

Appendix A

DECLARATION OF DANIEL J. MARGOLIS

I, Daniel J. Margolis, hereby affirm the following:

1. I am currently an Acting Legal Advisor in the Consumer and Governmental Affairs Bureau of the Federal Communications Commission. I have held this position since June 2018.
2. Before serving in my current position, I served as an Attorney Advisor in the Wireless Telecommunications Bureau from September 2017 – June 2018. Before that time, I served as an Attorney Advisor in the Commission's Office of Native Affairs and Policy (ONAP), between 2015 and 2017. ONAP serves as the official Commission liaison for consultation, coordination, and outreach to the American Indian, Alaska Native Village, and other Native communities.
3. I submit this Declaration to outline some of the steps the Commission took to engage with federally-recognized Indian Tribes, in accordance with the *Tribal Policy Statement*, 16 FCC Rcd 4078 (2000), before the adoption of the *Order* under review in this case.
4. As an Attorney Advisor in ONAP, I was responsible for organizing and attending Tribal consultations and meetings. I also served as the primary point of contact for Tribal members who wanted to register for these sessions, to meet with Commission officials at that time, or obtain additional information regarding Commission rules, policies, or proposed actions. I would usually take notes during these meetings and create a report, which would be circulated internally in our office.
5. The information contained in this Declaration is based upon my own recollection, as well as my review of emails, notes, reports, and other internal documents pertaining to the issues involved in this appeal.
6. On June 18, 2015, the Commission adopted the *Tribal Lifeline FNPRM*, 30 FCC Rcd 7818 (2015). Among other things, the Commission proposed limiting the enhanced Tribal subsidy to facilities-based providers and to carriers serving rural Tribal lands.

7. On July 15, 2015, Geoffrey Blackwell, the then-Chief of ONAP, sent an email to Tribes across the country. The Bureau of Indian Affairs (BIA), an agency within the U.S. Department of the Interior, maintains email addresses for all Tribal leaders in the United States; Mr. Blackwell sent his email to all of the addresses on that list. (Although Mr. Blackwell's email was sent to all email addresses on the BIA list, it is unclear precisely how many Tribes received that communication as the agency received some undeliverable replies, suggesting some of the addresses on the list were inaccurate.) In that email, Mr. Blackwell explained that he was following up from an email he sent in June 2015, in which he had informed them that the Commission had recently issued the *Tribal Lifeline FNPRM*, which set forth a number of questions involving Tribal Nations and Tribal Lands. Mr. Blackwell stated that while the Commission sought comment on a range of issues raised in the *FNPRM*, he wanted to "draw your attention" to the Tribal-specific sections of the document including "paragraphs 158-171," which proposed to limit the enhanced Tribal subsidy to facilities-based carriers and to carriers serving rural, Tribal lands. The email included a link to the *Tribal Lifeline FNPRM*, as well as to Commission press releases and Commissioners' statements about the *FNPRM*. The email also encouraged Tribal members to attend and actively participate in the consultations. A copy of Mr. Blackwell's July 15 email is attached as Exhibit A to this Declaration.
8. On August 5, 2015, I attended a Tribal consultation in Norman, Oklahoma. Three other colleagues from ONAP as well as other Commission staff also attended, including Mr. Blackwell, the Chief of ONAP, and Irene Flannery, the then-Deputy Chief of ONAP.
9. On August 7, 2015, I attended a Tribal consultation in Tulsa, Oklahoma. The same colleagues from the consultation on August 5, 2015 attended.
10. On both days, ONAP staff made a presentation to representatives of 10 Tribal Nations and 2 Native Organizations describing the Lifeline program, including the proposals raised in the *Tribal Lifeline FNPRM*. A copy of the slides used in the presentation is attached as Exhibit B to this Declaration.

11. During the presentation, ONAP staff explained that the Commission sought comment on limiting enhanced Tribal support to facilities-based providers. ONAP staff also asked questions including “what measurable benefits do the additional \$25 per month in Lifeline support . . . provide towards infrastructure deployment?” and “what drives the successful build-out of telecommunications infrastructure on Tribal lands?” Ex. B, at 27.
12. In addition, ONAP staff noted that the Commission sought comment on focusing enhanced support to Tribal lands with lower population densities, thereby excluding urban areas on Tribal lands. Among other things, ONAP staff informed the Tribal governments that adopting a limitation on enhanced Tribal support to rural areas would potentially exclude urban Tribal areas such as Tulsa, Oklahoma and Reno, Nevada.
13. A number of Tribal representatives offered their feedback. Some expressed concerns about eliminating Tribal lands with higher population density from eligibility and wondered how any such density levels could be determined.
14. On August 12-13, 2015, I attended a meeting with the Affiliated Tribes of Northwest Indians, along with ONAP Chief Blackwell, Deputy Chief Flannery and other ONAP staff, in Portland, Oregon. At that time, Mr. Blackwell gave a presentation, lasting approximately 45 minutes, to the Tribes on the Lifeline and Link Up programs. As part of that presentation, he discussed the proposals raised in the *Tribal Lifeline FNPRM*. A copy of the slides used in Mr. Blackwell’s presentation is attached as Exhibit C to this Declaration.
15. During his presentation, Mr. Blackwell explained that the Commission sought comment on, among other things, “where and what types of infrastructure deployment have occurred on Tribal lands in the last 14 years,” and “what measurable benefits” the enhanced Tribal subsidy has provided in spurring infrastructure deployment. Ex. C, at 23.
16. Mr. Blackwell further informed the participants that the Commission sought comment on “whether enhanced Tribal Lifeline support should be focused on Tribal areas with lower population densities, on the theory that the provision of enhanced support in more densely populated areas is inconsistent with the FCC’s objectives.” Ex. C, at 23.

17. After Mr. Blackwell's presentation in Portland, Tribal members had the opportunity to ask questions and give their feedback on the proposals raised in the *Tribal Lifeline FNPRM* and on the Lifeline program in general.
18. On February 1-4, 2016, Deputy Chief Flannery attended another meeting with the Affiliated Tribes of Northwest Indians in Suquamish, Washington. I did not attend that meeting. After reviewing ONAP files, I found the slides prepared for that presentation, which addressed the numerous proposals contained in the *Tribal Lifeline FNPRM*. A copy of the presentation, which to the best of my knowledge was used in Ms. Flannery's presentation, is attached as Exhibit D to this Declaration.
19. From September 1 – September 3, 2015, I along with Chief Blackwell, Deputy Chief Flannery, and other ONAP staff attended an FCC Tribal Broadband, Telecom, and Broadcast Training and Consultation Workshop held in Scottsdale, Arizona. On September 2, 2015, Mr. Blackwell gave a presentation to 8 Tribes and 5 Tribal Telecommunications Companies on the Commission's Universal Service Low-Income programs, including proposed changes to the Lifeline program. A copy of the presentation is attached as Exhibit E to this Declaration.
20. Similar to the other presentations, Mr. Blackwell explained that the Commission sought comment on, among other things, "where and what types of infrastructure deployment have occurred on Tribal lands in the last 14 years," and "what measurable benefits" the enhanced Tribal subsidy has provided in spurring infrastructure deployment. Ex. E, at 27.
21. Mr. Blackwell further informed the participants that the Commission sought comment on "whether enhanced Tribal Lifeline support should be focused on Tribal areas with lower population densities, on the theory that the provision of enhanced support in more densely populated areas is inconsistent with the FCC's objectives." Ex. E, at 27.
22. After Mr. Blackwell's presentation in Scottsdale, Tribal members had the opportunity to ask questions and give their feedback on the proposals raised in the *Tribal Lifeline FNPRM* and on the Lifeline program in general.

23. From September 21 – September 23, 2015, I along with Chief Blackwell, Deputy Chief Flannery, and other ONAP staff attended an FCC Tribal Broadband, Telecom, and Broadcast Training and Consultation Workshop in Rapid City, South Dakota. The workshop was hosted in coordination with the Great Plains Tribal Chairman's Association and the Coalition of Large Tribes. On September 22, Mr. Blackwell gave a presentation on the Universal Service Low-Income Programs, including proposed changes to the Lifeline program. A copy of the presentation is attached as Exhibit F to this Declaration.
24. Similar to the other presentations, Mr. Blackwell explained that the Commission sought comment on, among other things, "where and what types of infrastructure deployment have occurred on Tribal lands in the last 14 years," and "what measurable benefits" the enhanced Tribal subsidy has provided in spurring infrastructure deployment. Ex. F, at 27.
25. Mr. Blackwell further informed the participants that the Commission sought comment on "whether enhanced Tribal Lifeline support should be focused on Tribal areas with lower population densities, on the theory that the provision of enhanced support in more densely populated areas is inconsistent with the FCC's objectives." Ex. F, at 27.
26. After Mr. Blackwell's presentation in Rapid City, Tribal members had the opportunity to ask questions and give their feedback on the proposals raised in the *Tribal Lifeline FNPRM* and on the Lifeline program in general.
27. Following the conclusion of the workshop in Rapid City, ONAP staff held direct consultations with representatives from the Oceti Sakowin, the Oglala Sioux, the Rosebud Sioux, the Cheyenne River Sioux, and their outside counsel. During this consultation, Tribal representatives and ONAP staff discussed issues relating to the proposals raised in the *Tribal Lifeline FNPRM*, including the proposals to limit the enhanced Tribal subsidy to facilities-based providers and carriers serving rural Tribal lands.
28. After ONAP meets with Tribal members, the office's customary practice is to create a report summarizing the discussions, which is then shared with the Bureau management. ONAP staff shared the reports from the Oklahoma

consultations, meeting in Washington, and the meeting in Oregon with these Commission officials.

29. Additionally, ONAP has regular and ongoing meetings with management of other Commission bureaus. Whenever Tribal representatives raise communications issues with ONAP staff, it is ONAP's protocol to communicate those concerns with the proper management of the relevant Bureaus. With respect to matters relating to Lifeline, ONAP staff had routine conversations with the staff and management of the Lifeline Team in the Telecommunications Access Policy Division of the Wireline Competition Bureau.

