replacing documents is time consuming because of identity requirements for replacing lost or stolen documents, i.e., without a driver’s license it is hard to rent an apartment, enroll in public benefit programs, or replace bank card or open a bank account. Hessburg email.

²⁶ *See, e.g.*, HUD Expands Housing Protections for Survivors of Violence, HUD Archives: News Releases (Oct. 24, 2016), available at <https://archives.hud.gov/news/2016/pr16-159.cfm>; Violence Against Women Act (VAWA) Resources for Multifamily Assisted Housing, https://www.hud.gov/program_offices/housing/mfh/violence_against_women_act (last accessed Aug. 17, 2022) (see form 5382). This also applies at the state/local level where implementation of federal programs

As a final point, if local programs are expected to act as third-party validation for survivors, that puts a burden on the program to determine which of its services constitute “support,”²⁷ and may frustrate existing data minimization efforts undertaken to protect survivors.²⁸

b. The Commission Should Make Allowances for Identity Verification If It Will Require Verification.

In its NOI, the Commission raised concerns about duplicate enrollment, identity theft, and fabricated subscribers, which it proposed addressing through identity verification.²⁹ The Iowa Coalition on Domestic Violence estimates that it is not uncommon for survivors to wait four weeks or more for an appointment to replace their driver’s license, which may have been lost, stolen, or left behind when the survivor escaped to seek emergency assistance.³⁰ The Commission proposed a number of possible alternatives, including use of an alias name or a portion of the survivor’s Social Security Number.³¹ We reiterate our concerns about program integrity compromising program utilization, especially where the program is purportedly

occur. *See, e.g.*, Christine Joseph, Good Cause Waivers Can Help Protect DV Survivors with Child Support Cases, Making Justice Real: The Official Blog of the Legal Aid Society of the District of Columbia (Oct. 18, 2021), <https://www.makingjusticereal.org/good-cause-waivers-can-help-protect-dv-survivors-with-child-support-cases>.

²⁷ NOI at ¶ 30.

²⁸ For example, requiring the provider to retain a record of the survivor engaging the provider’s services where the provider would normally not retain records to protect survivor privacy and confidentiality. See Section IV below.

²⁹ NOI at ¶ 31.

³⁰ Hessburg email, *supra* note 22. This often results only in a digital print/paper copy of a license, with the plastic card license taking an additional month. *Id.*

³¹ NOI at ¶ 32.

designed for a population for whom utilization and accessibility must be the chief goal. Identity theft, duplicate enrollment, and fabricated subscribers are less significant issues if the Commission's goal is to maximize program accessibility and does not seek to tie specific beneficiaries to specific individuals, beyond their self-attestations of eligibility. However, if the Commission must require identity verification at all, it should allow survivors more than 30 days to submit such documentation, and should similarly allow program beneficiaries more latitude in responding to the Commission's investigations of possible discrepancies, to reduce barriers for survivors.³²

c. The Commission Should Put the Burden of Implementing Solutions on Entities Other Than the Survivor.

We are very encouraged by the facts presented³³ and questions asked³⁴ in the Commission's NOI and support the Commission's mindful approach to how other entities can take on some of the burden of supporting survivors, rather than leaving survivors to shoulder it all themselves.

For example, we support the Commission's decision to put the burden on hotline/shelter programs to get themselves listed in the registry.³⁵ Alternatives, such as requiring the caller to dial a prefix before a call or to explicitly request the omission of calls from customer-facing

³² See subsection (d), *infra*.

³³ NOI at ¶¶ 4-7, 16.

³⁴ See, e.g., *id.* at ¶ 21.

³⁵ *Id.* at ¶ 6, 50.

records,³⁶ would put the burden on the survivor to both be aware of the resource and to remember to make use of the resource during an emergency.³⁷ While local hotline, shelter, and other programs can assist with the awareness challenge, many survivors will never engage such programs.³⁸ To the extent the Commission can facilitate built-in protections for survivors, this will increase the utilization of those protections. It is worth noting that hotlines, shelters, and other local programs are often under-resourced and under-staffed so the Commission should be mindful about imposing additional burdens beyond the requirements of its phone number registry and should seek to streamline the registration process for programs.

Additionally, we encourage the Commission to solicit proposals from telecom carriers as to practices carriers can put in place to give survivors more options, without imposing burdens on survivors.

³⁶ See, e.g., *id.* at ¶ 39 (*67 to block Caller ID); *id.* at ¶ 53 (asking whether survivors should have to explicitly request omitting certain calls from call and text logs).

