

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

In the Matter of

Petition of Fond du Lac Communications, Inc.  
for Designation as an Eligible  
Telecommunications Carrier pursuant to  
Section 214(e)(6) of the Communications Act  
of 1934, as Amended

Connect America Fund

WC Docket No. 09-197

WC Docket No. 10-90

**PETITION OF FOND DU LAC COMMUNICATIONS, INC., FOR DESIGNATION AS  
AN ELIGIBLE TELECOMMUNICATIONS CARRIER**

**I.  
INTRODUCTION**

The Fond du Lac Band of Lake Superior Chippewa (“Band”) realized several years ago that high speed access to the internet is an essential utility service for its members. Rather than wait for its largest telecommunications service provider, CenturyLink, to meet this need,<sup>1</sup> the Band took matters into its own hands. The Band carefully developed a plan to deploy a high speed fiber network capable of up to one gigabit of speed throughout the Fond du Lac Reservation.<sup>2</sup> The Band sought, and was awarded, two grants (MN 1401-A23 and B23) in late 2016, totaling \$6 million, and another grant in 2017 for \$800,000 from the United States Department of Agriculture Rural Utilities Service (“RUS”) pursuant to the Community-Oriented Connectivity Broadband Grant Program (7 C.F.R. § 1739) to furnish broadband service to the Reservation areas in Carlton and St. Louis Counties, Minnesota. The Band also received a State

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<sup>1</sup> As explained in Sec. II, *infra*, there is no evidence that CenturyLink has any plan to provide high speed internet access to the Fond du Lac Reservation any time soon.

<sup>2</sup> Exhibit A to the Declaration of Lyle K. MacVey (“MacVey Decl.”) is a copy of the Fond du Lac 2013-2018 Community Economic Development Strategy, which identifies development of a high speed internet system as a priority on the Fond du Lac Reservation for both commercial and residential use.

of Minnesota Border-to-Border grant for \$1.2 million.<sup>3</sup> In addition, the Band has allocated over \$2 million of the Band's funds for this major project. Through its resourcefulness, the Band has obtained approximately \$12 million in funding to construct a high speed fiber network on the Fond du Lac Reservation, which will be completed in 2019 – a stunning success story of bridging the digital divide on Tribal lands that historically have been deprived of access to broadband services.

To provide services over the Fond du Lac network, anticipated to start in November 2018, the Band established Fond du Lac Communications, Inc. ("FDLCI"), wholly owned by the Fond du Lac Band of Lake Superior Chippewa. In order to best serve its members and other customers on the Reservation, and in order to operate and maintain the constructed network, FDLCI seeks designation as an Eligible Telecommunications Carrier ("ETC"), pursuant to Section 214(e)(6) of the Communications Act of 1934, *as amended* (the "Act"). ETC designation is the prerequisite for eligibility for federal universal service support through the Universal Service Fund ("USF"), including Lifeline, Link-Up and access to high cost funds from the Connect America Fund II ("CAF II") to be distributed to FDLCI as a winning bidder in the recently completed Auction 903.<sup>4</sup> Accordingly, FDLCI requests ETC designation for purposes of Lifeline/Link-Up and CAF II.

FDLCI's network will be operational by November of 2018 to provide broadband and other telecommunications services. FDLCI seeks ETC designation so that it can offer Lifeline services, including broadband, to Band members and other residents of the Reservation as soon as FDLCI is able to provide such services. In addition, as a winning bidder in Auction 903,

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<sup>3</sup> Exhibit B, MacVey Decl., is a map of the Fond du Lac Reservation that shows the areas of the Reservation funded by the RUS and Minnesota grants.

<sup>4</sup> See Public Notice, Connect America Fund Phase II Auction (Auction 903) Closes; Winning Bidders Announced, DA 19-887, (WTB/WCB, Aug. 28, 2018) ("Winning Bidder Public Notice").

FDLCI must obtain a high-cost ETC designation for the areas covered by its winning bids within 180 days after being announced as a winning bidder.<sup>5</sup> Therefore, FDLCI respectfully requests that the Commission grant this Petition expeditiously.<sup>6</sup>

Granting this Petition will both serve members of the Band and the overarching public interest, acknowledged repeatedly by the Commission,<sup>7</sup> by bringing advanced telecommunication services to rural Tribal lands. FCC Chairman Pai has stated his support of this goal when he addressed the National Conference of American Indians in June 2017:

We'll never address the challenges of isolated communities if we don't first acknowledge them . . . . And without question, rural Americans, including many in Indian Country, disproportionately find themselves on the wrong side of the digital divide. They deserve our collective attention, and they certainly have my personal attention.<sup>8</sup>

## **II.** **BACKGROUND**

The Fond du Lac Band of Lake Superior Chippewa is a federally recognized Indian tribe that occupies the Fond du Lac Reservation and retains its aboriginal rights of self-government and self-determination pursuant to the Treaty of LaPointe of September 30, 1854, 10 Stat. 1109; the Indian Reorganization Act of 1934, 25 U.S.C. § 461 et seq.; the common law of the United

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<sup>5</sup> See Connect America Fund Phase II Auction, 83 Fed. Reg. 13590, 13600 (¶ 90) (March 29, 2018).

<sup>6</sup> Consistent with the guidance provided in the Commission's July 10, 2018, Public Notice, this Petition is being filed within 30 days of the Commission's announcement of winning bids in Auction 903. See Public Notice, WCB Reminds Connect America Fund Phase II Auction Applications of the Process for Obtaining a Federal Designation as an Eligible Telecommunications Carrier at note 2, DA 18-714 (WCB, Jul. 10, 2018) ("ETC Designation Public Notice"). See also Winning Bidder Public Notice at 12-13.

<sup>7</sup> See, e.g., Statement of Policy on Establishing A Government-to-Government Relationship with Indian Tribes, 16 FCC Rcd 4078, ¶ 1 (2000) (Native American tribes have a role in helping to ensure that "all Americans, in all regions of the United States, have the opportunity to access telecommunications and information services."). See also ETC Designation Public Notice at 5-6 (winning bidders in Auction 903 demonstrate their ability to meet their public interest obligations through their auction applications).

<sup>8</sup> See Remarks of FCC Chairman Ajit Pai at the National Congress of American Indians Mid-Year Conference, <https://docs.fcc.gov/public/attachments/DOC-345347A1.pdf> (June 14, 2017); see also <http://www.broadcastingcable.com/news/washington/fccs-pai-more-must-be-done-close-tribal-digital-divide/166547>.

States; and as recognized by the United Nations Declaration on the Rights of Indigenous Peoples of September 13, 2007.

FDLCI is an enterprise of the Band, which is the sole owner of FDLCI. Management of FDLCI resides with the Reservation Business Committee (*i.e.*, the Tribal Council).

The Fond du Lac Reservation is located in two rural counties (Carlton and St. Louis) in northeastern Minnesota, approximately 20 miles west of Duluth. The Reservation covers 101,153 acres, or 170 square miles. The Reservation has a population of 4,240, of which 1,655 are Native Americans according to the 2010 United States Census. The population resides in small, isolated communities. The Band's administrative headquarters are in Cloquet, Minnesota, which has a population of over 11,000. Of this population, approximately 1,200 Band members reside on Reservation land located in the sparsely populated western half of Cloquet. The poverty rate for Band members is 22.7% and the unemployment rate is 8.7%.<sup>9</sup>

The Band adopted a long range plan several years ago to bring the social and economic benefits of broadband access to its members. These benefits cannot be understated because broadband access provides the means to greater educational, employment, commercial and health care opportunities, and better public safety services and government programs. Thereafter, the Band successfully sought funds to achieve its goal from federal, state, and Tribal sources. Indeed, the Band was the only recipient of the RUS grants in the State of Minnesota in 2016 and 2017.

While the major price cap carriers – CenturyLink and Frontier Communications – currently provide some service to the Reservation, it is not certain when, or if, they will be

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<sup>9</sup> U.S. Census Bureau, 2011-15 American Community 5-Year Estimates.



providing broadband service on the Reservation.<sup>10</sup> Although both carriers receive model-based support from CAF II to deploy broadband infrastructure in Carlton and St. Louis Counties, it is unknown if such deployment will ever occur, and if it does, whether it will cover the entire Fond du Lac Reservation. In fact, in 2018, the primary provider on the Reservation, CenturyLink, removed a major amount of its facilities from the Reservation rather than comply with Bureau of Indian Affairs and the Band's right-of-way regulations.<sup>11</sup> There is no reason to assume that CenturyLink will build out a broadband network on the Reservation any time in the near future. And, in any event, CenturyLink has done a unsatisfactory job with respect to its Tribal engagement obligations.<sup>12</sup>

Given the lack of service from the major providers, the Band concluded that it needed to provide broadband to its members itself. Therefore, it undertook the construction of broadband facilities on the Reservation and has established a Tribally-owned telecommunications company – FDLCI – which understands the socioeconomic needs of the Band and its members, who are currently woefully underserved. For instance, approximately 80% of the Reservation does not have access to broadband at the minimal speed requirement of 10 Mbps downstream/1 Mbps

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<sup>10</sup> In late 2017, the Commission noted that “[l]ow-income consumers in rural or rural Tribal areas may have difficulty obtaining affordable, quality broadband service because service providers have less incentive to incur the costs to deploy advanced facilities or to provide a wide range of services at competitive prices in these areas.” *Bridging the Digital Divide for Low-Income Consumers*, Fourth Report and Order, 32 FCC Rcd 10475, 10517, ¶ 125 (2018).

<sup>11</sup> MacVey Decl., ¶ 8.