I hereby certify under penalty of perjury that the above statements are true and accurate to the best of my knowledge and belief.

DATE: 7/19/2018

BY. 

Daniel J. Margolis
Acting Legal Advisor
Consumer and Governmental Affairs Bureau
Federal Communications Commission

Exhibit A

From: [Geoffrey Blackwell](#)
To: [Geoffrey Blackwell](#)
Cc: [Irene Flannery](#); [Daniel Margolis](#)
Subject: Announcing FCC Tribal Consultation Sessions in Oklahoma on Lifeline Program, August 5-7
Date: Wednesday, July 15, 2015 7:48:17 PM
Attachments: [FCC OKLAHOMA Tribal Lifeline Consultation Announcement_final.pdf](#)
Importance: High

Dear Tribal Leaders, Representatives, and Colleagues,

Greetings on behalf of the FCC's Office of Native Affairs and Policy, CGB. As you might recall, I reached out to Indian Country last month to alert you that the FCC had released its most recent Lifeline Order and Further Notice of Proposed Rulemaking, which contains a number of questions involving Tribal Nations and Tribal lands. We encourage your active participation and involvement in this docket. We are also planning additional consultative opportunities on this proceeding, with dates and locations to be announced in the near future.

Norman and Tulsa Consultation Sessions. The item also directed ONAP, in coordination with the FCC's Wireline Competition Bureau and other FCC Bureaus and Offices, to engage in government-to-government consultation with Tribal Nations on specific questions raised in the item. The attached notice provides information for the first two of these sessions, which will be in Norman, Oklahoma, on August 5, 2015, and in Tulsa, Oklahoma, on August 7, 2015.

Please review the announcement and share this information broadly with your Tribal Nation contacts. An ONAP point of contact, Mr. Daniel Margolis, Legal Advisor in ONAP, daniel.margolis@fcc.gov, (202)-418-1377, is provided so that you may register for these sessions, seek additional information, or arrange an individual meeting. We hope to see you in Norman and in Tulsa.

Background on Lifeline Program. The FCC is seeking comment on restructuring the program to better support 21st Century communications while building on existing reforms to continue strengthening protections against waste, fraud, and abuse. For 30 years, the Lifeline program has helped to make phone service affordable for qualifying low-income Americans. In 2000, the FCC created an enhanced Tribal lands Lifeline program, which provides significant additional discounts, up to an additional \$25 per household, to qualifying low-income consumers on Tribal lands nationwide. In 2008, the FCC expanded the program to support wireless as well as wireline voice communications. In 2012, the FCC made significant reforms, including a database that essentially ended program abuse caused by multiple Lifeline subscriptions in a household. But now, because income remains a significant barrier to broadband adoption, the FCC has concluded that it is time for a fundamental, comprehensive restructuring of the program to meet today's most pressing communications needs--access to broadband.

Information on the FCC's Lifeline Order and FNPRM. In addition to the important elements of seeking comment on the application of Lifeline to broadband, the FCC also seeks comment on a number of other issues of great importance to Indian Country. While the entire document applies to the provision of Lifeline on Tribal lands, I would like to draw your attention to the Tribal-specific sections of the document – paragraphs 111-117, paragraphs 158-171, and paragraphs 257-267.

Please note that Appendix E of the item is the full-color Oklahoma Historical Map adopted in the Order section of the item for the Lifeline program, and upon which we are seeking consultation with the Tribal Nations in Oklahoma.

Here is the link to the *Second Further Notice of Proposed Rulemaking, Order on Reconsideration, Second Report and Order, and Memorandum Opinion and Order on Lifeline Reform and Modernization*. https://apps.fcc.gov/edocs_public/attachmatch/FCC-15-71A1.pdf.

Following are links to the Press Release and Commissioner's statements:

News Release <https://www.fcc.gov/document/fcc-takes-steps-modernize-and-reform-lifeline-broadband>

Chairman Wheeler's Statement <https://www.fcc.gov/article/fcc-15-71a2>

Commissioner Clyburn's Statement <https://www.fcc.gov/article/fcc-15-71a3>

Commissioner Rosenworcel's Statement <https://www.fcc.gov/article/fcc-15-71a4>

Commissioner Pai's Statement <https://www.fcc.gov/article/fcc-15-71a5>

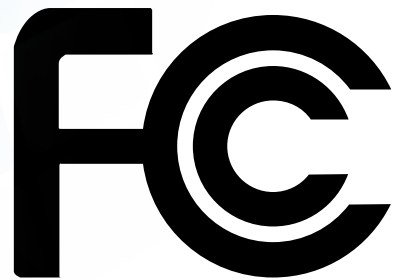
Commissioner O'Rielly's statement <https://www.fcc.gov/article/fcc-15-71a6>

Should you have any questions, the attached *Second Further Notice of Proposed Rulemaking, Order on Reconsideration, Second Report and Order, and Memorandum Opinion and Order* contains information about points of contact within the FCC. Please do not hesitate to contact me regarding this important development as well. You may also contact Irene Flannery, Deputy Chief in the Office of Native Affairs and Policy, at irene.flannery@fcc.gov or (202) 418-1307.

Respectfully and with best regards,

Geoffrey C. Blackwell
Chief
Office of Native Affairs & Policy
Consumer & Governmental Affairs Bureau
Federal Communications Commission
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Washington, DC 20554
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Exhibit B



Lifeline and Link Up on Tribal Lands

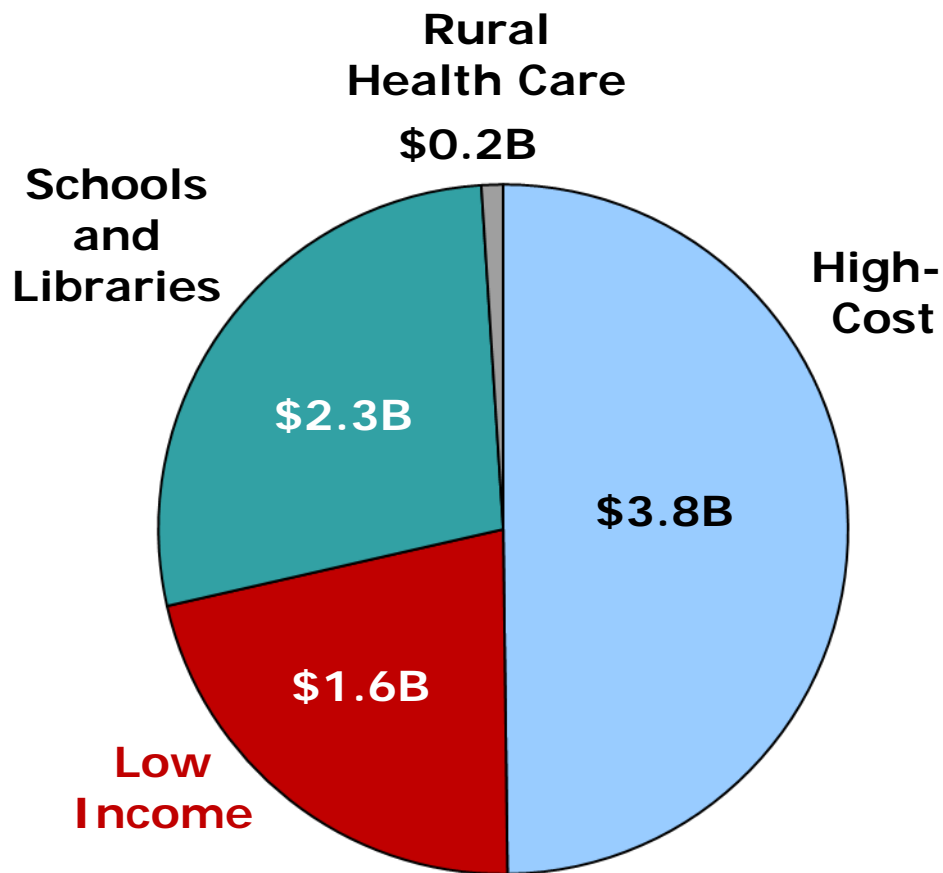
August 5, 2015: Tulsa, OK

August 7, 2015: Norman, OK

BACKGROUND

The Universal Service Fund: One Fund, Four Programs

Total Authorized Support, 2014
100% = \$7.8 Billion



- **Low Income (Lifeline/Link Up)** makes telephone service affordable for low-income consumers

- **High-Cost (Connect America Fund)** focuses on service to all consumers (both residential and business) in high cost, rural, and insular areas

- **Schools and Libraries (E-rate)** enables schools and libraries to connect to the Internet

- **Rural Health Care** provides reduced rates to eligible health care providers

Overview of Lifeline and Link Up Today:

Lifeline 101

- Lifeline is a universal service program designed to ensure that low-income consumers have access to affordable phone service
- The Lifeline discount applies to either wireline or wireless service
- Lifeline: Recurring discount off monthly cost of phone service
 - **Basic Lifeline nationwide:** \$9.25
 - **Tribal lands Lifeline:** up to \$34.25 (*which is up to an additional \$25 a month on Tribal lands*)
 - “We anticipate that the availability of enhanced federal support for all low-income individuals living on Tribal lands will maximize the number of subscribers in such a community who can afford service and, therefore, make it a more attractive community for carrier investment and deployment of telecommunications infrastructure.” -- 2000 Tribal Lifeline Order.