³⁷ Tools like Apple's Safety Check or iVerify can be useful for survivors. See Laura Hautala, Safety Check is Apple's New iOS Feature for People Facing Abusive Relationships, CNET (June 7, 2022), <https://www.cnet.com/news/privacy/safety-check-is-apples-new-ios-feature-for-people-facing-abusive-relationships/> (allowing phone subscribers to see who has access to location, passwords, messages, and other apps; to stop or reset sharing and privacy settings; and to sign out of iCloud on all devices, etc.); <https://www.iverify.io/> (last accessed Aug. 17, 2022) (detecting spyware on a device). However, such tools suffer from similar challenges surrounding awareness and proactive utilization. That said, the ability to automatically notify a survivor when someone attempts to login or access their information can be valuable. TechCrunch has created a similarly helpful resource. See TechCrunch builds spyware look-up tool for Android devices, Coalition Against Stalkerware (Aug. 17, 2022), <https://stopstalkerware.org/2022/08/17/techcrunch-builds-spyware-look-up-tool-for-android-devices/>.

³⁸ For example, the Bureau of Justice Statistics recently estimated that fewer than 20% of stalking victims sought victim services. See Richard E. Morgan and Jennifer Truman, Stalking Victimization, 2019, Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice at 1 (Feb. 2022), available at: <https://bjs.ojp.gov/content/pub/pdf/sv19.pdf>.

d. The Commission Should Bear in Mind the Realities of Being a Target of Domestic Violence When Considering Removing Participants from its Programming.

We support the Commission considering whether and how survivors can re-certify to retain their benefits in a way that minimizes the burden to the survivor.³⁹

The point of entry into a program is not the only place where barriers might deter survivors from utilizing a program; requirements to maintain eligibility may also frustrate the Commission's attempts to support domestic violence survivors.

As one example, the Commission should not terminate a survivor's eligibility if they presently cohabitate with or resume cohabitation with their abuser.⁴⁰ A criminal record should also not preclude participation in the program, as survivors may become involved in the criminal justice system to survive their situation and/or as a result of the abuse they are enduring.⁴¹

If the Commission decides to impose documentation requirements on top of eligibility requirements to remain in its program(s), it should be particularly mindful of the challenges faced by survivors who have been part of human trafficking systems.⁴² The operating model for

³⁹ NOI at ¶ 40.

⁴⁰ *See, e.g., Who Will Help Me?*, *supra* note 10, at 8 (quoting a survivor who returned to their abuser due to the lack of financial stability, shelter, and transportation on their own); "We Would Have Had to Stay", *supra* note 25, at 4 (67% of survivors surveyed said that they stayed longer than they wanted or returned to an abusive relationship because of financial concerns; 37% of survivors did the same because they were worried about being able to meet their own or their children's medical needs without their partner's insurance or financial help); *The Difference Between Surviving and Not Surviving*, *supra* note 3, at 31 ("Often the abuser succeeds in getting the victim fired, and so the victim has no income with which to support themselves or their children and often ends up going back to the abuser because of financial need.").

⁴¹ For example, drug convictions or being forced to participate in a crime committed by an abusive partner. Hessburg email, *supra* note 22.

⁴² The Commission seems to acknowledge this. *See, e.g.,* NOI at ¶¶ 7, 21, 23, 26-28, 36.

these criminal systems include restricting the survivor's access to their documents and deliberately targeting individuals who may avoid involving law enforcement due to their undocumented status.⁴³

Additionally, the six-month allowance in the Safe Connections Act⁴⁴ may not be sufficient for a survivor to establish financial independence and stability.⁴⁵ The Commission is

⁴³ See, e.g., Human Trafficking: A Growing Criminal Market in the U.S., National Institute of Justice (2001), <https://www.ojp.gov/ncjrs/virtual-library/abstracts/human-trafficking-growing-criminal-market-us>; Human Trafficking: Modern Enslavement of Immigrant Women in the United States, ACLU, <https://www.aclu.org/other/human-trafficking-modern-enslavement-immigrant-women-united-states> (last accessed Aug. 17, 2022); The Difference Between Surviving and Not Surviving, *supra* note 3, at 30 https://vawnet.org/sites/default/files/assets/files/2018-10/NRCDDV-TheDifferenceBetweenSurvivingandNotSurviving-UpdatedOct2018_0.pdf (more than 34% of survey respondents, who were advocates at domestic violence and/or sexual assault programs or workers at legal aid, anti-poverty, social services, or housing/homelessness agencies, indicated that “fear of deportation/detention or other negative consequences” is frequently a reason why immigrant victims do not access unemployment insurance benefits even if they are eligible for those public benefits). More than 52% indicated the same for TANF and 53% for SNAP. *Id.* at 19, 25. One survivor did not seek services until she understood that she did not have to report the abuse to law enforcement in order to receive services. Hessburg email, *supra* note 22 (“She did not accept support services from our program until a friend assured her she did not have to ‘report’ to receive services and that her confidentiality would be protected.”).

