

United States Senate

WASHINGTON, DC 20510

November 28, 2017

COMMITTEES:
AGRICULTURE, NUTRITION AND FORESTRY
BANKING, HOUSING AND
URBAN AFFAIRS
HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
INDIAN AFFAIRS
SMALL BUSINESS AND ENTREPRENEURSHIP

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th St NW
Washington, D.C. 20554

Dear Chairman Pai,

I write regarding the recent changes to the Lifeline program that will directly impact tribal lands across the country. I am concerned that eliminating resellers from participating in the Tribal Lifeline program and the enhanced support that tribal residents receive will have a significant and lasting negative impact on low-income Native Americans who depend on the program to access affordable voice and internet services.

As you well know, the Lifeline program was created under President Reagan to help lower-income Americans access essential telephone services. As wireless phones and broadband internet access have been incorporated into the Lifeline program over the past 12 years, Lifeline has continued to be an avenue for them to participate in today's digital economy.

The Fourth Report and Order, which the Federal Communications Commission (FCC) approved on November 16 to alter the Lifeline program on tribal lands, stands to negatively affect over 1,000 tribal members in North Dakota when their eligible telecommunications carrier, a reseller of wireless service, is no longer permitted to offer Lifeline. Currently, there are no facility-based providers ready and able to serve those tribal locations, creating a service gap. Verizon and AT&T, which own the majority of spectrum and wireless equipment in North Dakota, have historically shown reluctance to participating in the Lifeline program leaving nearly the entire state without a wireless Lifeline provider. Decreasing the accessibility of wireless Lifeline will have a significant and disproportional impact on tribal members and younger people as they tend to rely solely on wireless services to connect to the internet.

Additionally, eliminating the enhanced support tribal residents receive for Lifeline services takes away vital assistance to a population where often over half live below the poverty line. To many tribal residents, the enhanced support was the only reason they were able to afford telecommunications services, and I am concerned that eliminating this support will prevent them from participating in the digital age.

I hope that you can answer the following questions as I continue to evaluate these changes:

- Did the FCC consult or seek public comment from tribes in North Dakota regarding these changes to the Tribal Lifeline program? If so, what was the response from North Dakota tribes?

- Was a cost-benefit analysis performed for this change and was the loss of service on tribal lands accounted for in this analysis? How many tribal members in North Dakota and across the country will lose service as a result of this Order?
- What plans does the FCC have to ensure those currently with service continue to receive affordable service despite the lack of a wireless Lifeline provider as defined under the new Order?

I appreciate you considering my concerns and look forward to your reply.

Sincerely,



Heidi Heitkamp
United States Senate

Cc:

Federal Communications Commissioner Michael O'Rielly
Federal Communications Commissioner Mignon Clyburn
Federal Communications Commissioner Jessica Rosenworcel
Federal Communications Commissioner Brendan Carr