Overview of Lifeline and Link Up Today:

Lifeline 101

- Link Up: One-time, non-recurring discount off the cost of initiating phone service
 - Up to \$100
 - Only available on Tribal lands to subscribers of ETCs receiving High-Cost support
 - Along with enhanced Lifeline support for Tribal lands, designed to encourage deployment and adoption

Overview of Lifeline and Link Up Today:

Definition of Tribal Lands for Lifeline and Link Up

- **Definition found in 47 C.F.R. § 54.400(e)**
 - Any federally recognized Indian tribe's reservation, pueblo, or colony, including former reservations in Oklahoma;
 - Alaska Native regions established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688);
 - Indian allotments;
 - Hawaiian Home Lands – areas held in trust for Native Hawaiians by the state of Hawaii, pursuant to the Hawaiian Homes Commission Act, 1920 July 9, 1921, 42 Stat. 108, *et. seq.*, as amended; and
 - Any land designated as such by the Commission for purposes of this subpart pursuant to the designation process in § 54.412

Overview of Lifeline and Link Up Today:

Eligibility

- **Eligibility for Lifeline** (\$9.25 discount)
 - Consumer's household must not already have a Lifeline-supported service
 - Consumer must be eligible based on either program participation or household income
- **Eligibility for Tribal lands Lifeline** (discount of up to \$34.25)
 - Eligible for Lifeline
 - Live on Tribal lands
- **Eligibility for Link Up** (one-time discount up to \$100)
 - Eligible for Lifeline
 - Live on Tribal lands
 - Lifeline provider must be High-Cost support recipient

Overview of Lifeline and Link Up Today:

Eligibility Based on Program Participation

- Participation by a consumer, by one or more of the consumer's dependents, or by the consumer's household in any of the following **programs** qualifies an otherwise eligible consumer for Lifeline:
 - Medicaid
 - Supplemental Nutrition Assistance Program (SNAP, formerly Food Stamps)
 - Supplemental Security Income (SSI)
 - Federal Public Housing Assistance (Section 8)
 - Low-Income Home Energy Assistance Program (LIHEAP)
 - National School Lunch Program Free Lunch Program
 - Temporary Assistance for Needy Families

Overview of Lifeline and Link Up Today:

Eligibility Based on Program Participation (continued)

- Participation in any of the following programs, in addition to the programs on the previous slide, qualifies otherwise eligible consumers on **Tribal lands** for enhanced Lifeline support:
 - Bureau of Indian Affairs general assistance
 - Tribally administered Temporary Assistance for Needy Families (Tribal TANF)
 - Head Start (only those households meeting its income qualifying standard)
 - Food Distribution Program on Indian Reservations (FDPIR)

Overview of Lifeline and Link Up Today:

Eligibility Based on Income

- A consumer may qualify for Lifeline with a **household income** at or below 135% of the federal poverty guidelines

2015 Federal Poverty Guidelines – 135%

Source: Federal Register, Vol. 80, No. 14, January 22, 2015, pp. 3236-3237

Household Size	48 Contiguous States and D.C.	Alaska	Hawaii
1	\$15,890	\$19,872	\$18,293
2	\$21,506	\$26,892	\$24,746
3	\$27,122	\$33,912	\$31,199
4	\$32,738	\$40,932	\$37,652
5	\$38,354	\$47,952	\$44,105
6	\$43,970	\$54,972	\$50,558
7	\$49,586	\$61,992	\$57,011
8	\$55,202	\$69,012	\$63,464
For each additional person, add	\$4,060	\$7,020	\$6,453

Overview of Lifeline and Link Up Today:

Consumer Certification Requirements

- New consumers must certify to the Lifeline provider prior to receiving service that:
 - Only one Lifeline service is being received per household
 - Lifeline is a non-transferable benefit
 - The subscriber will notify the ETC if they are no longer eligible or change addresses
 - The subscriber lives on Tribal lands (if applicable)
 - The subscriber understands that providing false or fraudulent information is punishable by law
- When applying, new consumers must also provide their name, date of birth, last four digits of their Social Security number (or Tribal ID if SSN unavailable), address, and whether the address is temporary

Overview of Lifeline and Link Up Today: *One Per Household Requirement*

- Each eligible household may receive **one Lifeline discount**, on either a wireline or a wireless phone
- There is a tool available on USAC's website to help consumers determine what constitutes a household – www.lifelinesupport.org/ls/eligibility/default.aspx
- The National Lifeline Administrative Database (NLAD) provides a means for carriers to check on a real-time basis if a consumer is already receiving a Lifeline-supported service
 - NLAD is designed to help carriers identify and resolve duplicate claims for Lifeline support and prevent future duplicates

Commission Efforts to Root Out Waste, Fraud, and Abuse

- Given the changes in the marketplace and growth in participation by prepaid wireless providers who have not built their own networks, the Commission significantly reformed the program in 2012 to root out waste, fraud, abuse
- These reforms saved \$2.75 billion from 2012-2014; disbursements declined from \$2.2 billion in 2012 to \$1.6 billion in 2014
- The Commission recognizes that its work to maintain the integrity of the program is not complete and it continues to implement reforms to improve the efficiencies of the program

Why Is the FCC Reforming Lifeline Now?

- Today, broadband is essential to participate in society
 - Broadband has become essential to participation in modern society, offering access to jobs, education, health care, government services and opportunity
 - But while 95% of U.S. households with incomes of \$150,000 or more report connecting to the Internet, only about 48% of households making less than \$25,000 subscribe to home Internet access
- In light of the realities of the 21st Century communications marketplace, the FCC must overhaul the Lifeline program to:
 - Ensure that it advances the statutory directive for universal service; and
 - Ensure that adequate controls are in place as the FCC implements any further changes to the Lifeline program to guard against waste, fraud, and abuse

Why Is the FCC Reforming Lifeline Now?

- By rebuilding the existing Lifeline framework, the FCC hopes to more efficiently and effectively address the needs of low-income consumers
- The FCC ultimately seeks to equip low-income consumers with the necessary tools and support system to realize the benefits of broadband independent of Lifeline support

Lifeline Support in Oklahoma

- Lifeline providers in Oklahoma:
 - 23 wireless providers
 - 52 fixed service providers
- Total Lifeline support in Oklahoma, 2014: \$127.2 million
- Total Lifeline subscribers in Oklahoma, as of 7/13/2015: 265,619
- Total Lifeline subscriber receiving enhanced Tribal support, as of 7/28/15: approximately 180,000

Lifeline Support in Oklahoma

Lifeline Support in Oklahoma		
Year	Oklahoma Support	Percentage of Total Lifeline Support
2014	\$127.2 million	7.9%
2013	\$199.2 million	11.1%
2012	\$252.4 million	11.5%
2011	\$121.5 million	6.9%
2010	\$79.1 million	6.0%
2009	\$71.1 million	6.9%
2008	\$63.5 million	7.8%
2007	\$50.0 million	6.1%
2006	\$43.0 million	5.2%
2005	\$32.4 million	4.0%
2004	\$21.1 million	2.8%

Lifeline Support in Oklahoma

Oklahoma Lifeline Subscriber Eligibility (7/13/15)		
Eligibility Program	Subscribers in NLAD	Percentage
Medicaid	60,121	22.6%
Supplemental Nutrition Assistance Program (Food Stamps or SNAP)	152,970	57.6%
Supplemental Security Income (SSI)	10,442	3.9%
Federal Public House Assistance (Section 8)	2,492	0.9%
Low-Income Home Energy Assistance Program (LIHEAP)	1,515	0.6%
Temporary Assistance to Needy Families (TANF)	1,790	0.7%
National School Lunch Program's Free Lunch Program	2,985	1.1%
Bureau of Indian Affairs General Assistance	4,525	1.7%
Tribally-Administered Temporary Assistance for Needy Families (TTANF)	254	0.1%
Food Distribution Program on Indian Reservations (FDPIR)	2,494	0.9%
Head Start	44	0.0%
State Assistance Programs	5,179	1.9%
Eligibility Based on Income	20,499	7.7%
Program Eligibility Approved by State Administrator	309	0.1%
	265,619	100.0%

Lifeline Support Nationwide

Nationwide* Lifeline Subscriber Eligibility (8/21/15)		
Eligibility Program	Subscribers in NLAD	Percentage
Medicaid	3,630,101	36.9%
Supplemental Nutrition Assistance Program (Food Stamps or SNAP)	3,846,277	39.1%
Supplemental Security Income (SSI)	312,947	3.2%
Federal Public House Assistance (Section 8)	71,710	0.7%
Low-Income Home Energy Assistance Program (LIHEAP)	130,297	1.3%
Temporary Assistance to Needy Families (TANF)	111,540	1.1%
National School Lunch Program's Free Lunch Program	32,185	0.3%
Bureau of Indian Affairs General Assistance	7,432	0.1%
Tribally-Administered Temporary Assistance for Needy Families (TTANF)	765	0.0%
Food Distribution Program on Indian Reservations (FDPIR)	7,428	0.1%
Head Start	350	0.0%
State Assistance Programs	303,367	3.1%
Eligibility Based on Income	314,997	3.2%
Program Eligibility Approved by State Administrator	1,072,573	10.9%
	9,841,969	100.0%

* Based on NLAD data. Does not include California, Texas, Puerto Rico, Oregon, and Vermont.

OVERVIEW OF THE *LIFELINE REFORM ORDER AND FNPRM*

Lifeline Reform Order

- Retention of eligibility documentation
 - Requires ETCs to retain documentation demonstrating subscriber eligibility for Lifeline and documentation used in NLAD processes for 3 years
- Establishing a uniform snapshot date going forward
 - Requires ETCs to use a uniform snapshot date to request reimbursement from USAC for Lifeline support
 - After a transition period, ETCs must make the first of the month their snapshot date
- Resale of retail Lifeline supported services
 - Only ETCs providing Lifeline service directly to the consumer may seek reimbursement
 - Lifeline will no longer provide support to carriers for wholesale services to resellers

Lifeline Reform Order

- Defining the “former reservations in Oklahoma” for purposes of Lifeline and Link Up only
 - Reinterprets the FCC rule for areas eligible for enhanced Tribal Lifeline and Link Up support in Oklahoma.
 - Defines the “former reservations in Oklahoma” based on the Historical Map of Oklahoma 1870-1890
- Conserving audit resources
 - Waives the audit requirement for 2 first-year Lifeline providers, which have so few subscribers an audit is not warranted
- Denying Application for Review on confidentiality
 - Denied two carriers’ applications to treat the information on Form 555 (for example, de-enrollment figures) confidential

Lifeline Reform FNPRM—seeking comment on:

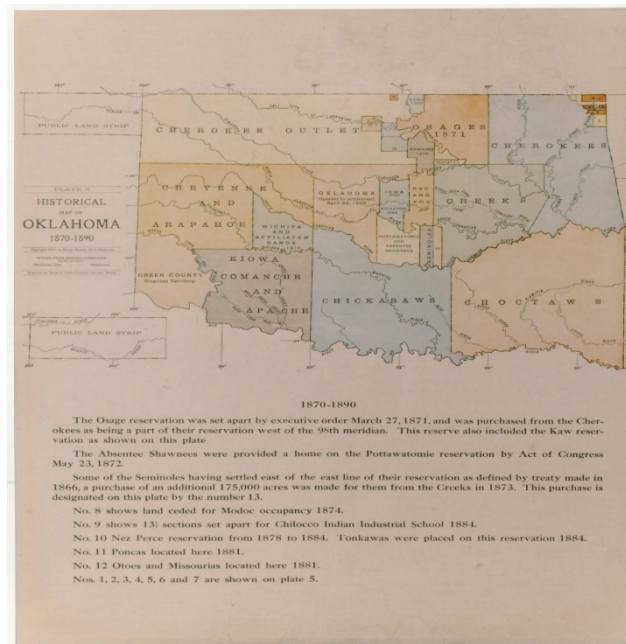
- Establishing minimum service standards
 - Standards for voice
 - Standards for broadband
 - Updating standards and compliance
 - Support level
- Third-Party Eligibility Documentation
 - Removing the responsibility of eligibility determinations from providers
 - National Lifeline Eligibility Verifier
 - Coordinated enrollment with other federal and state programs
 - Transferring Lifeline benefits directly to the consumer
 - Streamlining eligibility
 - Standards for eligibility documentation

Lifeline Reform FNPRM—seeking comment on:

- Increasing competition for Lifeline consumers
 - Streamlining the ETC designation process
 - Creating a new Lifeline approval process
- Modernizing and enhancing the program
 - Considering outgoing text messages as usage
 - Subscriber de-enrollment procedures
 - Wireless Emergency Alerts
- Efficient administration of the program
 - Tribal lands support
 - NLAD applications and processes

Tribal-Specific Provisions

- Order on former reservations in Oklahoma
 - Interprets the FCC rule for areas eligible for enhanced Tribal Lifeline and Link Up support in Oklahoma.
 - Defines the “former reservation in Oklahoma” based on the Historical Map of Oklahoma 1870-1890 (Oklahoma Historical Map)
 - The FCC directed the Office of Native Affairs and Policy to coordinate with the Wireline Competition Bureau to engage in government-to-government consultation with the Tribal Nations in Oklahoma to ensure the accuracy and operational effectiveness of the boundaries in the Oklahoma Historical Map



Tribal-Specific Provisions

- FNPRM
 - Streamlining eligibility for Lifeline support
 - *If the FCC streamlines eligibility through specific federal assistance programs and no longer permits consumers to qualify through Tribal-specific programs, what would be the impact to low-income consumers on Tribal lands?*
 - The impact of enhanced Tribal lands Lifeline and Link Up
 - *Seeking comment on minimum service levels for Tribal Lifeline support*
 - *How is the enhanced Lifeline support utilized by providers and how does it benefit consumers on Tribal lands?*
 - *How much do residents of Tribal lands typically pay per month for voice service without enhanced Lifeline support?*

Tribal-Specific Provisions

- FNPRM
 - Infrastructure deployment
 - *Where and what types of infrastructure deployments have occurred on Tribal lands in the last 14 years?*
 - *What drives the successful build-out of telecommunications infrastructure on Tribal lands?*
 - *What measurable benefits do the additional \$25 per month in Lifeline support and the \$100 in Link Up support provide towards infrastructure deployment and the decisions about where and how to build infrastructure on and to Tribal lands?*
 - *Seeking comment on whether enhanced Tribal Lifeline support should be focused on Tribal areas with lower population densities, on the theory that the provision of enhanced support in more densely populated areas is inconsistent with the FCC's objectives*
 - Changes in the self-certification requirement
 - *Seeking comment on whether to require additional documentation that a consumer lives on Tribal lands.*
- Government-to-Government Consultation

Goals of the Consultation Sessions

- Listening
- Dialogue
- Input on the record and comments
 - Comments may be filed online by accessing the ECFS:
<http://fjallfoss.fcc.gov/ecfs2/>.
 - Paper comments can be mailed through the U.S. Postal Service to the Commission's Secretary, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554.
 - More detailed instructions available in the FNPRM.

We value input from Tribal Nations and look forward to continuing to work together

Exhibit C



Lifeline and Link Up on Tribal Lands

**ATNI Energy, Technology, and
Economic Summit 2015**

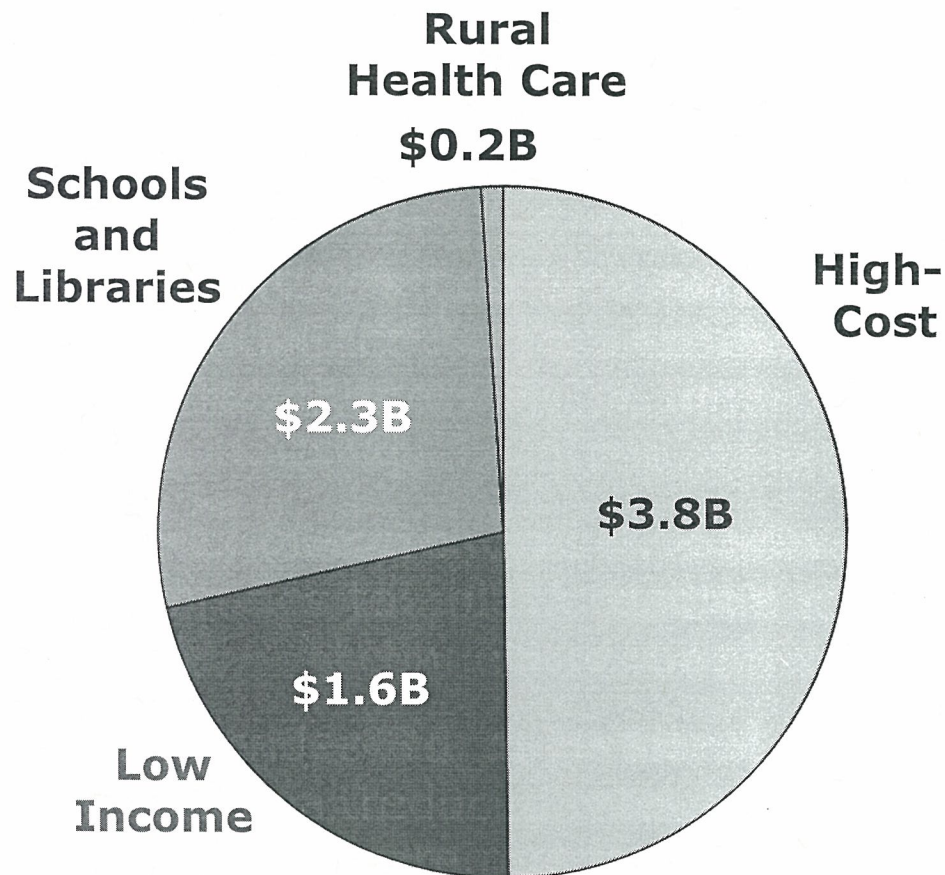
August 12-13, 2015

Portland, OR

BACKGROUND

The Universal Service Fund: One Fund, Four Programs

Total Authorized Support, 2014
100% = \$7.8 Billion



- **Low Income (Lifeline/Link Up)** makes telephone service affordable for low-income consumers

- **High-Cost (Connect America Fund)** focuses on service to all consumers (both residential and business) in high cost, rural, and insular areas

- **Schools and Libraries (E-rate)** enables schools and libraries to connect to the Internet

- **Rural Health Care** provides reduced rates to eligible health care providers

Overview of Lifeline and Link Up Today:

Lifeline 101

- Lifeline is a universal service program designed to ensure that low-income consumers have access to affordable phone service
- The Lifeline discount applies to either wireline or wireless service
- Lifeline: Recurring discount off monthly cost of phone service
 - **Basic Lifeline nationwide:** \$9.25
 - **Tribal lands Lifeline:** up to \$34.25 (*which is up to an additional \$25 a month on Tribal lands*)
 - “We anticipate that the availability of enhanced federal support for all low-income individuals living on Tribal lands will maximize the number of subscribers in such a community who can afford service and, therefore, make it a more attractive community for carrier investment and deployment of telecommunications infrastructure.” -- 2000 Tribal Lifeline Order.

Overview of Lifeline and Link Up Today:

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- Link Up: One-time, non-recurring discount off the cost of initiating phone service
 - Up to \$100
 - Only available on Tribal lands to subscribers of ETCs receiving High-Cost support
 - Along with enhanced Lifeline support for Tribal lands, designed to encourage deployment and adoption

Overview of Lifeline and Link Up Today:

Definition of Tribal Lands for Lifeline and Link Up

- **Definition found in 47 C.F.R. § 54.400(e)**
 - Any federally recognized Indian tribe's reservation, pueblo, or colony, including former reservations in Oklahoma;
 - Alaska Native regions established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688);
 - Indian allotments;
 - Hawaiian Home Lands – areas held in trust for Native Hawaiians by the state of Hawaii, pursuant to the Hawaiian Homes Commission Act, 1920 July 9, 1921, 42 Stat. 108, *et. seq.*, as amended; and
 - Any land designated as such by the Commission for purposes of this subpart pursuant to the designation process in § 54.412

Overview of Lifeline and Link Up Today:

Eligibility

- **Eligibility for Lifeline** (\$9.25 discount)
 - Consumer's household must not already have a Lifeline-supported service
 - Consumer must be eligible based on either program participation or household income
- **Eligibility for Tribal lands Lifeline** (discount of up to \$34.25)
 - Eligible for Lifeline
 - Live on Tribal lands
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 - Lifeline provider must be High-Cost support recipient

Overview of Lifeline and Link Up Today: *Eligibility Based on Program Participation*

- Participation by a consumer, by one or more of the consumer's dependents, or by the consumer's household in any of the following **programs** qualifies an otherwise eligible consumer for Lifeline:
 - Medicaid
 - Supplemental Nutrition Assistance Program (SNAP, formerly Food Stamps)
 - Supplemental Security Income (SSI)
 - Federal Public Housing Assistance (Section 8)
 - Low-Income Home Energy Assistance Program (LIHEAP)
 - National School Lunch Program Free Lunch Program
 - Temporary Assistance for Needy Families