⁴⁴ Safe Connections Act of 2022, H.R. 7132, 117th Cong. § 5(b)(2)(A)(ii)(II) (2022), *supra* note 20.

⁴⁵ Many survivors leave an abusive partner with almost nothing- either because they had to flee imminent danger or because giving up economic assets protected their safety. They may miss important notifications due to frequent changes in their address. Eligibility re-determinations within less than a year would be extremely burdensome for survivors, undermining the positive impact of the program. Based on analyses of continuous coverage in Medicaid, continuous eligibility would likely reduce the administrative burden and cost for entities administering the funds. See, e.g., Harry H. Liu and Leighton Ku, Twelve-Month Continuous Eligibility for Medicaid Adults Can Stabilize Coverage with a Modest Cost Increase, The RAND Blog (Dec. 8, 2021), <https://www.rand.org/blog/2021/12/twelve-month-continuous-eligibility-for-medicaid-adults.html>; See also Jennifer Wagner and Judith Solomon, Continuous Eligibility Keeps People Insured and Reduces Costs (May 4, 2021), <https://www.cbpp.org/research/health/continuous-eligibility-keeps-people-insured-and-reduces-costs>. Additionally, although the average stay in an emergency homeless shelter is only 60 days, the average length of time it takes a homeless family to secure housing is closer to 6-10 months. See NNEDV, *supra* note 7. A staggering percentage of cases of homelessness are caused by domestic violence. *Id.* (22-57% of all homeless women reported domestic violence was immediate cause of their homelessness, 44% of cities surveyed identified domestic violence as primary cause of homelessness).

taking the right approach by considering whether and how survivors can re-certify to retain their benefits.⁴⁶

As we discussed above,⁴⁷ survivors are trying to manage so many critical things at once—barriers to entering or remaining in programming explicitly designed to support them should not be an added struggle.⁴⁸

e. The Commission Should Use This Program to Streamline Survivor Access to Other Resources, Such as Physical Phones, and Public Benefits Programs.

The Commission’s proposals to automatically qualify survivors for enrollment in other programs is encouraging,⁴⁹ as are its questions about survivors’ needs.⁵⁰ In particular, survivors struggle to access physical phones,⁵¹ and neither the Commission’s Lifeline nor its Affordable Connectivity Programs as currently contemplated explicitly address this need.⁵² The Commission

⁴⁶ NOI at ¶ 40.

⁴⁷ See Section II, *supra*.

⁴⁸ Sometimes even mere participation in a program can be an additional burden, apart from any considerations about eligibility or documentation. See, e.g., Victims Lose Too Much in Program, Sun Sentinel (Broward Metro Edition), p. 24A (Jan. 10, 2000); see also Thomas Kadri, Interoperable Obscurity, SSRN (Jul. 20, 2022), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4159924 (noting that processes that help survivors can also be traumatic if the processes force survivors to repeatedly grapple with their abuse and vulnerability).

⁴⁹ NOI at ¶ 29.

⁵⁰ *Id.* at ¶¶ 42, 44, 47, 62.

⁵¹ Private email correspondence from Shelley Marsh, Deputy Director, Ohio Domestic Violence Network (Aug. 18, 2022) (“Not having access to a phone poses a unique danger for survivors of domestic violence.” quoting Alicia Williamson, Director of Training and Program Services; “A safe cell phone for a survivor to use which cannot be monitored by the abuser is crucial to their safety and to access services that can help them recover and regain control of their lives free from violence.”, further noting that survivors often don’t have cellphones when they enter a shelter or that when they seek services their abuser has control of the account, or has taken the phone or damaged it, so the survivor has no access to assistance, and that this has been an ongoing issue since the HopeLine program stopped).

⁵² NOI at ¶¶ 13, 44.

should additionally consider what programs, even outside the FCC, can be connected with the new processes it is putting in place in this proceeding to better support survivors.⁵³

IV. The Commission Should Protect Survivors by Facilitating Data Minimization Practices or Best Practice Data Protection Protocols Where Data Retention is Necessary.

