



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #TUL-13-061

TITLE: Request that the Federal Communications Commission Preserve and Protect the Tribal Lifeline & Link-Up Programs

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WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, the Tribal Lifeline and Link-Up Programs were created to provide low-income tribal individuals vital access to communications services; and

WHEREAS, the Tribal lifeline Program was created to provide a discount to Native individuals on their monthly landline phone bill and later expanded to include mobile wireless services, and the Tribal Link-Up Program was created to cover one-time, build-out costs and activation charges to connect vital anchor institutions and housing on tribal lands; and

WHEREAS, on January 31, 2012, the Federal Communications Commission (FCC) adopted a Report & Order and Further Notice of Proposed Rulemaking regarding Lifeline and Link-Up Reform and Modernization (2012 Reform and Modernization Order); and

WHEREAS, in the 2012 Reform and Modernization Order included the establishment of a National Lifeline Accountability Database, establishing a national eligibility criteria, clarification of reporting requirements, and the phase out of Link Up support except for recipients on tribal lands; and

WHEREAS, these reforms were meant to eliminate waste, fraud, and abuse in the Program and were estimated to save the USF up to \$2 billion over the following three years since the 2012 Reform and Modernization Order was adopted; and

WHEREAS, on February 12, 2013 the FCC stated in a News Release that the Lifeline Program reforms were on track to eliminate an additional \$400 million in waste, fraud, and abuse in 2013 and that reforms were on schedule to save more than \$2 billion by the end of 2014, exceeding the estimated savings mentioned in the 2012 Reform and Modernization Order; and

WHEREAS, the USF was established by the 1996 Telecommunications Act to ensure access to telecommunications services for all schools, libraries, and low-income households, and close the Digital Divide; and

WHEREAS, the USF is funded by all telecommunications consumers in a monthly fee assessed by all telecommunications carriers; and

WHEREAS, the 2012 Reform and Modernization Order is met and will potentially exceed the previous projections in savings to the USF, however, the Program has come under ever-increasing attacks from some Members of Congress and national media outlets that have inaccurately claimed that the entire Program is ‘wasteful spending’ funded by tax dollars; and

WHEREAS, tribal citizens in many tribal communities do not have access to basic telephone services nor broadband services; and

WHEREAS, the FCC has initiated Broadband Adoption Lifeline Pilot Programs to establish baseline data to support further modernization of the Lifeline Program expanding to broadband technologies; and

WHEREAS, the Lifeline Program has been one of the most influential programs supporting tribal citizens living in rural and underserved tribal lands to receive basic telephone service and access to an analog safety-net, and without Lifeline, tribal lands will remain excluded from telecommunications services; and

WHEREAS, in recognition of the disproportionately low telephone subscribership levels in tribal areas, the FCC has adopted rules to make enhanced Lifeline support available for low-income residents residing on tribal lands; and

WHEREAS, the FCC, as the primary agency point-of-contact regarding all matters related to the USF and its programs, should continue to work with Members of Congress and the Administration to ensure that vital Lifeline and Link-Up services are not eliminated, and that current and future funding levels should be preserved and increased for tribal lands due to the low penetration rates of telephone and broadband services.

NOW THEREFORE BE IT RESOLVED, NCAI requests the FCC, Congress, and the Administration to preserve the continuation of the Tribal Lifeline and Link-Up Programs for tribal lands and all Native peoples; and

BE IT FURTHER RESOLVED, that the FCC, Congress, and the Administration increase current and future funding levels for the Tribal Lifeline and Link-Up Programs to continue vital telecommunications deployment on tribal lands; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2013 Annual Session of the National Congress of American Indians, held at the Cox Business Center from October 13 - 18, 2013 in Tulsa, Oklahoma with a quorum present.



President

ATTEST:



Recording Secretary