Overview of Lifeline and Link Up Today:

Eligibility Based on Program Participation (continued)

- Participation in any of the following programs, in addition to the programs on the previous slide, qualifies otherwise eligible consumers on **Tribal lands** for enhanced Lifeline support:
 - Bureau of Indian Affairs general assistance
 - Tribally administered Temporary Assistance for Needy Families (Tribal TANF)
 - Head Start (only those households meeting its income qualifying standard)
 - Food Distribution Program on Indian Reservations (FDPIR)

Overview of Lifeline and Link Up Today:

Eligibility Based on Income

- A consumer may qualify for Lifeline with a **household income** at or below 135% of the federal poverty guidelines

2015 Federal Poverty Guidelines – 135%

Source: Federal Register, Vol. 80, No. 14, January 22, 2015, pp. 3236-3237

Household Size	48 Contiguous States and D.C.	Alaska	Hawaii
1	\$15,890	\$19,872	\$18,293
2	\$21,506	\$26,892	\$24,746
3	\$27,122	\$33,912	\$31,199
4	\$32,738	\$40,932	\$37,652
5	\$38,354	\$47,952	\$44,105
6	\$43,970	\$54,972	\$50,558
7	\$49,586	\$61,992	\$57,011
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For each additional person, add	\$4,060	\$7,020	\$6,453

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 - The subscriber will notify the ETC if they are no longer eligible or change addresses
 - The subscriber lives on Tribal lands (if applicable)
 - The subscriber understands that providing false or fraudulent information is punishable by law
- When applying, new consumers must also provide their name, date of birth, last four digits of their Social Security number (or Tribal ID if SSN unavailable), address, and whether the address is temporary

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- Each eligible household may receive **one Lifeline discount**, on either a wireline or a wireless phone
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 - NLAD is designed to help carriers identify and resolve duplicate claims for Lifeline support and prevent future duplicates

Commission Efforts to Root Out Waste, Fraud, and Abuse

- Given the changes in the marketplace and growth in participation by prepaid wireless providers who have not built their own networks, the Commission significantly reformed the program in 2012 to root out waste, fraud, abuse
- These reforms saved \$2.75 billion from 2012-2014; disbursements declined from \$2.2 billion in 2012 to \$1.6 billion in 2014
- The Commission recognizes that its work to maintain the integrity of the program is not complete and it continues to implement reforms to improve the efficiencies of the program

Why Is the FCC Reforming Lifeline Now?

- Today, broadband is essential to participate in society
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 - But while 95% of U.S. households with incomes of \$150,000 or more report connecting to the Internet, only about 48% of households making less than \$25,000 subscribe to home Internet access
- In light of the realities of the 21st Century communications marketplace, the FCC must overhaul the Lifeline program to:
 - Ensure that it advances the statutory directive for universal service; and
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- By rebuilding the existing Lifeline framework, the FCC hopes to more efficiently and effectively address the needs of low-income consumers
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OVERVIEW OF THE *LIFELINE REFORM ORDER AND FNPRM*

Lifeline Reform Order

- Retention of eligibility documentation
 - Requires ETCs to retain documentation demonstrating subscriber eligibility for Lifeline and documentation used in NLAD processes for 3 years
- Establishing a uniform snapshot date going forward
 - Requires ETCs to use a uniform snapshot date to request reimbursement from USAC for Lifeline support
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Lifeline Reform Order

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 - Reinterprets the FCC rule for areas eligible for enhanced Tribal Lifeline and Link Up support in Oklahoma.
 - Defines the “former reservations in Oklahoma” based on the Historical Map of Oklahoma 1870-1890
- Conserving audit resources
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Lifeline Reform FNPRM—seeking comment on:

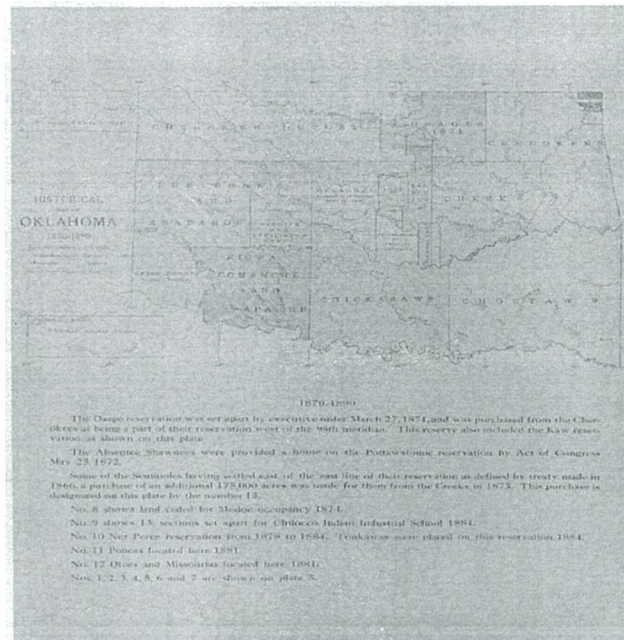
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Lifeline Reform FNPRM—seeking comment on:

- Increasing competition for Lifeline consumers
 - Streamlining the ETC designation process
 - Creating a new Lifeline approval process
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- Efficient administration of the program
 - Tribal lands support
 - NLAD applications and processes

Tribal-Specific Provisions

- Order on former reservations in Oklahoma
 - Interprets the FCC rule for areas eligible for enhanced Tribal Lifeline and Link Up support in Oklahoma.
 - Defines the “former reservation in Oklahoma” based on the Historical Map of Oklahoma 1870-1890 (Oklahoma Historical Map)
 - The FCC directed the Office of Native Affairs and Policy to coordinate with the Wireline Competition Bureau to engage in government-to-government consultation with the Tribal Nations in Oklahoma to ensure the accuracy and operational effectiveness of the boundaries in the Oklahoma Historical Map



Tribal-Specific Provisions

- FNPRM

- Streamlining eligibility for Lifeline support
 - *If the FCC streamlines eligibility through specific federal assistance programs and no longer permits consumers to qualify through Tribal-specific programs, what would be the impact to low-income consumers on Tribal lands?*
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- *Where and what types of infrastructure deployments have occurred on Tribal lands in the last 14 years?*
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- *Seeking comment on whether to require additional documentation that a consumer lives on Tribal lands.*

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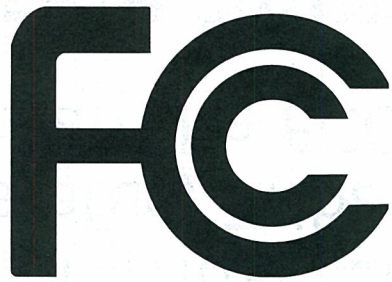
Submitting Comments

- Input on the record and comments
 - Comments may be filed online by accessing the ECFS:
<http://fjallfoss.fcc.gov/ecfs2/>
 - Paper comments can be mailed through the U.S. Postal Service to the Commission's Secretary, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554
 - More detailed instructions available in the FNPRM

Exhibit D



Office of Native Affairs and Policy Update



**ATNI Energy &
Telecommunications Committee**

Suquamish, WA

February 1-4, 2016

Universal Service Update - Lifeline

- **Oklahoma map**

- Completed Tribal consultation earlier this month with 2 sessions in Oklahoma
- Request for reconsideration of exclusion of the Cherokee Outlet
- Map to take effect Feb. 9th – likely to be delayed

- **Tribal-specific issues on which the FCC is seeking comment**

- Expanding Lifeline to broadband
- Population density issue
- Restricting Lifeline to facilities-based providers
- Streamlining eligibility

Tribal Priority in Radio Update

- In 2010, the FCC established a Tribal Priority, giving precedence to federally recognized Tribes and Alaska Native Villages seeking to initiate needed radio services to Tribal lands
- To date, four Tribal entities (representing two Tribal Nations) have utilized this priority
- In 2016, the FCC plans to host a National Tribal Radio Summit to promote the use of the Tribal Priority so that Tribes and Tribal entities can expand broadcast radio service on Tribal lands

Broadcast Incentive Auction Update

- **Overview**

- In 2010, Congress authorized the FCC to conduct an incentive auction to repurpose of portion of over-the-air broadcast spectrum for wireless uses
- Consists of a ***reverse auction***, in which broadcasters relinquish spectrum usage rights for compensation AND a ***forward auction***, in which mobile broadband providers bid for spectrum licenses
- ***Tribal lands bidding credit*** available to winning bidders who commit to serve qualifying Tribal lands

- **Timing**

- Reverse auction application filing window is closed (Dec. 8, 2015 – Jan. 12, 2016)
- Forward auction application window is open now: Jan. 26 – Feb. 9, 2016