<sup>12</sup> Three CenturyLink subsidiaries operate in Minnesota. Qwest Corp. MN is the subsidiary that serves the Carlton, Cloquet, Duluth, and Moose Lake exchanges on the Fond du Lac Reservation. In the three FCC Form 481 filings made in 2017, all Minnesota CenturyLink subsidiaries certified that they engaged in “tribal engagement” as required by 47 C.F.R. § 54.313(a)(9). This “engagement,” however, was nothing more than a form letter sent by a CenturyLink attorney to the Chairs of tribes in the impacted service areas requesting the addressee to set up a meeting to discuss telecommunications topics. In fact, Qwest’s FCC Form 481 shows that this letter was sent to tribes that were not even within the Qwest service area. And the Band never received a request from Qwest, or any other CenturyLink subsidiary, for tribal engagement. The wrong CenturyLink subsidiary, CenturyTel of Minnesota, sent a form letter to the chair of the Minnesota Chippewa Tribe, rather than to the head of each band. The FCC Form 481 advised the FCC that because no tribe responded to its form letter, Qwest’s tribal engagement obligation was fulfilled, even though that form letter was never received by the correct tribes (*i.e.*, the Fond du Lac Band of Lake Superior Chippewa). The Band disagrees that Qwest’s paltry efforts satisfy its tribal engagement obligations.

upstream.<sup>13</sup> A 2016 study by the Blandin Foundation and Carlton County found that Carlton County ranked 66<sup>th</sup> out of 87 counties in Minnesota for broadband access.<sup>14</sup>

Where broadband might be available from commercial providers through fiber or DSL, the service is either cost-prohibitive<sup>15</sup> – 22.7% of Reservation households fall below the U.S. poverty level – or the offered speeds are not available on the Reservation.

Unlike other broadband providers, FDLCI will offer unlimited synchronous broadband service with minimum speeds of 30 Mbps up to 1 Gbps, at rates that are competitive with other providers. If FDLCI's customers are eligible for Tribal Lifeline, this will minimize customer cost and enable customers to obtain superior service.

### III.

#### **FDLCI IS NOT SUBJECT TO THE JURISDICTION OF THE MINNESOTA PUBLIC UTILITIES COMMISSION; THEREFORE THE COMMISSION SHOULD APPROVE THIS PETITION WITHIN SIX MONTHS**

In the *Twelfth Report and Order*, the FCC first set out the procedure for a Tribal carrier seeking ETC designation to serve Tribal lands, concluding that the Commission will assert jurisdiction to make the ETC designation when the petitioning carrier is subject to Tribal authority and a significant Tribal interest is involved.<sup>16</sup> These criteria are satisfied here.

FDLCI has not sought ETC designation from the Minnesota Public Utilities Commission ("MPUC") because it is not subject to its jurisdiction with respect to ETC status. To date, the MPUC has not asserted jurisdiction to designate a Tribal telecommunications carrier as an ETC.

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<sup>13</sup> MacVey Decl., ¶ 7.

<sup>14</sup> <https://blandinonbroadband.org/2017/01/27/carlton-county-broadband-feasibility-study-46-70-million/>.

<sup>15</sup> CenturyLink advertises a basic internet rate of \$45 per month for "speeds up to 20 Mbps," which increases to \$55 or \$65 for higher speeds, but CenturyLink's website indicated that these speeds "may not be available in your area" (i.e., the Fond du Lac Reservation). See [www.centurylinkquote.com/availability/mn?kbid=111788&gclid=Cj0KCQjw28\\_XBRDhARIsAEk21FjEVwSXF6C0Z9DdWUGfOorWwzHbQd4jBo6PwMdeRjITEJ7eBAZh5DkaAr9lEALw\\_wcB](http://www.centurylinkquote.com/availability/mn?kbid=111788&gclid=Cj0KCQjw28_XBRDhARIsAEk21FjEVwSXF6C0Z9DdWUGfOorWwzHbQd4jBo6PwMdeRjITEJ7eBAZh5DkaAr9lEALw_wcB).

<sup>16</sup> *Federal-State Joint Board on Universal Service; Promoting Deployment and Subscribership in Unserved and Underserved Areas, Including Tribal and Insular Areas*, Twelfth Report and Order, 15 FCC Rcd 12208, 12263-67, ¶¶ 115-127 (2000) ("Twelfth Report and Order").

As required by the procedures established in the *Twelfth Report and Order*, FDLCI will serve the MPUC a copy of this petition,<sup>17</sup> thereby allowing the MPUC to express its position, if any.

In the past few years, the FCC has exerted this jurisdiction in several cases where Tribal carriers sought ETC status.<sup>18</sup> Nothing in this case requires a different result.

Further, well-settled principles of Indian Law establish that the Fond du Lac Band of Lake Superior Chippewa, as a sovereign Tribal nation, is not subject to state commission jurisdiction. Courts, including the Supreme Court of the United States, have guarded Tribal authority over its jurisdiction, including over economic affairs.<sup>19</sup> The Federal Constitution preempted state power over Indians in Indian Country and vested some of that power in the Federal government.<sup>20</sup> In passing the Telecommunications Act of 1996, Congress did not delegate its power to the states to make ETC designations for Tribal carriers serving Tribal lands, or it would not have preserved FCC authority to make ETC designations when states cannot do so in 47 U.S.C. § 214(e)(6). Because there is no clear, unambiguous language giving states the authority to make Tribal ETC designations, or regulate Tribal telecommunications activity, the FCC is the only body that can do so.<sup>21</sup>

The FCC has found that Tribes possess the authority to regulate telecommunications services on Tribal land<sup>22</sup> and the Band has clearly exercised such authority with respect to

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<sup>17</sup> The *Twelfth Report and Order* noted that “The state commission will have an opportunity during the notice and comment period, to respond to the assertion that it lacks jurisdiction.” *Twelfth Report and Order* at ¶ 95.

<sup>18</sup> See *Designation of Hopi Telecommunications, Inc., as an Eligible Telecommunications Carrier for the Hopi Reservation*, Memorandum and Order, 22 FCC Rcd 1866 (WCB 2007). *Designation of Fort Mojave Telecommunications, Inc., Gila River Telecommunications, Inc., San Carlos Telecommunications, Inc., and Tohono O’odham Utility Authority as Eligible Telecommunications Carriers Pursuant to Section 214(e)(6) of the Communications Act*, Memorandum Opinion and Order, 13 FCC Rcd 4547 (1998). *Designation of Standing Rock Telecommunications, Inc.*, Memorandum Opinion and Order on Reconsideration 26 FCC Rcd 9160 (2011) (“*Standing Rock Reconsideration MO&O*”); *Designation of NTUA Wireless as an Eligible Telecommunications Carrier*, 26 FCC Rcd 9160 (WCB/WTB 2014).

<sup>19</sup> *Williams v. Lee*, 358 U.S. 217, 223 (1959).

<sup>20</sup> See, e.g., *Worcester v. Georgia*, 31 U.S. 515 (1832).

<sup>21</sup> *1-6 Cohen’s Handbook of Federal Indian Law* § 6.04 (2009).

<sup>22</sup> See *In the Matter of Western Wireless Corporation*, 16 FCC Rcd 18145 (2001).

FDLCI. In contrast, the State of Minnesota lacks authority to regulate activities occurring on Tribal lands – *i.e.*, on the Fond du Lac Reservation. Indeed, creation of FDLCI demonstrates the Band’s significant interest in a matter of great economic significance to its members – the provision of affordable broadband service.

Based upon the above, the FCC can, and should, conclude that it has the jurisdiction to approve FDLCI’s petition for ETC status and the FCC should promptly grant this approval.

**IV.**  
**FDLCI MEETS THE STATUTORY AND REGULATORY PREREQUISITES FOR**  
**DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER ON THE**  
**FOND DU LAC RESERVATION**

FDLCI satisfies each of the statutory and regulatory prerequisites to be designated as an ETC, as set forth in the Communications Act and in the rules and orders of the Commission, for the purpose of providing Lifeline services throughout the Fond du Lac Reservation.

**A. FDLCI Requests Designation Throughout Its Service Area Within the Boundaries of the Fond du Lac Reservation.**

FDLCI seeks ETC designation for all the areas within the boundaries of the Fond du Lac Reservation, which includes segments of Carlton and St. Louis Counties (“Study Area”).<sup>23</sup> As discussed herein, FDLCI plans to provide service throughout the Reservation in the near future and ETC designation will assist its efforts to obtain funding for this effort.

This Commission has ruled that a tribal ETC’s service area can be a tribe’s Reservation area without the need to redefine the study areas of the rural telephone companies serving parts of the Reservation.<sup>24</sup> In the *Standing Rock Reconsideration MO&O*, the Commission concluded that, “we define the ‘community’ here as the population of the Reservation and designate

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<sup>23</sup> MacVey Decl., Exhibits B and D.

<sup>24</sup> *Standing Rock Reconsideration MO&O*, 26 FCC Rcd 9160, ¶ 21.

Standing Rock’s service area to be the entire Reservation so that it can serve its entire community.”<sup>25</sup>

**B. FDLCI Will Be a Common Carrier.**

FDLCI will provide services throughout its requested designated service area – the Fond du Lac Reservation.<sup>26</sup> Because FDLCI intends to provide voice services, as well as combined data and voice services, it meets the ETC requirement of being a common carrier.

**C. FDLCI Will Offer the Supported Services Through its Facilities and Resale.**

As described herein, FDLCI plans to provide the supported services throughout its requested designated service area as specified in Section 54.101(a) of the Commission’s Rules. FDLCI will provide facilities-based broadband services over a fiber optic network, and will re-sell voice services, such as VoIP and video services, provided by other carriers.<sup>27</sup> FDLCI will bundle and re-brand these services as an FDLCI package.

