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| **Recorder Form** |
| **Onsite Contact Tami Snow 918.388.7428** |
| Recorder: Melanie Fourkiller | Date: April 26, 2018 |
| Session Title: Tribally-driven Strategies for Deployment of Telecommunication/Broadband Technology in Indian Country |
| Panelists: Irene Flannery, Director, AMERIND Critical Infrastructure, AMERIND RiskGodfrey Enjady, General Manager Mescalero Apache Telecom Inc., President of the National Tribal Telecom Chief Matthew Ducheshe, FCC |
| Summary of Issues and Items Discussed: **Chief Matthew Ducheshe, FCC, Native Issues and Policy:** * Office created in 2010; mission is to bring modern communications to Tribal lands
* Works across FCC as well as with other government agencies; focus point for interactions with Tribes
* Native Nations Task Force created in 2011, currently being renewed for 3 year term; consists of 20 elected Tribal Leaders and additional FCC officials
* Universal Service Fund is a monthly charge on the phone bill. The fees subsidize lifeline, rural Association Healthcare, e-rate,
* Lifeline is discounted phone and connectivity for low income families
* USF Rural Health Care – Telehealth. Provides financial support to qualifying rural healthcare providers.
* E-Rate – provides subsides to schools and libraries, individually, or as consortia
* High Cost Program Connect America Fund: funding for fixed voice and broadband services
* High Cost Program Mobility fund: funding for mobile voice and broadband services
	+ Deemed low or no service areas are a higher priority. Areas served or not served can be challenged by way of the website to FCC if they are not eligible
	+ Reverse auction – potential service providers bid to provide the services
	+ Set aside for rural Tribal lands – this serves as a floor, or minimum. More funds may be directed to Tribal lands.
* Spectrum over Tribal Lands: April 19, 2018 Notice of Proposed Rulemaking:
	+ Increased flexibility for existing Educational Broadband Service licensees;
	+ Provides new opportunities for educational entities, rural Tribes, and commercial entities to access unused portions of the band
	+ ***Comments due from 30 days of publication***
* Tribal Radio Priority : provides ease for Tribes to obtain broadcast radio licenses in both the AM and FM bands

**Godfrey Enjady, General Manager Mescalero Apache Telecom Inc., President of the National Tribal Telecom*** Leveraging broadband for education, create jobs, provide healthcare, improve quality of life, and conduct commerce
* Both fixed and mobile broadband is needed
* Mescalero Apache Telecom is owned and operated by the Mescalero Apache Tribe
	+ Tribally Chartered and registered in state of NM
	+ Tribe voluntarily chose to be regulated by the State of NM
	+ Independent local provider – USF provides some operational expenses
	+ Has one exchange with 1134 access lines
	+ Started in 1997 and opened in 2001 with broadband deployment in 2003
	+ Company is self-funded and not supplemented by the Tribe
	+ Size of reservation is 720 square miles within which they provide services
* DSL was original network – copper wire. However, life is 3-4 years and must be upgraded
* New upgrade began last year to lay new fiber to homes. Looking to get “600 subs” to homes
* Went from 5 megabits usage about 10 years ago, to constantly using 1 gig of data today
* Digging lines into rocky and mountainous areas is a challenge and costly; in addition, hitting other lines such as water or electric is common due to no documentation of location of the lines
* Most of the network is fiber optic – copper is near to being obsolete and will not be funded in the future
* Possible to deploy fiber where it is shared by several homes (like a party-line land phone)
	+ This project is funded by USDA
	+ Shared fiber is economical
* Biggest problem is attacks to the network – need diverse routes as well to maintain connectivity
* Now a Gigabyte Tribal Community
* National Tribal Telecommunications Association -- made up of several Tribes
* Shared a broadband service report that shows a lack of connectivity in Indian Country

**Irene Flannery, Director, AMERIND Critical Infrastructure, AMERIND Risk (formally with FCC)*** Critical Infrastructure is one of the new business lines of AMERIND Risk – which began as an insurance company for Indian lands
* Access federal money that is available to help fund broadband.
* Two major projects nearing completion: Jemez-Zia Pueblo Tribal Consortium; Middle Rio Grand (MRG) Tribal Consortium
* Education now relies on connectivity and high speed access; Tribal lands often lack this
* Tribal Libraries – often the only location where broadband exists. Research for school, applying for jobs, etc.
* Libraries and Schools in these projects were paying an extraordinary amount of money for very little data
* FCC Universal Service Subsidy Programs – School and Libraries program is currently funded at $3.9 billion annually
* Funding opportunity for the E-rate program; for a limited time, there is additional 5% discount if match is from Tribal, state, federal funding source
* Fiber is an expensive investment, but a very resilient one that lasts
* Jemez-Zia Project Tribe owns 30 miles of the fiber, then leases more miles of ‘dark’ fiber, which offsets the capital costs
* MRG Project – Same strategy, Tribe owns 30 miles (self-provisioned) and then leases another 30 miles of dark fiber
* Looking toward regional educational network to connect Tribally owned networks, as well as universities. Working on construction and permitting
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| Questions from the Audience:* AMERIND projects – is the state providing any support, financial or otherwise?
	+ E-rate is a discounted program, based on low income – these projects provide 90% discount.
	+ There is a match by the e-rate program
	+ In these projects, the state kicked in 5%, and then the schools/libraries contributed as well
* FCC Recently issued a comment period for the rural healthcare program – comment period has closed, but one can submit comments anytime. Originally there was $400 million for this program, which has not changed.
* $400 million cap on rural healthcare – Tribes submitted comments. One problem is that the cap was exceeded in 2016 and 2017. The loss of the 100% subsidy means more out of pocket costs for Tribes, which decreases funding going to health care. With respect to the USAC appeals? what kind of timeline will FCC respond to request for waivers? What will FCC decide about raising or lifting the cap? A: USAC request – do not know why this has been delayed so long. Regarding the requests for waivers, also do not know the status of these, but will raise these issues with the relevant offices in FCC. Regarding the cap, there seems to be recognition that there is a problem with the cap. Tribes should advocate with FCC to make the case of why it would be important to lift the cap.
* Education network: 2 consortia (4 Tribes and 2 Tribes). We are trying to put something together like this, can we have access to the governing/authorizing documents, can we have copies? How long did it take to get it going? A: about 3 years. These two networks received funding commitments of $3.9 million each from E-rate. E-rate only pays for schools and libraries. Who owns the networks? A: Tribes, but they cannot use it for commercial purposes (or any other purposes that are not libraries or schools) as a condition of the federal funding. However, you could build a concurrent network while the trench is open at no cost to the federal project (would have to be funded from elsewhere).
* Opening a clinic to utilize telehealth: running into problem with connectivity. Looking to work with school to get connectivity. Would it be allowable if it were paid by E-rate? A: interesting question. Would any of the students be served or would it be during the school day? Schools are allowed to open their facilities after hours to provide community services, which this may fall under.
* Do the use restrictions for E-rate built projects ultimately go away? A: perhaps after 10 years, but should check the regulations.
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| Follow Materials, Documents, Websites for Reference:* Three (3) Powerpoint presentations included
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