Oklahoma Historical Map – As Adopted

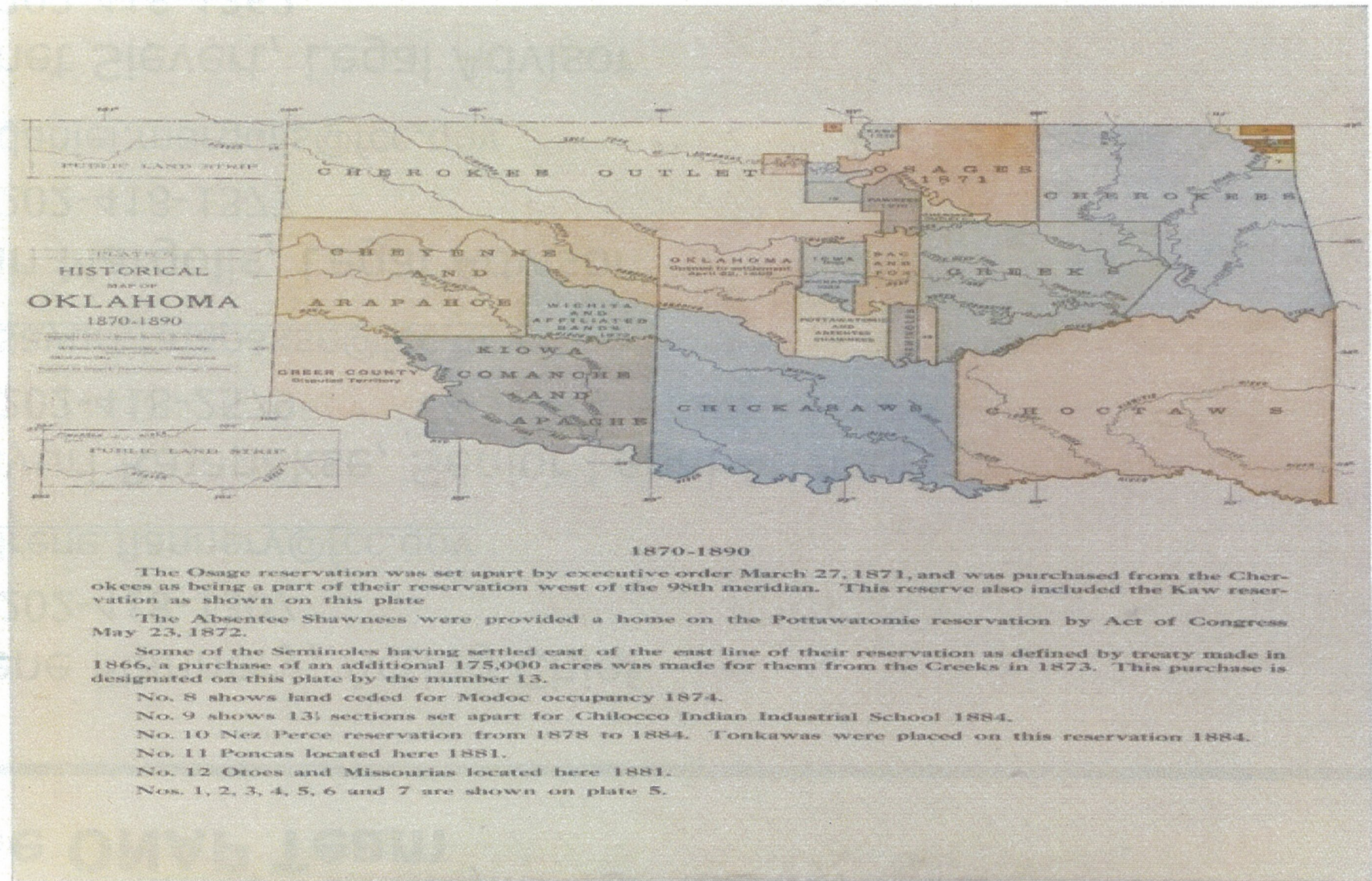


Exhibit E



Lifeline and Link Up on Tribal Lands

**FCC Tribal Broadband, Telecom,
and Broadcast Training and
Consultation Workshop**

ASU's SkySong Innovation Center

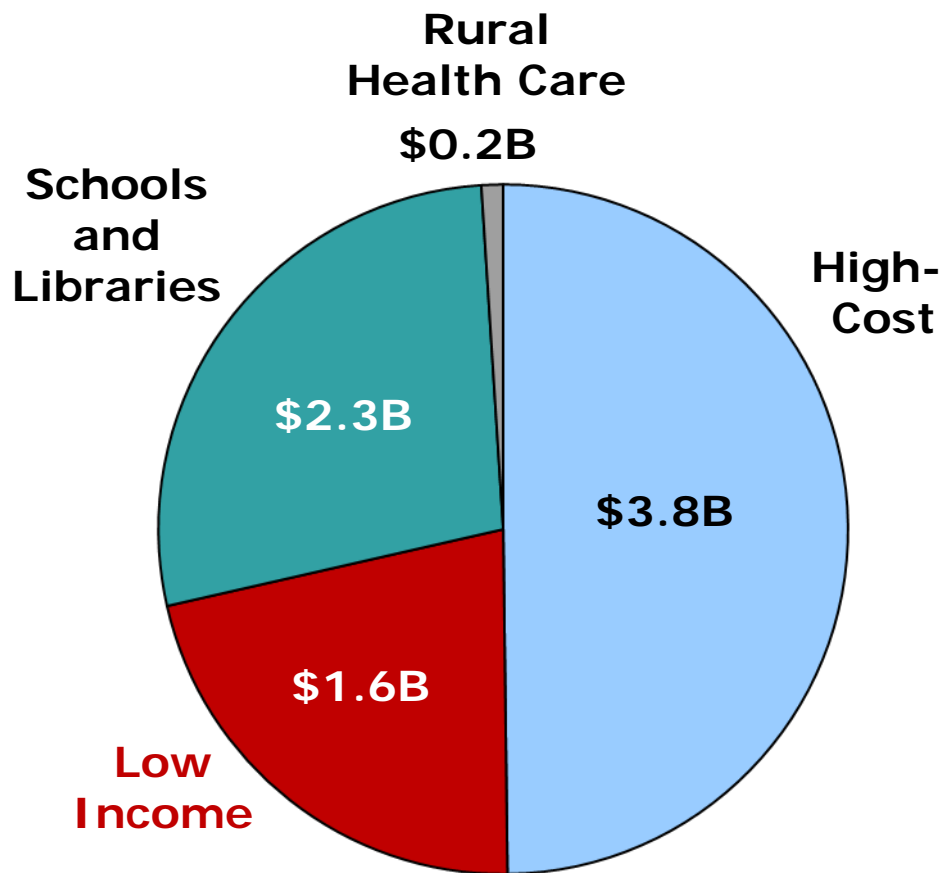
Scottsdale, AZ

September 1-3, 2015

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Lifeline Support in Oklahoma

- Lifeline providers in Oklahoma:
 - 23 wireless providers
 - 52 fixed service providers
- Total Lifeline support in Oklahoma, 2014: \$127.2 million
- Total Lifeline subscribers in Oklahoma, as of 7/13/2015: 265,619
- Total Lifeline subscriber receiving enhanced Tribal support, as of 7/28/15: approximately 180,000

Lifeline Support in Oklahoma

Lifeline Support in Oklahoma		
Year	Oklahoma Support	Percentage of Total Lifeline Support
2014	\$127.2 million	7.9%
2013	\$199.2 million	11.1%
2012	\$252.4 million	11.5%
2011	\$121.5 million	6.9%
2010	\$79.1 million	6.0%
2009	\$71.1 million	6.9%
2008	\$63.5 million	7.8%
2007	\$50.0 million	6.1%
2006	\$43.0 million	5.2%
2005	\$32.4 million	4.0%
2004	\$21.1 million	2.8%

Lifeline Support in Oklahoma

Oklahoma Lifeline Subscriber Eligibility (7/13/15)		
Eligibility Program	Subscribers in NLAD	Percentage
Medicaid	60,121	22.6%
Supplemental Nutrition Assistance Program (Food Stamps or SNAP)	152,970	57.6%
Supplemental Security Income (SSI)	10,442	3.9%
Federal Public House Assistance (Section 8)	2,492	0.9%
Low-Income Home Energy Assistance Program (LIHEAP)	1,515	0.6%
Temporary Assistance to Needy Families (TANF)	1,790	0.7%
National School Lunch Program's Free Lunch Program	2,985	1.1%
Bureau of Indian Affairs General Assistance	4,525	1.7%
Tribally-Administered Temporary Assistance for Needy Families (TTANF)	254	0.1%
Food Distribution Program on Indian Reservations (FDPIR)	2,494	0.9%
Head Start	44	0.0%
State Assistance Programs	5,179	1.9%
Eligibility Based on Income	20,499	7.7%
Program Eligibility Approved by State Administrator	309	0.1%
	265,619	100.0%

Lifeline Support Nationwide

Nationwide* Lifeline Subscriber Eligibility (8/21/15)		
Eligibility Program	Subscribers in NLAD	Percentage
Medicaid	3,630,101	36.9%
Supplemental Nutrition Assistance Program (Food Stamps or SNAP)	3,846,277	39.1%
Supplemental Security Income (SSI)	312,947	3.2%
Federal Public House Assistance (Section 8)	71,710	0.7%
Low-Income Home Energy Assistance Program (LIHEAP)	130,297	1.3%
Temporary Assistance to Needy Families (TANF)	111,540	1.1%
National School Lunch Program's Free Lunch Program	32,185	0.3%
Bureau of Indian Affairs General Assistance	7,432	0.1%
Tribally-Administered Temporary Assistance for Needy Families (TTANF)	765	0.0%
Food Distribution Program on Indian Reservations (FDPIR)	7,428	0.1%
Head Start	350	0.0%
State Assistance Programs	303,367	3.1%
Eligibility Based on Income	314,997	3.2%
Program Eligibility Approved by State Administrator	1,072,573	10.9%
	9,841,969	100.0%

* Based on NLAD data. Does not include California, Texas, Puerto Rico, Oregon, and Vermont.

OVERVIEW OF THE *LIFELINE REFORM ORDER AND FNPRM*

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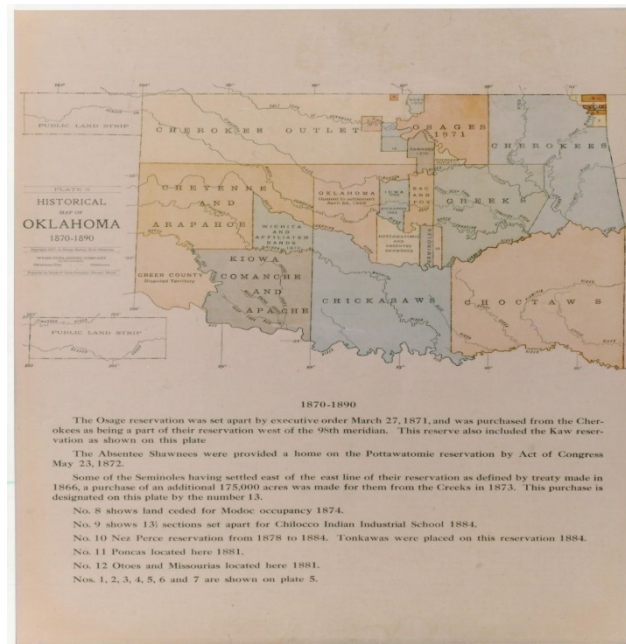
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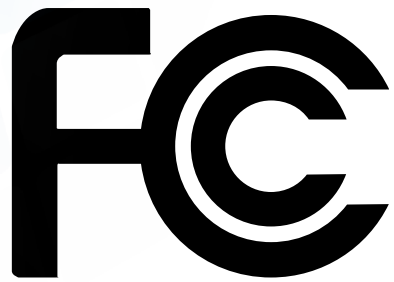
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 - Comments may be filed online by accessing the ECFS:
<http://fjallfoss.fcc.gov/ecfs2/>.
 - Paper comments can be mailed through the U.S. Postal Service to the Commission's Secretary, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554.
 - More detailed instructions available in the FNPRM.