**D. FDLCI Will Offer All of the Services and Functionalities Supported by the Universal Service Program.**

To be designated an ETC, an applicant must certify that it will provide each of the supported services. The MacVey Declaration contains a certification that FDLCI will offer each of the services designated for support throughout the ETC-designated service area.<sup>28</sup>

*1. Voice Grade Access to the Public Switched Telephone Network.*

FDLCI will offer customers voice grade access to the Public Switched Telephone Network as required by Section 54.101(a)(1) of the Commission’s Rules. “Voice grade access” permits a telecommunications user to (a) transmit voice communications, including signaling the network that the caller wishes to place a call, and (b) receive voice communications, including

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<sup>25</sup> *Id.* at ¶ 14.

<sup>26</sup> MacVey Decl., Exhibit D is a map of the Fond du Lac Reservation.

<sup>27</sup> MacVey Decl., ¶ 6.

<sup>28</sup> 47 C.F.R. §§ 54.101 and 54.202.

receiving a signal that there is an incoming call. FDLCI will provide its customers “voice grade access” by providing VoIP voice services, purchased from a VoIP provider, that will enable customers to make and receive calls on the Public Switched Telephone Network.

2. *Broadband Internet Access.*

FDLCI will offer a high speed synchronous fiber-based broadband service at a speed of up to 1 Gbps. Accordingly, each FDLCI customer will certainly have the minimum speed required by the FCC of 10/1 Mbps. There will be no data usage limits.

3. *Local Usage.*

FDLCI services will include local usage that allows customers to originate and terminate calls within a local calling area without incurring toll charges as part of its service package.

4. *Access to Emergency Services.*

“Access to emergency services” includes access to services, such as 911 and enhanced 911 (“E-911”), provided by local governments or other public safety organizations. FDLCI will provide its customers with access that is capable of delivering automatic numbering information (“ANI”) and automatic location information (“ALI”) over its existing network to Public Safety Answering Points (“PSAPs”) that are capable of receiving and processing such information in full compliance with applicable state and federal E-911 requirements.

5. *Toll Limitation.*

Section 54.401(a)(2) of the Commission’s Rules, as revised by the Lifeline Reform Order, provides that toll limitation service is not necessary for any Lifeline service that does not distinguish between toll and non-toll calls in the pricing of the service.<sup>29</sup> Although FDLCI has not yet finalized its service package offerings, a toll limitation service will be included and

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<sup>29</sup> *Lifeline and Link Up Reform and Modernization et al.*, Third Report and Order, Further Report and Order, and Order on Reconsideration, 31 FCC Rcd 3962 (2016) (“*Lifeline Reform Order*”).

available to customers if FDLCI's final voice product distinguishes between toll and non-toll calling for pricing purposes.

**E. FDLCI Will Advertise the Availability of, and Charges For, its Universal Service Offerings.**

In accordance with Section 214(e)(1)(B) of the Act and Section 54.201(d)(2) of the Commission's Rules, once it has built-out its full network infrastructure, FDLCI commits to advertising the availability of, and the charges for, Lifeline service throughout the Reservation, utilizing local media and promotional events that are applicable and appropriate for the Band. A link on the Band's website<sup>30</sup> will advertise FDLCI and its services. Since many potential users reside in relatively remote communities, access to generally recognized electronic and print media is severely limited. The methods of advertising may include local and Tribal newspapers (*e.g.*, the Nahgahchiwanong Dibahjimowinnan, with a printing of 2,650 and direct mailing to approximately 1,600 Band members); notices on the Band website; radio announcements on the Band's radio stations (*i.e.*, WGZS(FM), WKLK(AM), WKLK-FM and WMOZ(FM)), which broadcast throughout the Reservation; notices in Tribal offices and public benefits offices; electronic newsletters; billing inserts; and publicity at Tribal monthly meetings, and public exhibits. FDLCI will publicize the availability of supported services to reach all of the residents in its service area, and ensure that customers are aware of the available supported services, particularly low-income customers. FDLCI commits to explaining in its marketing that Lifeline service is a government benefit, that individuals must be eligible to receive the benefit, and that consumers may receive only one Lifeline benefit at a time.<sup>31</sup>

FDLCI will make a concerted effort to reach out to the Band community, which has historically been targeted by non-facilities based wireless companies who market their products

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<sup>30</sup> [www.fdlrez.com](http://www.fdlrez.com).

<sup>31</sup> See 47 C.F.R. § 54.405.

to obtain the Tribal Lifeline subsidy, but offer only substandard telecommunications services.

Based upon the number of children on the Reservation who qualify for free and reduced school lunches, FDLCI estimates that 32% of Band members on the Reservation may qualify for Lifeline benefits.

**F. FDLCI Will Offer Supported Services Through its Own Facilities.**

Section 214(e)(6) of the Communications Act and Section 54.201(d)(1) of the Commission's Rules require FDLCI to offer the supported services either using its own facilities or a combination of its own facilities and resale of another carrier's services. FDLCI will use its own facilities to provide the supported broadband services, but will partner with other providers to offer voice<sup>32</sup> and video, which will be transmitted over FDLCI facilities.

**V.**

**FDLCI WILL SATISFY ITS ADDITIONAL OBLIGATIONS AS AN ETC**

In addition to those requirements set forth in Section 54.201 of the Commission's Rules, FDLCI will satisfy other ETC requirements adopted by the Commission.

**A. Commitment to Comply With Applicable Service Requirements [47 C.F.R. § 54.202(a)(1)(i)].**

FDLCI certifies that it will provide voice telephone service and broadband access using standard customer equipment that will meet the requirements of Section 54.101, as discussed in Section III above, including voice grade access, local service, broadband access and access to emergency services.

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<sup>32</sup> FDLCI will purchase VoIP voice services from Momentum Telecom, which will be included in FDLCI's triple-play offering. MacVey Decl., ¶ 6.



**B. Service Improvement Plan [47 C.F.R. § 54.202(a)(1)(ii)].**

The Commission recently waived, on its own motion, the requirement of a service improvement plan for winning bidders in Auction 903.<sup>33</sup>

**C. Ability to Remain Functional in an Emergency [47 C.F.R. § 54.202(a)(2)].**

FDLCI will be a facilities-based broadband telecommunications carrier with its own transport and associated telecommunications facilities in the proposed designated ETC service area. FDLCI will be able to function in emergency situations as set forth in Section 54.201(a)(2) of the Commission's Rules. FDLCI has back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations.<sup>34</sup>

**D. Satisfaction of Applicable Consumer Protection and Service Quality Standards [47 C.F.R. § 54.202(a)(3)].**

Although the Commission recently waived, on its own motion, the requirement that winning bidders in Auction 903 demonstrate consumer protection and service quality standards,<sup>35</sup> FDLCI intends to comply with the same type of standards that apply to other Tribal telecommunications carriers that have received an ETC designation from the FCC. FDLCI will follow the approach taken by Hopi Telecommunications, Inc.<sup>36</sup>

As a company owned by the Band, FDLCI will operate under terms and conditions that afford its customers, most of whom are Band members, with the consumer protections and service quality standards that will be in their best interest. FDLCI will develop such standards and rules that follow MPUC rules for telecommunications carriers, even though FDLCI is not under the jurisdiction of the MPUC. These initial provisions may be modified from time to time

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<sup>33</sup> ETC Designation Public Notice at 4-5.

<sup>34</sup> MacVey Decl., ¶ 13.

<sup>35</sup> ETC Designation Public Notice at 4-5.

<sup>36</sup> See WC Docket No. 10-90, WC Docket No. 11-42. (Hopi Telecommunications, Inc.)

with the approval of, or at the request of, the Reservation Business Committee. Other obligations include, but are not limited to, truth-in-billing requirements and CPNI, Red Flag Rules and other applicable federal requirements governing the protection of customers' privacy.

FDLCI may be subject to consumer protection obligations for broadband services under federal law as specified in 47 C.F.R. Part 8, such as Sec. 8.3 and other federal rules that regulate the internet.

**E. Financial and Technical Capability to Provide Lifeline Service [47 C.F.R. § 54.202(a)(4)].**

FDLCI is a wholly-owned business enterprise of the Fond du Lac Band of Lake Superior Chippewa, which has the financial and technical capability to provide Lifeline service and, as a winning bidder in Auction 903, has demonstrated its ability to efficiently offer service.<sup>37</sup> In March 2018, FDLCI began keeping separate financial records. However, the Band's financial resources are available to cover its wholly-owned business unit. The MacVey Declaration shows FDLCI will have staff with sufficient technical capacity to operate FDLCI's network when completed.<sup>38</sup> Therefore, FDLCI also certifies that it is financially qualified to provide, and intends to provide, broadband services meeting the Commission's requirements.

**F. Service Plan Terms and Conditions [47 C.F.R. §§ 54.202(a)(5), 54.401(d)].**

FDLCI has not finalized its service offerings which have the goal of meeting the needs of Tribal customers residing on the Reservation but the MacVey Declaration provides a list of FDLCI's preliminary rates.<sup>39</sup> Once these rates are finalized, FDLCI will provide them to the Commission. The purpose of this Petition is to obtain ETC status so that eligible FDLCI customers will be able to obtain Lifeline support of \$34.25 once FDLCI begins to offer service.

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<sup>37</sup> ETC Designation Public Notice at note 41 and accompanying text.

<sup>38</sup> Exhibit H, MacVey Decl.

<sup>39</sup> Exhibit C, MacVey Decl.

Tribal Lifeline support provides a meaningful way to make basic and advanced telecommunications service affordable for customers on the Reservation. Given the Tribe's high rate of poverty, affordability is a critical barrier to technology adoption rates on the Reservation. Therefore, with an ETC designation, FDLCI will be able to help its customers receive necessary Lifeline support.