We urge the Commission to facilitate data minimization practices by hotline/shelter programs, carriers, and even by law enforcement. This should take the form of either deletion of the call logs altogether, or of interventions (such as requiring providers to obtain consent from the survivor)⁵⁴ when law enforcement requests access to call log records from carriers.

Best practice in data privacy policy has shifted from a regime of notice and consent to one of data minimization.⁵⁵ Rather than burden the data subject with reading privacy policy notices and deciding in each instance whether or not they consent, the presumption should be to only collect, retain, and disclose the minimum data required to provide a service. This aligns

⁵³ For example: TANF, SNAP, UI, Medicaid and Medicare, and Social Security and Social Security Disability Insurance. *See* The Difference Between Surviving and Not Surviving, *supra* note 3, at 9.

⁵⁴ Although we acknowledge that requiring consent from the survivor increases the burden on the survivor, it also maximizes the survivor's self-determination and agency.

⁵⁵ *See, e.g.*, Press Release, FTC Report on Internet of Things Urges Companies to Adopt Best Practices to Address Consumer Privacy and Security Risks, Fed. Trade Comm'n (Jan. 27, 2015), <https://www.ftc.gov/news-events/news/press-releases/2015/01/ftc-report-internet-things-urges-companies-adopt-best-practices-address-consumer-privacy-security> (recommending data minimization practices including: to collect no data, to collect data limited to categories required to provide service offered by device, or to choose to de-identify the data collected). We would note however that "de-identified" or "anonymized" data is a fraught endeavor. *See, e.g.*, Katharine Miller, De-Identifying Medical Patient Data Doesn't Protect Our Privacy, Stanford University Human-Centered Artificial Intelligence (July 19, 2021), <https://hai.stanford.edu/news/de-identifying-medical-patient-data-doesnt-protect-our-privacy>; Natasha Lomas, Researchers spotlight the lie of 'anonymous' data, TechCrunch (July 24, 2019), <https://techcrunch.com/2019/07/24/researchers-spotlight-the-lie-of-anonymous-data/>; A Visual Guide to Practical Data De-Identification, Future of Privacy Forum (Apr. 25, 2016), <https://fpf.org/blog/a-visual-guide-to-practical-data-de-identification/>.

with the general principle we propose that the Commission’s programming should seek to minimize burdens on survivors.

Data minimization is additionally advisable in light of the Commission’s questions about the adequacy of federal data security policy.⁵⁶ In recent memory, even FISMA has failed to prevent the unauthorized disclosure of personally-identifiable information (PII).⁵⁷ The best solution is not to collect sensitive data and PII in the first place and to retain such data only for as long as is absolutely necessary. However, if such data must be kept longer-term, the Commission might encourage use of secure storage protocols like encryption, or even obfuscation techniques that alter the data stored. In cases where statistics about the data must be made available—e.g., to researchers—the Commission might encourage use of differentially private querying techniques to further protect individual survivors.⁵⁸

Within the realm of domestic violence hotline programs specifically, many already refrain from collecting information about the survivor at all. The National Domestic Violence Hotline (The Hotline), for example, built a special call routing system whereby Caller ID

⁵⁶ NOI at ¶¶ 22, 37-38.

⁵⁷ For example, the 2015 OPM hack, that impacted more than 18 million people. *See, e.g.*, Evan Perez and Shimon Prokupecz, First on CNN: U.S. data hack may be 4 times larger than the government originally said, CNN (June 24, 2015), <https://edition.cnn.com/2015/06/22/politics/opm-hack-18-million/index.html> (compromised data including security clearance information); Michael Adams, Why the OPM Hack is Far Worse Than You Imagine, Lawfare (Mar. 11, 2016), <https://www.lawfareblog.com/why-opm-hack-far-worse-you-imagine>.

⁵⁸ *See, e.g.*, EPIC Urges OSTP to Prioritize Differential Privacy (July 11, 2022), <https://epic.org/epic-urges-ostp-to-prioritize-differential-privacy/>. Such measures are particularly relevant for researchers who use data from or about survivors to inform public policy and technology standards recommendations in support of survivors, and who are sensitive to the risks such data collection and processing can pose to survivors.

information comes in blank and no calls are recorded.⁵⁹ Similarly, when The Hotline receives texts, the survivor’s number is masked.⁶⁰ The Hotline retains text transcripts for 30 days for quality assurance and advocate feedback purposes before permanently deleting the transcripts. The Hotline also keeps a system log of all users who accessed the transcript before it was deleted.⁶¹ These are exceptionally helpful data minimization practices to protect survivors, and we urge the Commission to explore requiring providers to implement systems that might similarly minimize the digital trails left by survivors contacting hotline/shelter programs, even in a telecom carrier’s own databases.