We value input from Tribal Nations and look forward to continuing to work together

Exhibit F



Lifeline and Link Up on Tribal Lands

**FCC Tribal Broadband, Telecom,
and Broadcast Training and
Consultation Workshop**

Ramkota Best Western

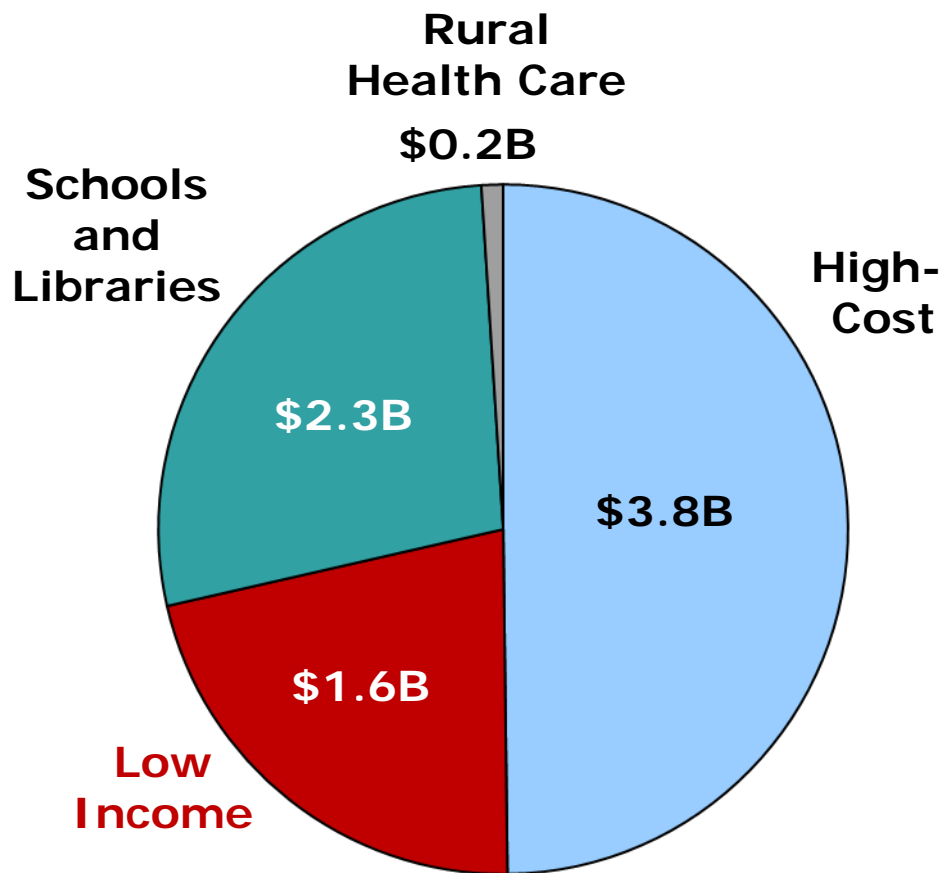
Rapid City, SD

September 21-23, 2015

BACKGROUND

The Universal Service Fund: One Fund, Four Programs

Total Authorized Support, 2014
100% = \$7.8 Billion



- **Low Income (Lifeline/Link Up)** makes telephone service affordable for low-income consumers

- **High-Cost (Connect America Fund)** focuses on service to all consumers (both residential and business) in high cost, rural, and insular areas

- **Schools and Libraries (E-rate)** enables schools and libraries to connect to the Internet

- **Rural Health Care** provides reduced rates to eligible health care providers

Overview of Lifeline and Link Up Today:

Lifeline 101

- Lifeline is a universal service program designed to ensure that low-income consumers have access to affordable phone service
- The Lifeline discount applies to either wireline or wireless service
- Lifeline: Recurring discount off monthly cost of phone service
 - **Basic Lifeline nationwide:** \$9.25
 - **Tribal lands Lifeline:** up to \$34.25 (*which is up to an additional \$25 a month on Tribal lands*)
 - “We anticipate that the availability of enhanced federal support for all low-income individuals living on Tribal lands will maximize the number of subscribers in such a community who can afford service and, therefore, make it a more attractive community for carrier investment and deployment of telecommunications infrastructure.” -- 2000 Tribal Lifeline Order.

Overview of Lifeline and Link Up Today:

Lifeline 101

- Link Up: One-time, non-recurring discount off the cost of initiating phone service
 - Up to \$100
 - Only available on Tribal lands to subscribers of ETCs receiving High-Cost support
 - Along with enhanced Lifeline support for Tribal lands, designed to encourage deployment and adoption

Overview of Lifeline and Link Up Today:

Definition of Tribal Lands for Lifeline and Link Up

- **Definition found in 47 C.F.R. § 54.400(e)**
 - Any federally recognized Indian tribe's reservation, pueblo, or colony, including former reservations in Oklahoma;
 - Alaska Native regions established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688);
 - Indian allotments;
 - Hawaiian Home Lands – areas held in trust for Native Hawaiians by the state of Hawaii, pursuant to the Hawaiian Homes Commission Act, 1920 July 9, 1921, 42 Stat. 108, *et. seq.*, as amended; and
 - Any land designated as such by the Commission for purposes of this subpart pursuant to the designation process in § 54.412

Overview of Lifeline and Link Up Today:

Eligibility

- **Eligibility for Lifeline** (\$9.25 discount)
 - Consumer's household must not already have a Lifeline-supported service
 - Consumer must be eligible based on either program participation or household income
- **Eligibility for Tribal lands Lifeline** (discount of up to \$34.25)
 - Eligible for Lifeline
 - Live on Tribal lands
- **Eligibility for Link Up** (one-time discount up to \$100)
 - Eligible for Lifeline
 - Live on Tribal lands
 - Lifeline provider must be High-Cost support recipient

Overview of Lifeline and Link Up Today:

Eligibility Based on Program Participation

- Participation by a consumer, by one or more of the consumer's dependents, or by the consumer's household in any of the following **programs** qualifies an otherwise eligible consumer for Lifeline:
 - Medicaid
 - Supplemental Nutrition Assistance Program (SNAP, formerly Food Stamps)
 - Supplemental Security Income (SSI)
 - Federal Public Housing Assistance (Section 8)
 - Low-Income Home Energy Assistance Program (LIHEAP)
 - National School Lunch Program Free Lunch Program
 - Temporary Assistance for Needy Families

Overview of Lifeline and Link Up Today:

Eligibility Based on Program Participation (continued)

- Participation in any of the following programs, in addition to the programs on the previous slide, qualifies otherwise eligible consumers on **Tribal lands** for enhanced Lifeline support:
 - Bureau of Indian Affairs general assistance
 - Tribally administered Temporary Assistance for Needy Families (Tribal TANF)
 - Head Start (only those households meeting its income qualifying standard)
 - Food Distribution Program on Indian Reservations (FDPIR)

Overview of Lifeline and Link Up Today:

Eligibility Based on Income

- A consumer may qualify for Lifeline with a **household income** at or below 135% of the federal poverty guidelines

2015 Federal Poverty Guidelines – 135%

Source: Federal Register, Vol. 80, No. 14, January 22, 2015, pp. 3236-3237

Household Size	48 Contiguous States and D.C.	Alaska	Hawaii
1	\$15,890	\$19,872	\$18,293
2	\$21,506	\$26,892	\$24,746
3	\$27,122	\$33,912	\$31,199
4	\$32,738	\$40,932	\$37,652
5	\$38,354	\$47,952	\$44,105
6	\$43,970	\$54,972	\$50,558
7	\$49,586	\$61,992	\$57,011
8	\$55,202	\$69,012	\$63,464
For each additional person, add	\$4,060	\$7,020	\$6,453

Overview of Lifeline and Link Up Today:

Consumer Certification Requirements

- New consumers must certify to the Lifeline provider prior to receiving service that:
 - Only one Lifeline service is being received per household
 - Lifeline is a non-transferable benefit
 - The subscriber will notify the ETC if they are no longer eligible or change addresses
 - The subscriber lives on Tribal lands (if applicable)
 - The subscriber understands that providing false or fraudulent information is punishable by law
- When applying, new consumers must also provide their name, date of birth, last four digits of their Social Security number (or Tribal ID if SSN unavailable), address, and whether the address is temporary

Overview of Lifeline and Link Up Today: *One Per Household Requirement*

- Each eligible household may receive **one Lifeline discount**, on either a wireline or a wireless phone
- There is a tool available on USAC's website to help consumers determine what constitutes a household – www.lifelinesupport.org/ls/eligibility/default.aspx
- The National Lifeline Administrative Database (NLAD) provides a means for carriers to check on a real-time basis if a consumer is already receiving a Lifeline-supported service
 - NLAD is designed to help carriers identify and resolve duplicate claims for Lifeline support and prevent future duplicates

Commission Efforts to Root Out Waste, Fraud, and Abuse

- Given the changes in the marketplace and growth in participation by prepaid wireless providers who have not built their own networks, the Commission significantly reformed the program in 2012 to root out waste, fraud, abuse
- These reforms saved \$2.75 billion from 2012-2014; disbursements declined from \$2.2 billion in 2012 to \$1.6 billion in 2014
- The Commission recognizes that its work to maintain the integrity of the program is not complete and it continues to implement reforms to improve the efficiencies of the program

Why Is the FCC Reforming Lifeline Now?