**G. Tribal Notice [47 C.F.R. § 54.202(c)].**

Because FDLCI is wholly owned by the Band, FDLCI has consulted closely with the Fond du Lac Reservation Business Committee ("RBC") (*i.e.*, the Tribal Council) regarding FDLCI's efforts to provide telecommunications services on the Reservation, including its efforts to pursue ETC designation with the Commission. FDLCI will continue to coordinate with the RBC and will provide the RBC a copy of this Petition.<sup>40</sup> FDLCI has a Certificate of Good Standing from the RBC. The RBC has adopted a Resolution of Support for this Petition, which is attached to the MacVey Declaration as Exhibit F.<sup>41</sup>

**H. Service Initiation Deposits [47 C.F.R. § 54.401(c)].**

FDLCI does not, and will not, collect service deposits for its plans, and will not do so for Lifeline accounts.

**I. Number-Portability Charges [47 C.F.R. § 54.401(e)].**

FDLCI does not, and will not, charge a number-portability fee, and will not do so for Lifeline accounts.

**J. Lifeline Certification and Verification [47 C.F.R. § 54.410].**

FDLCI will certify and verify eligibility of customers to participate in the Lifeline and Link-Up programs in accordance with the Commission's rules, 47 C.F.R. § 54.409-10. Pursuant

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<sup>40</sup> 47 C.F.R. § 202(c) (providing that a "common carrier seeking designation as an eligible telecommunications carrier under section 214(e)(6) for any part of Tribal lands shall provide a copy of its petition to the affected tribal government and tribal regulatory authority, as applicable, . . .").

<sup>41</sup> Exhibit F, MacVey Decl.

to the Lifeline Reform Order,<sup>42</sup> once the National Lifeline Eligibility Verifier is deployed and covers Minnesota, FDLCI will rely on that third-party administrator. However, it is more likely that FDLCI will be responsible for the initial determination and annual recertification of consumer eligibility and FDLCI will follow the procedures set forth below.

*1. Initial and Annual Certification.*

Consumers will be able to sign up for Lifeline in person, through a toll-free telephone number or FDLCI's website, which will provide information regarding FDLCI's service plans, including a detailed description of the Lifeline program and eligibility criteria. FDLCI will provide Lifeline-specific training to all staff, whether employees, agents or representatives, who interact with actual or prospective consumers with respect to obtaining, changing or terminating Lifeline services. FDLCI will establish a customer service department for processing Lifeline applications and to advise customers about the Lifeline program.

FDLCI's initial and annual recertification forms will conform to the requirements of 47 C.F.R. § 54.410. Because FDLCI will serve Tribal lands, its forms will include the Tribal-specific federal assistance programs listed in 47 C.F.R. § 54.409(b). Exhibit G of the MacVey Declaration provides a sample certification form that will be used by FDLCI.<sup>43</sup>

FDLCI will take measures to ensure that Lifeline is limited to a single subscription per household, defined as "any individual or group of individuals who are living together at the same address as one economic unit."<sup>44</sup> Applicants must provide permanent residential address information to FDLCI, and update that address as necessary. After receiving this form, FDLCI will query the National Lifeline Accountability Database to verify that the applicant is eligible

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<sup>42</sup> *Lifeline Reform Order*, 31 FCC Rcd at 3989-91, ¶¶ 73-9; 47 C.F.R. § 54.408.

<sup>43</sup> Exhibit G, MacVey Decl.

<sup>44</sup> *Lifeline Reform Order* at ¶ 74.

for Lifeline.<sup>45</sup> FDLCI will not seek Lifeline reimbursement unless an applicant has certified that no one in his or her household is already receiving Lifeline service.

FDLCI will verify applicant eligibility by requiring the applicant to provide proof of participation in one of the Lifeline eligible programs or proof that his or her annual household income is at or below 135% of the federal poverty guidelines. This proof will be required at the time of sign-up, either in-person when signing up at an FDLCI facility, or by mailing in or faxing the proof when sign-up is over the phone or on the website. Eligibility documents containing proof of eligibility will be returned to the customer after review.

Upon receipt of copies of the applicant's proof of eligibility, FDLCI customer service staff will complete the eligibility verification process and arrange for the start of service.

By December 31 of each year, FDLCI will re-certify the continued eligibility of all its subscribers by contacting them – either in person, in writing, by phone, by text message, by email, or otherwise through the Internet – to confirm their continued eligibility.<sup>46</sup> Written notice of impending service termination will be sent to subscribers who do not respond to the annual re-certification request within 30 days. Alternatively, if a database containing subscriber eligibility data is available, FDLCI will query the database by the end of each year to re-certify eligibility and the date of re-certification.

FDLCI will submit an annual Lifeline “eligible telecommunications carrier certification” as required by 47 C.F.R. § 54.416.

## **VI.**

### **DESIGNATING FDLCI AS AN ETC IS IN THE PUBLIC INTEREST**

Pursuant to 47 U.S.C. § 214(e)(6) the Commission must determine whether granting this Petition is in the public interest. However, as the Commission has indicated, in the Phase II

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<sup>45</sup> 47 C.F.R. § 54.404(b).

<sup>46</sup> *See id.*

auction context, winning bidders have demonstrated their ability to efficiently offer service through the competitive bidding process and have demonstrated their ability to meet their public interest obligations through their auction applications.<sup>47</sup> Accordingly, the Commission has determined that winning bidders in Auction 903 need not provide additional specific evidence of service to the public interest in their petitions for ETC designation.<sup>48</sup>

Nevertheless, FDLCI noted that the Commission has not granted ETC status to any Tribal telecommunications carrier since 2014.<sup>49</sup> Since then, the Commission has taken significant action to promote deployment of broadband in Tribal areas, a major communications policy initiative. In the 2016 CAF Phase II Order the FCC emphasized that it wanted to “advance our policy objective of extending broadband to unserved Tribal lands. We recognize the historic challenges of serving Tribal lands and the low deployment of broadband service on Tribal lands.”<sup>50</sup> Granting this Petition expeditiously would further this policy because the Fond du Lac network is exactly the type of deployment the Commission has said it wants to promote, both in nature and in location.

The Commission has made a concerted effort to penetrate the “digital divide.” CAF II funding specifically targeted this goal.<sup>51</sup> However, the Fond du Lac Reservation has not benefitted from this funding. Even though CenturyLink accepted CAF II funding for Minnesota, apparently it does not intend to deploy broadband on the Fond du Lac Reservation any time in the near future. Rather, this carrier *removed* facilities from the Reservation in 2018, with no

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<sup>47</sup> ETC Designation Public Notice at 6.

<sup>48</sup> *Id.*

<sup>49</sup> *Designation of NTUA Wireless as an Eligible Telecommunications Carrier*, 29 FCC Rcd 1669 (WCB/WTB 2014).

<sup>50</sup> *In the Matter of Connect America Fund*, Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 5949 (2016) (“CAF Phase II Order”), Appendix D, ¶ 9.

<sup>51</sup> *Press Release*, Carriers Accept Over \$1.5 Billion in Annual Support from Connect America Fund to Expand and Support Broadband for Nearly 7.3 Million Rural Consumers in 45 States and One Territory (Aug. 27, 2015), [http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2015/db0827/DOC-335082A1.pdf](http://transition.fcc.gov/Daily_Releases/Daily_Business/2015/db0827/DOC-335082A1.pdf).

announced plans to deploy broadband on the Reservation.<sup>52</sup> FDLCI should receive high cost funds to serve the Fond du Lac Reservation, rather than price cap carriers with no interest or incentive to do so.

The FCC issued the Lifeline Reform Order<sup>53</sup> which included the provision of broadband within the bucket of services supported by the Lifeline program. Then, the FCC issued the CAF Phase II Order to implement a competitive bidding process to award \$215 million in annual support to carriers bidding to deploy broadband services where the incumbent price cap carriers declined the offer of CAF II funding in 2015.<sup>54</sup>

On December 1, 2017, the Commission issued its Fourth Report and Order, adopting several reforms to target enhanced Lifeline support on Tribal lands to residents of rural areas on Tribal lands.<sup>55</sup> Granting an ETC designation to FDLCI furthers the reforms made in the Fourth Report and Order. The Fond du Lac Reservation residents to be served by FDLCI are the designated targets for Lifeline support because they are “residents of rural areas on Tribal lands.”<sup>56</sup>

Further, the Fourth Report and Order restricts enhanced Tribal support to certain facilities-based providers. FDLCI satisfies this restriction. FDLCI provides “facilities-based fixed broadband or voice telephony service provided through . . . ownership . . . of last-mile wireline loop facilities capable of providing Lifeline services to all or a portion of [its] . . .

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<sup>52</sup> MacVey Decl. at ¶ 8.

<sup>53</sup> *Lifeline Reform Order*, 31 FCC Rcd 3962 (2016).

<sup>54</sup> *CAF Phase II Order*, 31 FCC Rcd 5949 (2016).

<sup>55</sup> Bridging the Digital Divide for Low-Income Consumers, Fourth Report and Order, 32 FCC Rcd 10475 (2017) (“*Fourth Report and Order*”).

<sup>56</sup> *Id.* at ¶ 2. As noted in Sec. II, the Band population is 4,240, which clearly satisfies the definition of “rural” in the Fourth Report and Order. See *Fourth Report and Order* at ¶ 5.

service area on Tribal lands.”<sup>57</sup> FDLCI is exactly the type of provider that should receive enhanced Lifeline support, according to the Fourth Report and Order.