One uncomfortable reality the Commission must acknowledge and address is misuse of law enforcement authority to access information about survivors. In some instances abusers have connections within police departments;⁶² in some instances the abuser may be a law enforcement officer themselves.⁶³ Some hotline/shelter programs face pressure from law enforcement agencies,

⁵⁹ While the Commission addresses raising awareness about Caller ID blocking features once a survivor is enrolled in a program, *see, e.g.*, NOI at ¶ 39, the Commission did include proposals regarding telecom carriers facilitating implementing this kind of feature for domestic violence hotlines, shelters, and related programs.

⁶⁰ Private email correspondence from Marty Hand, Vice President of Technology, The National Domestic Violence Hotline (Aug. 9, 2022). The Hotline notes that this doubles the cost of text messaging as the masking process requires duplication of messages. *Id.*

⁶¹ *Id.*

⁶² *See* Alexander, Someone I Know is Being Abused. Should I Call the Police?, National Domestic Violence Hotline, <https://www.thehotline.org/resources/someone-i-know-is-being-abused-should-i-call-the-police/> (last accessed Aug. 17, 2022) (“The abusive partner might have connections to the police department.”).

⁶³ *See, e.g.*, Joshua Klugman, Do 40% of police families experience domestic violence?, Temple University (July 20, 2020), <https://sites.temple.edu/klugman/2020/07/20/do-40-of-police-families-experience-domestic-violence/>; Sarah Cohen, Rebecca R. Ruiz and Sarah Childress, Departments Are Slow To Police Their Own Abusers, N.Y. Times (Nov. 23, 2013), <https://www.nytimes.com/projects/2013/police-domestic-abuse/index.html>; Philip M. Stinson, John Liederbach, Fox in the Henhouse: A Study of Police Officers Arrested for Crimes Associated with Domestic and/or Family Violence, Bowling Green State University (2013), https://scholarworks.bgsu.edu/cgi/viewcontent.cgi?article=1005&context=crim_just_pub; Conor

for example by being uncooperative with programs that do not turn over information about survivors they may be serving. Many domestic violence support programs do not have attorneys on staff or other built-in legal services to assist them in responding to such tactics by law enforcement. If the Commission is not going to implement a data minimization regime that requires the deletion of call records before such misuse can occur,⁶⁴ it must implement some oversight measures to prevent this misuse of law enforcement authority from resulting in harm to survivors. This could take the form of the Commission requiring telecom carriers to task an employee with undergoing training in detecting and resisting illegitimate requests for survivor data from law enforcement (for example, requests that are not both formal and authenticated). It could also take the form of requiring survivor consent before permitting law enforcement access to call logs.

V. The Commission Should Implement a Registry to Inform Obscuring Call Logs, but Logistical Questions Remain.

The Commission's proposal to create a registry of hotline/shelter programs that will not appear in any customer-facing records (such as call logs for inbound and outbound calls)⁶⁵ is well-considered and minimizes the burden on survivors; however, it is not without logistical

Friedersdorf, Police Have a Much Bigger Domestic-Abuse Problem Than the NFL Does, *The Atlantic* (Sept. 2014), <https://www.theatlantic.com/national/archive/2014/09/police-officers-who-hit-their-wives-or-girlfriends/380329/>; Rachel Aviv, What If Your Abusive Husband is a Cop?, *New Yorker* (Sept. 30, 2019), <https://www.newyorker.com/magazine/2019/10/07/what-if-your-abusive-husband-is-a-cop>.

⁶⁴ We acknowledge that this may be in tension with requirements for auditing for billing purposes, however we look forward to what solutions may come forward in this proceeding to navigate these problems so that survivors are not exposed to risk needlessly due to the status quo for billing.

⁶⁵ NOI at ¶¶ 52, 54, 56.

challenges. The two biggest challenges we respond to pertain to the scope⁶⁶ and the maintenance of the numbers on the list.⁶⁷

The Commission should permit an expansive scope⁶⁸ of what numbers may be included in its registry. In similar scenarios where a protective measure is activated by a call from or to a specific number (e.g., attorney-client communications with inmates that should have been privileged and not accessible to prisons nor to the prosecution), if the number was different for any reason, that protection was not activated.⁶⁹ Hotline, shelter, and other programs who may list phone numbers in this registry should be permitted to list multiple numbers in the registry, including any phone numbers used by advocates in communications with survivors. At the same time, however, it is important that the Commission implement some method for verifying that organizations submitting numbers to the registry are who they say they are.⁷⁰ We also acknowledge that it may not be feasible to include services in the registry that are not targeted specifically to survivors (e.g., home rental), but which could benefit survivors to have omitted from customer-facing records.