- Today, broadband is essential to participate in society
 - Broadband has become essential to participation in modern society, offering access to jobs, education, health care, government services and opportunity
 - But while 95% of U.S. households with incomes of \$150,000 or more report connecting to the Internet, only about 48% of households making less than \$25,000 subscribe to home Internet access
- In light of the realities of the 21st Century communications marketplace, the FCC must overhaul the Lifeline program to:
 - Ensure that it advances the statutory directive for universal service; and
 - Ensure that adequate controls are in place as the FCC implements any further changes to the Lifeline program to guard against waste, fraud, and abuse

Why Is the FCC Reforming Lifeline Now?

- By rebuilding the existing Lifeline framework, the FCC hopes to more efficiently and effectively address the needs of low-income consumers
- The FCC ultimately seeks to equip low-income consumers with the necessary tools and support system to realize the benefits of broadband independent of Lifeline support

Lifeline Support in Oklahoma

- Lifeline providers in Oklahoma:
 - 23 wireless providers
 - 52 fixed service providers
- Total Lifeline support in Oklahoma, 2014: \$127.2 million
- Total Lifeline subscribers in Oklahoma, as of 7/13/2015: 265,619
- Total Lifeline subscriber receiving enhanced Tribal support, as of 7/28/15: approximately 180,000

Lifeline Support in Oklahoma

Lifeline Support in Oklahoma		
Year	Oklahoma Support	Percentage of Total Lifeline Support
2014	\$127.2 million	7.9%
2013	\$199.2 million	11.1%
2012	\$252.4 million	11.5%
2011	\$121.5 million	6.9%
2010	\$79.1 million	6.0%
2009	\$71.1 million	6.9%
2008	\$63.5 million	7.8%
2007	\$50.0 million	6.1%
2006	\$43.0 million	5.2%
2005	\$32.4 million	4.0%
2004	\$21.1 million	2.8%

Lifeline Support in Oklahoma

Oklahoma Lifeline Subscriber Eligibility (7/13/15)		
Eligibility Program	Subscribers in NLAD	Percentage
Medicaid	60,121	22.6%
Supplemental Nutrition Assistance Program (Food Stamps or SNAP)	152,970	57.6%
Supplemental Security Income (SSI)	10,442	3.9%
Federal Public House Assistance (Section 8)	2,492	0.9%
Low-Income Home Energy Assistance Program (LIHEAP)	1,515	0.6%
Temporary Assistance to Needy Families (TANF)	1,790	0.7%
National School Lunch Program's Free Lunch Program	2,985	1.1%
Bureau of Indian Affairs General Assistance	4,525	1.7%
Tribally-Administered Temporary Assistance for Needy Families (TTANF)	254	0.1%
Food Distribution Program on Indian Reservations (FDPIR)	2,494	0.9%
Head Start	44	0.0%
State Assistance Programs	5,179	1.9%
Eligibility Based on Income	20,499	7.7%
Program Eligibility Approved by State Administrator	309	0.1%
	265,619	100.0%

Lifeline Support Nationwide

Nationwide* Lifeline Subscriber Eligibility (8/21/15)		
Eligibility Program	Subscribers in NLAD	Percentage
Medicaid	3,630,101	36.9%
Supplemental Nutrition Assistance Program (Food Stamps or SNAP)	3,846,277	39.1%
Supplemental Security Income (SSI)	312,947	3.2%
Federal Public House Assistance (Section 8)	71,710	0.7%
Low-Income Home Energy Assistance Program (LIHEAP)	130,297	1.3%
Temporary Assistance to Needy Families (TANF)	111,540	1.1%
National School Lunch Program's Free Lunch Program	32,185	0.3%
Bureau of Indian Affairs General Assistance	7,432	0.1%
Tribally-Administered Temporary Assistance for Needy Families (TTANF)	765	0.0%
Food Distribution Program on Indian Reservations (FDPIR)	7,428	0.1%
Head Start	350	0.0%
State Assistance Programs	303,367	3.1%
Eligibility Based on Income	314,997	3.2%
Program Eligibility Approved by State Administrator	1,072,573	10.9%
	9,841,969	100.0%

* Based on NLAD data. Does not include California, Texas, Puerto Rico, Oregon, and Vermont.

OVERVIEW OF THE *LIFELINE REFORM ORDER AND FNPRM*

Lifeline Reform Order

- Retention of eligibility documentation
 - Requires ETCs to retain documentation demonstrating subscriber eligibility for Lifeline and documentation used in NLAD processes for 3 years
- Establishing a uniform snapshot date going forward
 - Requires ETCs to use a uniform snapshot date to request reimbursement from USAC for Lifeline support
 - After a transition period, ETCs must make the first of the month their snapshot date
- Resale of retail Lifeline supported services
 - Only ETCs providing Lifeline service directly to the consumer may seek reimbursement
 - Lifeline will no longer provide support to carriers for wholesale services to resellers

Lifeline Reform Order

- Defining the “former reservations in Oklahoma” for purposes of Lifeline and Link Up only
 - Reinterprets the FCC rule for areas eligible for enhanced Tribal Lifeline and Link Up support in Oklahoma.
 - Defines the “former reservations in Oklahoma” based on the Historical Map of Oklahoma 1870-1890
- Conserving audit resources
 - Waives the audit requirement for 2 first-year Lifeline providers, which have so few subscribers an audit is not warranted
- Denying Application for Review on confidentiality
 - Denied two carriers’ applications to treat the information on Form 555 (for example, de-enrollment figures) confidential

Lifeline Reform FNPRM—seeking comment on:

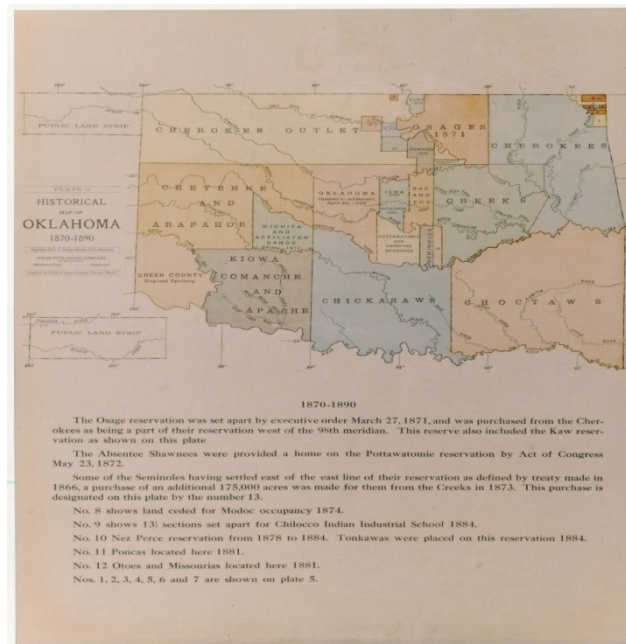
- Establishing minimum service standards
 - Standards for voice
 - Standards for broadband
 - Updating standards and compliance
 - Support level
- Third-Party Eligibility Documentation
 - Removing the responsibility of eligibility determinations from providers
 - National Lifeline Eligibility Verifier
 - Coordinated enrollment with other federal and state programs
 - Transferring Lifeline benefits directly to the consumer
 - Streamlining eligibility
 - Standards for eligibility documentation

Lifeline Reform FNPRM—seeking comment on:

- Increasing competition for Lifeline consumers
 - Streamlining the ETC designation process
 - Creating a new Lifeline approval process
- Modernizing and enhancing the program
 - Considering outgoing text messages as usage
 - Subscriber de-enrollment procedures
 - Wireless Emergency Alerts
- Efficient administration of the program
 - Tribal lands support
 - NLAD applications and processes

Tribal-Specific Provisions

- Order on former reservations in Oklahoma
 - Interprets the FCC rule for areas eligible for enhanced Tribal Lifeline and Link Up support in Oklahoma.
 - Defines the “former reservation in Oklahoma” based on the Historical Map of Oklahoma 1870-1890 (Oklahoma Historical Map)
 - The FCC directed the Office of Native Affairs and Policy to coordinate with the Wireline Competition Bureau to engage in government-to-government consultation with the Tribal Nations in Oklahoma to ensure the accuracy and operational effectiveness of the boundaries in the Oklahoma Historical Map



Tribal-Specific Provisions

- FNPRM
 - Streamlining eligibility for Lifeline support
 - *If the FCC streamlines eligibility through specific federal assistance programs and no longer permits consumers to qualify through Tribal-specific programs, what would be the impact to low-income consumers on Tribal lands?*
 - The impact of enhanced Tribal lands Lifeline and Link Up
 - *Seeking comment on minimum service levels for Tribal Lifeline support*
 - *How is the enhanced Lifeline support utilized by providers and how does it benefit consumers on Tribal lands?*
 - *How much do residents of Tribal lands typically pay per month for voice service without enhanced Lifeline support?*

Tribal-Specific Provisions

- FNPRM
 - Infrastructure deployment
 - *Where and what types of infrastructure deployments have occurred on Tribal lands in the last 14 years?*
 - *What drives the successful build-out of telecommunications infrastructure on Tribal lands?*
 - *What measurable benefits do the additional \$25 per month in Lifeline support and the \$100 in Link Up support provide towards infrastructure deployment and the decisions about where and how to build infrastructure on and to Tribal lands?*
 - *Seeking comment on whether enhanced Tribal Lifeline support should be focused on Tribal areas with lower population densities, on the theory that the provision of enhanced support in more densely populated areas is inconsistent with the FCC's objectives*
 - Changes in the self-certification requirement
 - *Seeking comment on whether to require additional documentation that a consumer lives on Tribal lands.*
- Government-to-Government Consultation

Goals of the Consultation Sessions

- Listening
- Dialogue
- Input on the record and comments
 - Comments may be filed online by accessing the ECFS:
<http://fjallfoss.fcc.gov/ecfs2/>.
 - Paper comments can be mailed through the U.S. Postal Service to the Commission's Secretary, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554.
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