All of these regulatory actions highlight the FCC’s efforts to promote broadband deployment where broadband currently does not exist, such as on Tribal lands. In the CAF Phase II Order, the FCC emphasized that it wanted to “advance our policy objective of extending broadband to unserved Tribal lands. We recognize the historic challenges of serving Tribal lands and the low deployment of broadband service on Tribal lands.”<sup>58</sup>

Designating FDLCI as an ETC will serve the public interest because it will support broadband deployment on Tribal lands. First, this designation will provide access to federal support to FDLCI’s customers, once FDLCI’s services can be offered. Second, it will help FDLCI improve broadband coverage on the Reservation.<sup>59</sup>

In 2014, the FCC eloquently stated why granting ETC status to a Tribal carrier serving Tribal lands was in the public interest when granting ETC status to NTUA Wireless, LLC to serve the Navajo nation:

The Federal Communications Commission (FCC or Commission) shares an historic federal trust relationship with federally recognized Tribal Nations, has a longstanding policy of promoting Tribal self-sufficiency and economic development, and has a record of helping ensure that Tribal Nations have adequate access to communications services. Tribal governments play a vital role in serving the needs and interests of their local communities, often in remote, low-income, and underserved regions of the country. Owning and operating critical communications infrastructure empowers Tribal Nations to protect the health and safety of consumers living on Tribal lands, to spur local economic development, to preserve Tribal language and culture, and to further the education of residents through federal distance education programs. Given the difficulties faced in these remote, underserved Tribal lands, the Bureaus recognize the importance of

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<sup>57</sup> *Id.* at ¶ 24.

<sup>58</sup> CAF Phase II Order, Appendix D, ¶ 9.

<sup>59</sup> 47 C.F.R. § 54.202(b).



universal service support to providing services to the residents of this Tribal Nation.<sup>60</sup>

Here, FDLCI, wholly owned by the Band, plays a vital role in bringing desperately needed services to this rural, underserved community. Distance learning and other educational benefits, as well as access to necessary health and social services, are further positive byproducts of broadband access.

The Band outlines the economic development benefits anticipated by the ubiquitous presence of broadband on the Reservation in its 2013-2018 Community Economic Development Strategy attached as Exhibit A of the MacVey Declaration.<sup>61</sup>

It is now a well-accepted fact of life that broadband access is as much a public utility as electricity or water. Therefore, the public interest would be well-served by enabling a provider to bring broadband access to an area that other providers have shunned. This can be accomplished by granting the Petition to allow FDLCI, with a dedicated interest in serving Tribal lands, to provide a viable alternative to the disinterested established carriers for Reservation residents.

Customer choice, enhanced competition, and improved service quality are other possible outcomes that flow from authorizing a new provider to serve the Reservation. The benefits of competition are widely recognized and extend to all markets, including the universal service market, as recognized by the FCC.

We note that an important goal of the Act is to open local telecommunications markets to competition. Designation of competitive ETCs promotes competition and benefits consumers in rural and high-cost areas by increasing customer choice, innovative services, and new technologies. We agree with Western Wireless that competition will result not only in the deployment of new

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<sup>60</sup> *Designation of NTUA Wireless as an Eligible Telecommunications Carrier*, 26 FCC Rcd 9160, ¶ 2 (WCB/WTB 2014).

<sup>61</sup> Exhibit A, MacVey Decl.

facilities and technologies but will also provide an incentive to the incumbent rural telephone companies to improve their existing network to remain competitive, resulting in improved service to Wyoming consumers [consumers in the proposed ETC service area]. In addition, we find that the provision of competitive service will facilitate universal service to the benefit of consumers in Wyoming by creating incentives to ensure that quality services are available at just, reasonable, and affordable rates.<sup>62</sup>

FDLCI's designation as an ETC will cause these consumers to have greater access to telecommunications services in rural areas, thereby advancing the basic goal of preserving and advancing universal service.<sup>63</sup> In rural areas, the Act's universal service goal is clear:

Consumers in all regions of the Nation, including low-income consumers and those in rural, insular, and high cost areas, should have access to telecommunications and information services, including interexchange services and advanced telecommunications and information services, that are reasonably comparable to those services provided in urban areas and that are available at rates that are reasonably comparable to rates charged for similar services in urban areas.<sup>64</sup>

To accomplish this goal, a competitive universal service framework has been established with consumers benefiting from competing carriers vying for their business based upon price, service offerings, coverage, and service quality. FDLCI, as a Tribal carrier, is uniquely positioned to serve the needs of consumers in the Reservation.

## **VII.**

### **THE FCC SHOULD APPROVE THIS PETITION AS SOON AS POSSIBLE**

In its Twenty-Fifth Order on Reconsideration, the FCC committed to “resolve on the merits of any request for designation on Tribal lands within six months of release of an order resolving the jurisdictional issue.”<sup>65</sup> The FCC said that it has acted “expeditiously” on all ETC

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<sup>62</sup> *Western Wireless Corp. Petition for Designation as an Eligible Telecommunications Carrier in the State of Wyoming*, 16 FCC Rcd 48, ¶ 17 (CC 2000).

<sup>63</sup> See 47 U.S.C. §254(b).

<sup>64</sup> 47 U.S.C. § 254(b)(3).

<sup>65</sup> *Twenty-Fifth Order on Reconsideration*, 18 FCC Rcd 10958, ¶ 27 (2003).

requests filed since the release of the *Twelfth Report and Order*.<sup>66</sup> There should be no jurisdictional issue to prevent prompt resolution of FDLCI's ETC Petition.

### **VIII. ANTI-DRUG ABUSE ACT CERTIFICATION**

FDLCI certifies that no party to this petition is subject to a denial of federal benefits, including FCC benefits, pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

### **IX. CERTIFICATION OF GOOD STANDING**

Exhibit E of the MacVey Declaration certifies that FDLCI is a business enterprise in good standing of the Band.<sup>67</sup> FDLCI is operated under the laws of the Band as a Tribally-owned entity of the Band and continues to operate in good standing through the date of making this declaration. A draft of this Petition for designation as an ETC was duly presented and approved by a vote at a meeting of the Reservation Business Committee in Cloquet, Minnesota, on September 4, 2018.<sup>68</sup>

### **X. CONCLUSION**

FDLCI will meet the requirements set forth by the Commission to be designated as an ETC pursuant to Section 214(e)(6) of the Communications Act when its fiber network becomes operational in August of 2018. Accordingly, FDLCI respectfully requests that the Commission expeditiously designate FDLCI as an ETC in order to provide basic and advanced telecommunications services within the Fond du Lac Reservation.

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<sup>66</sup> *Id.*

<sup>67</sup> Exhibit E, MacVey Decl.

<sup>68</sup> *Id.*

Dated: September 12, 2018

GARVEY SCHUBERT BARER, P.C.

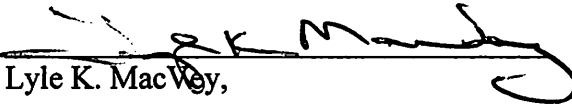
By: 

John Crigler  
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1000 Potomac St NW, Suite 200  
Washington, D.C. 20007  
Telephone: (202) 965-7880  
Facsimile: (202) 965-1729

I, Lyle K. MacVey, hereby certify that the facts and representations stated herein are true and correct to the best of my knowledge this 12<sup>th</sup> day of September, 2018 under penalty of perjury of the laws of the State of Minnesota.

  
Lyle K. MacVey,

GSB:8607214.10

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

In the Matter of

Petition of Fond du Lac Communications  
Company for Designation as an Eligible  
Telecommunications Carrier pursuant to  
Section 214(e)(6) of the Communications Act  
of 1934, as Amended

Connect America Fund

WC Docket No. 09-197

WC Docket No. 10-90

**DECLARATION OF LYLE K. MACVEY**

I, Lyle K. MacVey, declare as follows:

1. I am over the age of 18, have personal knowledge of the matter set forth below, and am competent to be a witness herein. I submit this declaration in support of the Petition of Fond du Lac Communications, Inc. (“FDLCI”) for Designation as an Eligible Telecommunications Carrier (“ETC”) for Lifeline Service (“Petition”), filed herewith.

2. I am employed by the Fond du Lac Band of Lake Superior Chippewa (“FDL”) as the Project Manager for the build-out of a fiber optic network on the FDL Reservation, and the running of FDLCI’s operation, once the network is in place. My business address is 1720 Big Lake Road, Cloquet, MN 55720.

3. The purpose of my declaration is to state the facts and certifications required pursuant to 47 C.F.R. §§ 54.201-02 for FDLCI to obtain an ETC designation.

4. Several years ago, FDL carefully developed a plan to deploy a high speed fiber network capable of up to one Gbps of speed throughout the FDL Reservation.<sup>1</sup> FDL sought, and

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<sup>1</sup> Exhibit A hereto is a copy of the FDL 2013-2018 Community Economic Development Strategy, which identifies as a priority development of a high speed internet system on the FDL Reservation for commercial and residential use.

was awarded, two grants (MN 1401-A23 and B23) in late 2016, totaling \$6 million, and another grant in 2017 for \$800,000 (CC3) from the United States Department of Agriculture Rural Utilities Service (“RUS”) pursuant to the Community-Oriented Connectivity Broadband Grant Program (“Program”) (7 C.F.R. § 1739), to furnish broadband service to the FDL Reservation areas in Carlton and St. Louis Counties, Minnesota. FDL also received a State of Minnesota Border to Border grant for \$1.2 million (collectively, the “Grants”). In addition, FDL has allocated over \$2 million of FDL’s own funds for construction of this broadband network. The Grants and FDL’s own funding totaling approximately \$12 million, have allowed FDL to install a high-speed fiber network capable of up to one Gbps of speed throughout the FDL reservation. Exhibit B hereto is a map that demonstrates where this funding has built, or will build, this network on the FDL Reservation.