⁶⁶ The Commission acknowledges this challenge itself. *Id.* at ¶¶ 49, 54.

⁶⁷ *Id.* at ¶ 56.

⁶⁸ *Id.* at ¶ 54.

⁶⁹ *See, e.g.*, Bobbi-Jeanne Misick, Criminal Justice Watchdog Highlights Handling of Attorney-Client Calls from Jail in Annual Report, WWNO (June 8, 2021), <https://www.wwno.org/news/2021-06-08/criminal-justice-watchdog-highlights-handling-of-attorney-client-calls-from-jail-in-annual-report> (“We said that makes no sense [offering to stop recording phone calls to attorneys’ landlines only]. Attorneys operate on their cell phones all the time,” Levine said. “They give clients their cell phones. Lawyers aren’t sitting around any longer waiting for a phone call at their desk.”).

⁷⁰ To be clear, we are urging the Commission to insist on verification of the organization submitting the numbers, not the numbers themselves.

In terms of keeping the registry up to date, the Commission should consider different “expiration” periods for different types of numbers. A number that is perennially used by a provider may only need to be re-verified every few years, whereas disposable numbers used by advocates at programs may need to be updated within a matter of months.

The Commission should also clarify its expectations regarding staffing and/or technical assistance in support of the maintenance of the registry.⁷¹ There are thousands of programs nationwide who may be looking to be listed in this registry,⁷² each of which will need to update its phone numbers and verify its identity.

VI. The Commission Should Be Aware of the Ways in Which Survivors Will Still Be At-Risk.

The Commission’s NOI is a thoughtful and inspiring step in the right direction in supporting survivors of domestic violence. However, it is important to acknowledge the limits of the scope of the NOI. Arguably more severe safety risks to a survivor come from the information an abuser might be able to obtain from physical access to the survivor’s device,⁷³ from stalkerware monitoring activity on the device,⁷⁴ and from digital access to folders where data

⁷¹ NOI at ¶ 56.

⁷² *Id.* at ¶ 16.

⁷³ See Texting & Messaging with Survivors: Best Practices, Safety Net Project, <https://www.techsafety.org/text-best-practices> (last accessed Aug. 17, 2022).

⁷⁴ See Coalition Against Stalkerware, <https://stopstalkerware.org/> (last accessed August 15, 2022) (“Stalkerware refers to tools – software programs, apps and devices – that enable someone to secretly spy on another person’s private life via their mobile device. The abuser can remotely monitor the whole device including web searches, geolocation, text messages, photos, voice calls and much more.”); See, e.g., Andy Greenberg, Hacker Eva Galperin Has a Plan to Eradicate Stalkerware, WIRED (Apr. 3, 2019), <https://www.wired.com/story/eva-galperin-stalkerware-kaspersky-antivirus/>; Press Release, FTC Bans SpyFone and CEO from Surveillance Business and Orders Company to Delete All Secretly Stolen Data

about files and communications on the survivor’s device might be synced.⁷⁵ Some of these threats can represent much bigger risks to survivors than call logs (e.g., with physical access to the device an abuser can see the content of text messages,⁷⁶ whereas call logs would only contain metadata such as date/time, destination phone number, and by inference number of messages).

Additionally, the Affordable Connectivity Program and Lifeline Program addresses issues stemming from price to the subscriber, but not connectivity issues stemming from inadequate infrastructure. The Iowa Coalition Against Domestic Violence noted that “[w]e do have significant internet/ broadband issues in rural Iowa (which is most of the state) that compound the barriers for our programs trying to support survivors in obtaining economic security.”⁷⁷ As the Commission is likely aware, connectivity challenges faced by individual in tribal lands or in rural areas are also faced by survivors of domestic violence living in these areas.⁷⁸ Similarly, the obstacles faced by individuals who are undocumented⁷⁹ or who live with

(Sept. 1, 2021), <https://www.ftc.gov/news-events/news/press-releases/2021/09/ftc-bans-spyfone-ceo-surveillance-business-orders-company-delete-all-secretly-stolen-data>.