5. In 2018, FDL established FDLCI as its communications company to provide services to residents of the FDL Reservation (tribal and non-tribal) over this network and offer high-speed internet, telephone and video services. FDLCI is a wholly-owned business enterprise of the FDL. FDLCI hopes to be fully operational by November of 2018 to provide broadband and/or other telecommunications services, with installation of the fiber optic network to be complete in 2019.

6. FDLCI will provide facilities-based broadband services over the fiber optic network that it is installing, and will re-sell voice services, such as VoIP, and video services, provided by other carriers. FDLCI plans to purchase VoIP services from Momentum Telecom and video services from MobiTV. These services will ride on the FDL network, bundled and re-branded as an FDLCI package. Attached as Exhibit C hereto is a preliminary chart of rates for these services.

7. At the current time, approximately 80 percent of the FDL Reservation does not have access to broadband at the minimal speed requirement of 10 Mbps downstream/1 Mbps upstream. FDLCI will offer synchronous broadband service with minimum speed of 30 Mbps and speeds up to one Gbps, once its network is complete.

8. While the major price cap carriers – CenturyLink and Frontier Communications – currently serve portions of the Reservation, it is not certain when, or if, they will be providing expanded broadband service on the Reservation. Both carriers receive model-based support from the CAF II fund to deploy broadband infrastructure in Carlton and St. Louis Counties, but it is unknown if such deployment will cover the entire FDL Reservation or when it will be provided. In fact, in 2018, CenturyLink, the primary provider on the Reservation, removed a major amount of its facilities from the Reservation because it would not comply with FDL’s right-of-way regulations. This indicates that CenturyLink does not anticipate a broadband build-out on the Reservation in the near future.

9. I certify that FDLCI plans to, and will, provide each of the services supported by Lifeline throughout its designated service areas – the Reservation. Attached as Exhibit D hereto is a map of the FDL Reservation.

10. FDLCI will provide voice-grade access to the public switched telephone network as part of its service package, which will allow customers to originate and terminate calls within a local calling area without incurring toll charges.

11. FDLCI has not yet finalized its package offerings. It may not need to provide toll limitation services, as required by 47 C.F.R. 54.401(a)(2), if its package offerings do not distinguish between local and toll calls at the point of dialing. However, if they do distinguish, FDLCI will offer toll limitation services.

12. FDLCI will provide access to emergency services that will allow its customers to deliver automatic numbering information and automatic location information over the FDLCI network to Public Safety Answering Points (PSAPs) that are capable of receiving and processing such information consistent with applicable state and federal E911 requirements.

13. FDLCI will be able to function in emergency situations as set forth in 47 C.F.R. § 54.202(a)(2). FDLCI’s network will have a reasonable amount of back-up power to ensure functionality without an external power source. FDLCI is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations. Each



central office is power protected via a -48v DC battery source with a minimum runtime capacity of eight hours. The loss of the primary batteries will be covered with a power feed by a 50kw diesel generator with a 250-gallon fuel capacity designed to run continuously for two days, with additional support available as long as fuel reserves are available. We have design engineered traffic paths to not exceed a 50 percent average utilization over a 30-day period. FDLCI will manage emergency service connections so that traffic associated with these connections take priority over other network traffic. Traffic spikes due to emergencies that exceed the 50 percent threshold will be failsafe managed through the prioritization of emergency traffic, using current quality of service technology standards such as Type of Service (TOS) and Differentiated Service Code Point (DSCP)

14. FDLCI will advertise the availability of, and charges for, Lifeline service throughout the Reservation once it has built-out its full network infrastructure, utilizing local media and promotional events that are applicable and appropriate for the FDL. A link on the FDL's website, [www.fdlrez.com](http://www.fdlrez.com), will advertise FDLCI and its services. Since many potential users reside in relatively remote communities, access to generally recognized electronic and print media is severely limited. The methods of advertising may include local and tribal newspapers (*e.g.*, the Nahgahchiwanong Dibahjimowinnan with a printing of 2,650 and direct mailing to approximately 1,600 FDL members); notices on the FDL website; radio announcements on FDL's radio station (*i.e.*, WGZS(FM), WKLK(AM), WKLK-FM AND WMOZ(FM)), which broadcasts throughout the Reservation; notices in tribal offices and public benefits offices; electronic newsletters; billing inserts; and publicity at tribal monthly meetings and public exhibits.

15. I certify that FDLCI is familiar with, and will comply with, the minimum coverage requirements, build-out requirements and reporting obligations as stated in Part 54 of Chapter 47 of the Code of Federal Regulations.

16. Attached as Exhibit E hereto is a copy of a Certificate of Good Standing for FDLCI from the FDL's Reservation Business Committee.

17. FDLCI's five year plan is to complete the network and provide "triple play" services (voice, video and data) to residents on the FDL Reservation. It will complete the greenfield installation of the "home run" fiber to up to 1875 passed households in Years 1 and 2. FDLCI will secure additional funding to connect the remaining 209 households located within currently unfunded areas on the FDL Reservation, as shown in Exhibit B hereto. FDLCI will use the current 2.5 GPON (TU-T g.984) as the minimum connectivity standard during the next five years. This standard is expected to have a remaining useful life of at least five years but FDLCI will conduct annual reviews to determine if the system should be upgraded for new standards, as they develop. In addition, FDLCI will review annually Passive Optical Network ("PON") splits to detect capacity constraints and adjust, if needed so that the available service levels will meet or exceed current state or federal standards, whichever is greater. However, the use of the "home run" fiber network installed by FDLCI is expected to fully support all future PON standards that exceed the G.984 standard.

18. FDL is financially and technically capable of operating FDLCI and, as a winning bidder in FCC Auction 903, FDL has demonstrated its ability to efficiently offer service.<sup>2</sup>

19. Attached as Exhibit F hereto is a copy of a Resolution of Support for the Petition from the FDL's Reservation Business Committee.

20. Attached as Exhibit G hereto is a copy of FDLCI's proposed Lifeline Verification Form.

21. Attached as Exhibit H hereto is an organization chart that describes the positions that will be filled to operate FDLCI.

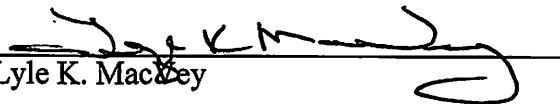
22. Pursuant to 47 C.F.R. § 54.202(c), I have provided to the Reservation Business Committee with a copy of the Petition, as well as a copy of this declaration.

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<sup>2</sup> See Public Notice, WCB Reminds Connect America Fund Phase II Auction Applications of the Process for Obtaining a Federal Designation as an Eligible Telecommunications Carrier at note 41 and accompanying text, DA 18-714 (WCB, Jul. 10, 2018).

I declare under penalty of perjury under the laws of the State of Minnesota that the foregoing is true and correct.

Signed this 10 day of September, 2018, at Cloquet, Minnesota.

  
Lyle K. MacKay

### **Exhibits to MacVey Declaration**

- A        2013-2018 Community Economic Development Strategy
- B        Reservation Map Showing Grant and FDL Funding Build-Out
- C        FDLCI Proposed Rates (Preliminary)
- D        Map of FDL Reservation
- E        FDLCI Certificate in Good Standing
- F        Resolution of Support from FDL Reservation Business Committee
- G        FDLCI Lifeline Certification Form
- H        FDLCI Organization Chart

GSB:8896911.6

**Exhibit A - 2013-2018 Community Economic Development Strategy**

# **FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA**

## **2013-2018 COMMUNITY ECONOMIC DEVELOPMENT STRATEGY**

**Approved by:**

**THE FOND DU LAC RESERVATION BUSINESS COMMITTEE**

**Karen R. Diver, Chairwoman**

**Ferdinand Martineau Jr., Secretary/Treasurer**

**Wally Dupuis, District I Representative**

**David Tiessen, Jr, District II Representative**

**Kevin R. Dupuis, District III Representative**

**November 13, 2013**

# Fond du Lac Band of Lake Superior Chippewa

## Reservation Business Committee

1720 Big Lake Rd.  
Cloquet, MN 55720  
Phone (218) 879-4593  
Fax (218) 879-4146

RESOLUTION # 1378/13

### Resolution to Adopt the Fond du Lac Reservation Community Economic Development Strategy 2013-2018

The Fond du Lac Reservation Business Committee, on behalf of the Fond du Lac Band of Lake Superior Chippewa, enacts the following Resolution:



Chairwoman  
**Karen R. Diver**

Secretary/Treasurer  
**Ferdinand Martineau, Jr.**

Dist. I Representative  
**Wally Dupuis**

Dist. II Representative  
**David R. Tiessen, Jr.**

Dist. III Representative  
**Kevin R. Dupuis, Sr.**

Executive Director,  
Tribal Programs  
**Chuck Walt**

Executive Director,  
Enterprises  
**Michael Himango**


WHEREAS, the Fond du Lac Reservation is a sovereignty, created by the Treaty of September 30, 1854, 10 Stat. 1109, as the perpetual home of the Fond du Lac Band of Lake Superior Chippewa, which possesses the inherent jurisdiction and authority to exercise regulatory control within the boundaries of the Fond du Lac Reservation; and

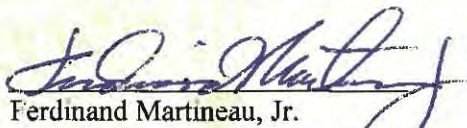
WHEREAS, it is the sovereign obligation of the Fond du Lac Reservation Business Committee, as the Governing Body of the Fond du Lac Band, under the Indian Reorganization Act, 25 U.S.C. section 461 et seq., and in accordance with the Indian Self-Determination Act, 25 U.S.C. section 450 et seq., to assume the responsibilities of Self-Government; and

WHEREAS, the Fond du Lac Reservation Business Committee has developed the Fond du Lac Reservation Community Economic Development Strategy 2013-2018 that will provide a framework to move the Fond du Lac Band of Lake Superior Chippewa in a forward direction; and

WHEREAS, NOW THEREFORE BE IT RESOLVED, that the Fond du Lac Reservation Business Committee hereby adopt the "Fond du Lac Band of Lake Superior Chippewa Community Economic Development Strategy 2013-2018" as a development guide for the Fond du Lac Reservation

We do hereby certify that the foregoing Resolution was duly presented and acted upon by a vote of 3 for, 0 against, 0 silent with a quorum of 4 being present at a SPECIAL Meeting of the Reservation Business Committee held on November 13 2013, on the Fond du Lac Reservation.

  
Karen R. Diver  
Chairwoman

  
Ferdinand Martineau, Jr.  
Secretary/Treasurer



## CHAPTER 1

### SUMMARY AND INTRODUCTION

The Fond du Lac Band of Lake Superior Chippewa consists of approximately 4,208 enrolled members, approximately 1,800 live within or near the 101,000 acre Reservation located in Carlton and St. Louis Counties in northeastern Minnesota. The Band exercises its governmental authority within the Reservation Boundary and retains its possession of usufructuary rights over a much larger area outside the Reservation.

Established by the LaPointe Treaty of 1854 and governed by subsequent acts of the United States Congress, the Reservation is headed by the Reservation Business Committee (RBC). On behalf of the Reservation, the RBC is responsible for a wide range of tribal activities including economic and business development. The Planning Division provides staff support and day-to-day operations in development and planning to the RBC. The Division provides a variety of services including: economic development, grant writing, economic project development and management (project concept, financing, construction oversight, and the like), long range Reservation planning, research and information, land use planning, transportation planning, and program development.

Fond du Lac has set forth on the path of increased economic self-sufficiency for the Reservation and individual members. This has and will continue to involve the integration of key services and programs to focus limited Tribal resources on those opportunities which will best advance the economic, education and health situation of Reservation members. These actions also mirror Fond du Lac's understanding that it is a vital member of the broader regions community and will continue to operate to the mutual benefit of that community.

The emergence of gaming and entertainment complexes as major revenue producers for Fond du Lac is more than just a short-term economic boost for the Reservation. By resolution the Fond du Lac RBC has expressly directed that net profits from its gaming enterprises be used for initiatives and services in economic development, health and human services, and education. For too many years Fond du Lac citizens have been in a downward spiral of despair; lack of education, unemployment, dysfunctional families, alcoholism, lack of self-esteem and loss of individual and tribal confidence. Gaming revenues represent the economic force which, because they derive from tribal initiative and control, can redirect the old spiral into an upward one of positive change, self-esteem, meaningful employment, income, opportunity and the confidence to grab the opportunity.

The 2013 – 2018 Community Economic Development Strategy outlines goals for the Fond du Lac Reservation are:

- Work with public and private sector groups to strengthen and enhance the Band's capacity and economic development



- Prepare the Band for economic growth by expanding and maintaining critical infrastructure including communications, transportation and public utilities.
- Improve the Band's entrepreneurial environment.
- Ensure an adequate supply of quality, affordable workforce housing in the region.
- Obtain and sustain economic self-sufficiency for the Fond du Lac Band of Lake Superior Chippewa; and,
- Secure, expand and nurture economic and personal self-sufficiency for all individual members of the Fond du Lac Band of Lake Superior Chippewa.

The CEDS identifies many projects and programs to help achieve these goals over the short- and long-term time periods. Please see Figure 2 at the end of this document for more detailed information. Those with the greatest priority are:

- Improve and expand the Fond du Lac Transit system.
- Construct trails on the Reservation to improve non-motorized travel, infrastructure and health.
- Develop a high speed internet system on the Reservation for both residential and commercial use.
- Conduct research in renewable and green energy venues for the Reservation.
- Expand services near the Fond du Lac Gas and Grocery to potentially include a restaurant, car wash, slot parlor, oil change, car repair, thrift store and Laundromat.
- Develop a bank, credit union or a CDFI to address specific needs and goals of the Band and its membership.
- Construct a truck stop in the Sawyer District.
- Construct a truck stop, i.e. the Highway 2 Project, in the Brookston District.
- Construct transitional housing facilities on the Reservation.
- Develop infrastructure such as roads, sewer and water lines as ways to improve the quality life for residents, but use as an economic tool.
- Create a business incubator with staff support to assist Band members with business ideas.
- Expansion of the gravel pit business.
- Development of an RV park.
- Development of a local gun club.
- Do research in the development of a Telephone company.
- Establishment of a Tribal Emergency Response team, and emergency management.
- Planning page on the Fond du Lac tribal website.
- Waterline expansion phase II.
- Assisted living expansion to 20 units.
- Develop a framework for business development.
- Construction of 10 duplex units for low income housing.
- Construction of an apartment building.

The Fond du Lac Reservation is a part of the Northeast Minnesota Economic Development District of which the Arrowhead Regional Development Commission is the designated planning organization. The most recent CEDS was completed by ARDC and adopted on June 17, 2010.

These, and the other objectives and projects identified in the CEDS, reflect Fond du Lac Bands understanding of the interwoven nature of economic development with on-going education, enhanced family life, and personal self-development.

## CHAPTER II

### ORGANIZATION

#### General

The Fond du Lac Reservation lies in the Northeastern Minnesota adjacent to the City of Cloquet approximately 20 miles southwest of the City of Duluth. The Treaty of 1854 between the United States government and the Lake Superior Bands of Chippewa established the Reservation, comprised of 101,000 acres. Over 1,800 Indians reside within the Reservation and another 1,500 live in the immediate service district, a 30 mile radius around the Reservation.

The Tribe exercises its governmental authority within the Reservation Boundaries and retains possession of usufructuary rights over a much larger area outside of these boundaries. The Tribe's governmental responsibilities are similar to a state. It serves a resident population scattered throughout the Reservation, including several small communities.

The Reservation Business Committee (RBC), the unit of government, was established by a Constitution pursuant to the provision of the Indian Reorganization Act of 1934. The RBC is comprised of five popularly elected officials, three of whom are representatives of the Reservations three Districts, and two who at-large positions. The RBC representatives serve four-year terms with elections being held every two years. The RBC directs the Reservation's administration functions as well as Reservation owned business operations.

The members of the Reservation Business Committee are:

Name	Title	Term/Years	Next Election
Karen R. Diver	Chairwoman	4	2016
Ferdinand Martineau, Jr	Secretary/Treasurer	4	2014
Wally Dupuis	District I Representative	4	2016
David R. Tiessen, Jr	District II Representative	4	2014
Kevin R. Dupuis, Sr.	District III Representative	4	2016

#### Organization

The basic organizational structure of the Fond du Lac Reservation is shown in Figure 1.

The RBC has ultimate responsibility for all economic development and planning activities on the Reservation. Staff support and day-to-day planning operations in development and planning is provided by the Planning Division. The Division provides a variety of services including: economic development, grant writing, economic project development and management (project concept, financing, construction oversight, and the like), long range Reservation planning, research and information, land use planning, transportation planning, and program development.

To provide the necessary direction affecting the future of the Fond du Lac Reservation, there are a number of methods used to ensure sound community participation in public processes. In order to reach as wide a range of community involvement and gain a broader voice in future plans and activities of the Reservation, various opportunities are provide to Reservation members. These include:

Advisory boards have been developed to provide direct input to the activities of administrative divisions. These boards are comprised of community members who take an active role in shaping the direction of key programs. These boards include: Housing Authority, Senior Advisory, Human Services Advisory, Ojibway School, Conservation and Land Use Committee's.

Periodic needs assessments are conducted by Fond du Lac staff. These include labor force surveys, health and human services surveys, needs assessments, and traditional community feasts.

Public meetings are held on the Reservation to specifically address the purpose of submittal of a Community Development Block Grant application covering such areas as community facilities improvements, land acquisition, and economic development projects.

Regular monthly meetings are held on the third Thursday of the month by the Reservation Business Committee. At these meetings administrative and enterprise division directors inform the public of issues, concerns, new services, etc. Community members are expressly invited to attend and participate in these meetings.

Annual "State of the Band" addresses are held the third Thursday of February as an end of the year review and community members are encouraged to attend.

Fond du Lac produces a monthly newspaper that is available to all Band members. This can keep them informed of current issues, services and projects. Additionally, there is an insert that appears monthly in the Cloquet Pine-Journal.



The Fond du Lac Reservation also has a website at [www.fdlrez.com](http://www.fdlrez.com) which provides Reservation news, Tribal events, governmental structures, contact information and program information.

In September 2011, the Reservation completed the construction of a radio station, WGZS-89.1 FM located in the Fond du Lac Ojibwe School. This too will be a welcome addition to ways to provide the Band membership with information, news, educational opportunities, Tribal events and entertainment.

In April 2012, the Reservation signed an asset purchase agreement with owner of WKLK-AM, WKLK-FM- and WMOZ-AM to purchase all three radio stations. The purchase has been completed and full transfer occurred September 1, 2012.

#### *CEDS Committee:*

Combined, these avenues for community input and interaction provide the RBC and its administrative staff with a foundation for determining and pursuing long-range goals. In 2010-11 the Band was in the process of developing a strategic plan. As part of the strategic planning process the CEDS was also to be updated. The current CEDS was set to expire in 2013 and it was determined that results and data collected in the strategic planning process was to be incorporated in the updated CEDS. The planning group is comprised of Executive Director of Programs, Executive Director of Enterprises, Director of Planning, Economic Development Planner, Environmental Program Manager and the Construction Projects Manager. There were a total of six public meetings, tables at the annual Health Fair and Enrollee Day, two articles in the Fond du Lac newspaper.