⁷⁵ See Kaitlyn Wells and Thorin Klosowski, Domestic Abusers Can Control Your Devices. Here’s How to Fight Back, N.Y. Times Wirecutter (Apr. 6, 2020), <https://www.nytimes.com/wirecutter/blog/domestic-abusers-can-control-your-devices-heres-how-to-fight-back/>; Abuse Using Technology, NNEDV WomensLaw.org, <https://www.womenslaw.org/about-abuse/abuse-using-technology/all> (last accessed Aug. 17, 2022).

⁷⁶ NOI at ¶¶ 48, 50.

⁷⁷ Hessburg email, *supra* note 22.

⁷⁸ See Fed. Comm’n’s Comm’n, Broadband Data Collection, <https://www.fcc.gov/BroadbandData> (last accessed Aug. 17, 2022); *In re* Affordable Connectivity Program, Second Report and Order, WC Docket No. 21-450 (Aug. 8, 2022), <https://docs.fcc.gov/public/attachments/FCC-22-64A1.pdf> [hereinafter “Second Report and Order”].

⁷⁹ See *supra* note 43.

one or more disabilities are also faced by survivors of domestic violence who are undocumented or live with disabilities.⁸⁰

We urge the Commission to be aware of these other issues and to be frank and transparent in its messaging about what its program sets out to address, and what is beyond that scope.

VII. Other Considerations

There are two additional considerations we think the Commission should be aware of. The first pertains to challenges inherent in attempting to raise awareness of programming among survivors of domestic violence. The second pertains to opportunities for collaboration with other federal entities.

a. Challenges in Raising Awareness Among Survivors

As noted above,⁸¹ only a fraction of survivors ever engage domestic violence programs such as hotlines or shelters, meaning awareness campaigns funneled through these entities will not reach all survivors. A fully public campaign however entails greater risks of abusers learning of the program.⁸² The Commission should be aware of the tradeoffs of each approach.

⁸⁰ See Second Report and Order, *supra* note 78.

⁸¹ See, e.g., Hulley, et al. *supra* note 23, Bureau of Justice Statistics *supra* note 38.

⁸² This can be a problem when a survivor relies on a seemingly innocuous service to connect to domestic violence resources and a public awareness campaign “tips off” an abuser as to how that service can be used for that purpose.

b. Opportunities for Collaboration with Other Agencies

We encourage the Commission to reach out to the Director on Gender-based Violence Prevention and Equity⁸³ at the U.S. Department of Housing and Urban Development, to learn about the agency's use of self-attestation forms as required under the Violence Against Women Act.⁸⁴

We also encourage the Commission to consider how its programming under this proceeding might benefit from collaborating with the Executive Office of the President, which recently established a task force to address online harassment and abuse, with a particular emphasis on tech-facilitated gender-based violence.⁸⁵

VIII. Conclusion

We appreciate the opportunity to respond to the Commission's NOI on supporting survivors of domestic violence.

Respectfully submitted, this the 18th day of August 2022, by:

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⁸³ See Press Release, HUD Announces Key Staff Appointments, U.S. Dep't Housing and Urban Dev. (Nov. 30, 2021), https://www.hud.gov/press/press_releases_media_advisories/hud_no_21_195.

⁸⁴ See *supra* note 26.

⁸⁵ Statements and Releases, Fact Sheet: Presidential Memorandum Establishing the White House Task Force to Address Online Harassment and Abuse, White House Briefing Room (June 16, 2022), <https://www.whitehouse.gov/briefing-room/statements-releases/2022/06/16/fact-sheet-presidential-memorandum-establishing-the-white-house-task-force-to-address-online-harassment-and-abuse/>.

APPENDIX

Electronic Privacy Information Center: Electronic Privacy Information Center (EPIC) was established in 1994 to focus public attention on emerging privacy and related human rights issues, and to protect privacy, the First Amendment, and constitutional values. EPIC encourages laws, regulations, and policies that safeguard user privacy and protect users from technology-facilitated abuse and harassment. *See, e.g.*, Comments of EPIC to Fed. Trade Comm’n, *Re: Support King, LLC (SpyFone.com)*, No. 192 3003 (Oct. 8, 2021), available at <https://epic.org/documents/in-the-matter-of-support-king-llc-spyfone-com/>; Br. of Amici Curiae Electronic Privacy Information Center (EPIC) in Support of Appellant, *Herrick v. Grindr*, 765 Fed. Appx. 586 (2d Cir. 2019); Online Harassment, EPIC.org, <https://epic.org/issues/democracy-free-speech/online-harassment/> (last accessed Aug. 17, 2022).

Cyber Civil Rights Initiative: The [Mission](#) of the Cyber Civil Rights Initiative (CCRI) is to combat online abuses that threaten civil rights and civil liberties. [CCRI’s Vision](#) is of a world in which law, policy and technology align to ensure the protection of civil rights and civil liberties for all.

Clinic to End Tech Abuse: The Clinic to End Tech Abuse (CETA) is a part of Cornell Tech, a campus of Cornell University located in New York City. Clinic volunteers are graduate students and professionals who have expertise in fields such as computer security, human-computer interaction, and computing for underserved communities. They receive special training on detecting technology-related abuse and working with people who have survived trauma. CETA provides its clinic services through a collaboration with the New York City Mayor's Office to End Domestic and Gender-Based Violence (ENDGBV).

Electronic Frontier Foundation: The Electronic Frontier Foundation (EFF) is the leading nonprofit organization defending civil liberties in the digital world. Founded in 1990, EFF champions user privacy, free expression, and innovation through impact litigation, policy analysis, grassroots activism, and technology development. EFF's mission is to ensure that technology supports freedom, justice, and innovation for all people of the world.

EndTAB: We’re not tech experts. We’re busy victim service providers who felt undertrained and frustrated in the face of the unrelenting increase in online abuse. We needed practical tools to keep people safe in the digital age, but couldn’t find any. So we created resources specifically for organizations that help victims and communities stay safe - and discovered you don’t need to be a tech wizard to address or prevent online abuse.

Iowa Coalition Against Domestic Violence: The Iowa Coalition Against Domestic Violence (ICADV) represents 21 local agencies providing direct services to crime victims. ICADV works with federal, state, and local policymakers and crime victim service providers throughout Iowa to advance public policies and provide effective support services to prevent violence, enhance victim safety, and support healing from trauma. Our service delivery model prioritizes supporting survivors in obtaining and maintaining economic security as the most effective path toward long-term stability, healing, and a violent free future. Our survivor-centered approach to

victim services and policy advocacy seeks to center the voices and experiences of historically excluded survivors to advance safety for all.

National Coalition Against Domestic Violence: Our mission is to lead, mobilize and raise our voices to support efforts that demand a change of conditions that lead to domestic violence such as patriarchy, privilege, racism, sexism, and classism. We are dedicated to supporting survivors and holding offenders accountable and supporting advocates.

National Consumer Law Center® (NCLC®): Since 1969, the nonprofit [National Consumer Law Center® \(NCLC®\)](#) has used its expertise in consumer law, telecommunications and energy policy to work for consumer justice and economic security for low-income and other disadvantaged people in the United States. NCLC's expertise includes policy analysis and advocacy; consumer law and utility publications; litigation; expert witness services, and training and advice for advocates. NCLC works with nonprofit and legal services organizations, private attorneys, policymakers, and federal and state government and courts across the nation to stop exploitative practices, help financially stressed families build and retain wealth, and advance economic fairness.

The National Domestic Violence Hotline: 24 hours a day, seven days a week, 365 days a year, the [National Domestic Violence Hotline](#) (The Hotline) provides essential tools and support to help survivors of domestic violence so they can live their lives free of abuse. The Hotline has answered over [6 million contacts](#), with services operated by expert advocates and other staff members dedicated to spreading education and awareness about domestic violence.

National Network to End Domestic Violence: The National Network to End Domestic Violence (NNEDV), a social change organization, is dedicated to creating a social, political, and economic environment in which violence against women no longer exists. Under its prior name of the Domestic Violence Coalition on Public Policy, it led efforts to pass the landmark [Violence Against Women Act](#) (VAWA), authored by then-Senator Joe Biden in 1994. The historic law was the first federal legislation to strengthen the government's response to crimes perpetrated against victims of domestic violence, sexual assault, dating violence, and stalking. NNEDV's [Safety Net Project](#) focuses on the intersection of technology and domestic and sexual violence and works to address how it impacts the safety, privacy, accessibility, and civil rights of victims.

Ohio Domestic Violence Network: The Ohio Domestic Violence Network (ODVN) advances the principles that all people have the right to an oppression and violence-free life; fosters changes in our economic, social, and political systems; and brings leadership, expertise, and best practices to community programs. ODVN's purpose is to support and strengthen Ohio's response to domestic violence through training, public awareness, and technical assistance and to promote social change through the implementation of public policy.

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