#### *Public Review:*

A 30 day notification was placed on the Fond du Lac Band of Lake Superior Chippewa website on September 25, 2013. Comments were added and minor changes were made to the document and were included as an attachment.

#### *Emergency Management:*

The Fond du Lac Reservation through the Resource Management Division is currently working an Emergency Management Plan for Band. This document will work in conjunction with the Tribal Emergency Management Commission. At this time the Band does not have a Emergency Management Plan, but is included the local plans for St. Louis and Carlton Counties. Staff from the Reservation, participate in regional boards, trainings and exercises.

#### *Transportation:*

The Fond du Lac Band of Lake Superior has had an established transit system on Reservation for the past 6 years. The ridership has fluctuated over time but it now around 20,000 riders per year. The fleet has eight vehicles comprised of 6 buses and two vans. The services provided is a \$1.00 per trip or \$2.00 per round trip on Reservation, but also provided service to Cloquet, MN and Duluth, MN. Community members and employees use the transit service for work, social activities and general mobility.

Also, the Band has invested over the past two years a substantial amount of time and resources into planning activities, these were in the form of 2012 Transportation Plan for the Bureau of Indian Affairs – Tribal Transportation Program for road planning and project scheduling. Next, is the 2012 Fond du Lac Trails Plan, this plan was written to access trail funding but also for creating a bicycle and pedestrian friendly community. Lastly, there is the Safe Routes to School plan which was done in 2009 for the trail planning to create a safer and healthier program for students to get to school. Fond du Lac has the 2<sup>nd</sup> plan nationally for Tribes.

*Economic Opportunities:* The Fond du Lac Band has opportunities in several sectors. These sectors a strong health care system, the overall education system, renewable and green industry potential, tourism, gaming and natural resources. These strengths are the most prominent features of the Band and there is a high ceiling in the future.

*How are we doing?* The Fond du Lac Reservation has made tremendous strides since 1990. In 1990, the unemployment rate was 33% and very few job opportunities. Presently, the unemployment rate is 15.5% and the Band employs over 2,000 employees and is the largest employers in Carlton County. In, the last CEDS period, of ending in 2013, the Band successfully implemented 9 of the 13 highest priority projects. This resulted in \$132,000,000.00 in projects and approximately 120 new jobs, not including employment created by construction activities.

*Past and Present Development Opportunities:* The Fond du Lac Tribal Council for the past several years has looked to diversify the Band's economy, while enhancing the gaming aspect as much as possible.

In the past the Band has started several new businesses such as the propane company, a convenience store, golf course, and the acquisition of the WKLK/WMOZ radio station cluster in Cloquet, MN.

In the future the Band is looking at green and renewable business opportunities, broadband, public works, and improvements to the gaming industry.

*Cluster Research and Partnerships:* The Fond du Lac Reservation is active in working with local agencies and group that are involved in local economic development. For instance the Band has representation on local development boards such Arrowhead Regional Development Commission, the Northspan Group, and the Northland Foundation. Additionally, staff from the Band, meets with staff from Carlton County, City of Cloquet and the State of Minnesota Monthly and quarterly to discuss projects, potential partnerships and to keep one another apprised on what is being developed.

## CHAPTER III

### THE RESERVATION AND SURROUNDING AREA

#### Fond du Lac Reservation

The Fond du Lac Reservation was established by the LaPointe Treaty of 1854 and is one of the six Reservations inhabited by members of the Minnesota Chippewa Tribe. The Reservation lies in northeastern Minnesota adjacent to the city of Cloquet and is approximately 20 miles west of the twin ports of Duluth, Minnesota and Superior, Wisconsin. The St. Louis River borders the Reservation to the north and east and Minnesota Highway 210 lies on the approximate southern border. The Reservation is comprised of 101,000 acres of which 29 percent is Indian owned (included land owned by the Fond du Lac Band, and parcels owned by individual Indians).

Topography of the land ranges from rolling hills along the St. Louis River to nearly level marshlands in the western and southwestern sections. There are 23 lakes that total over 3,000 acres; Perch Lake covering 832 acres is the largest. Many of these lakes are shallow and well suited to the production of wild rice and wildlife. With the virgin pine being harvested at the turn of the century, the remaining forested land consists of second growth trees of less commercial value. The northern areas are composed of sand and gravel while peat reserves with some limited commercial value are in the southwest. A high water table throughout the Reservation complicated the installation, operation, and maintenance of sanitation facilities yet provides easily accessible sources of drinking water and habitat for waterfowl. Wild game had become less abundant due to increased hunting pressure and housing sprawl. Appropriate hunting regulations and land management practices may reverse this trend.

The Reservation climate is characterized by moderate summers and cold winters. Temperature extremes range from -35 to 100 degrees Fahrenheit. The growing season is short with an average minimum sixty-day frost free period. Winter is the longest season with snow cover from mid-November to mid-April. The frost line often exceeds 60 inches.

#### Fond du Lac Demographics and Labor Force

Fond du Lac is located in Carlton and St. Louis Counties in northeastern Minnesota. Trends within the region tend to affect the Reservation and thus it is important to have some understanding of the broader demographic picture. Table 1 shows the recent population trends for the region.



Table 1: NORTHEASTERN MINNESOTA POPULATION TRENDS

COUNTY	1990	2000	2010
Aitkin	12,425	15,301	16,202
Carlton	29,529	31,671	35,386
Cook	3,868	5,168	5,176
Itasca	40,863	43,992	45,058
Koochiching	16,299	14,355	13,311
Lake	10,415	11,058	10,866
St. Louis	198,213	200,528	200,226

Source: U.S. Census Bureau

After a population spurt primarily fueled by expansion of the taconite industry on the late 1970's, northeastern Minnesota drastically lost population in during the 1980's. However, Carlton County with a more diverse economic base remained essentially stable. In addition, although the City of Duluth lost considerable population in the 1970's and 1980's, the outlying areas of Southern St. Louis County actually gained population at this time. Thus, Fond du Lac Reservation finds itself in one of the few areas of the regional where overall economic and demographic conditions have remained somewhat stable.

The overall region was adversely affected by the recession of 2009, The economy is slowly regaining strength and has been since 2010. The Fond du Lac Reservation did withstand the recession well in comparison to the region. The Band did not experience layoffs and construction did not slow down. The Reservation had multiple projects ready for construction at this time, and continued that development as the recession progressed. Then the American Recovery and Reinvestment Act was passed and the Fond du Lac Reservation further enhance economic development by have several shovel ready projects and were to construct those as well. Overall, the Band performed well in these circumstances even as gaming slowed as a result of the recession.

The 2010 census estimate that 2,012 Native Americans reside in Carlton County with 1,492 living on the Reservation. The majority of the residents lives within the Cloquet area largely due to the fact that the majority of Fond du Lac homes are located there, and has better access to jobs and services. Additionally, this also has the larger tracks of land more suited for housing and governmental development than other areas of the Reservation. The Sawyer Community is the second largest population of Native Americans with the Brookston area being third. A large number of Native Americans, who seek jobs and services from the Reservation, reside in the nearby areas of South St. Louis County and the City of Duluth; the 2010 Census estimate 2,192 Native Americans living in Duluth.

A comparative analysis between the 2003 and 2011 labor force reports is presented in Tables 2 & 3. Prepared by the Reservation the figures provide data about the labor force of the Reservation and service area. Even though the unemployed figure is still very high it is lower since 1991. The figure was 32% in 1991 dropping to 22% in 2003, then further lowering to 15.5% in 2011.

Table 2: FOND DU LAC LABOR FORCE, 2011

	Number	Percent
Indians Residing On Reservation	1492	
Indians Residing In Service Area	3325	
Total Resident Indian Population	4817	
Potential Labor Force*	2317	
Employed Earning Below Poverty Line	279	12.0%
Employed Earning Above Poverty Line	1341	57.9%
TOTAL Employed	1617	69.8%
Unemployed	359	15.5%

Table 3: FOND DU LAC LABOR FORCE, 2003

	Number	Percent
Indians Residing On Reservation	1492	
Indians Residing In Service Area	1887	
Total Resident Indian Population	3379	
Potential Labor Force	2334	
Employed Earning Below Poverty Line	277	11.9%
Employed Earning Above Poverty Line	1533	65.7%
TOTAL Employed	1810	77.5%
Unemployed	524	22.5%

\* 16 years of age and older, and less students, physically disabled, etc.

Source: BIA Labor Force Report

The figures in Table 2 strongly indicate that underemployment is as a serious of a problem as unemployment for area Native Americans. Though the numbers have changed in Table 3, the issue of underemployment still exists. Additionally, half of those employed in 1991 were below the poverty rate. As of 2011 the number had dropped from 35% to 12% below the poverty rate. There has been improvement in the overall figures from 1991 to present. The overall population has increased 853 people, and the numbers for unemployed and underemployed has dropped over the past 8 years.

Even though there has been improvement made the unemployment figures are still significantly higher than those for the county and the region. When the Reservation rate was 22.5 percent in 2013, the rates for Carlton and St. Louis Counties were 5.8 and 6.8 respectively. In 2010, the Reservation rate was 15.5 percent and the rates for Carlton and St. Louis Counties were 7.3% and 7.8%.

In 2011 and 2012 the Fond du Lac Band contracted with the University of Minnesota, Duluth – Bureau of Business and Economic Research to conduct an economic impact study of the Band. Attached at the end of the CEDS is a copy of Executive Summary of the economic impact study. In 2011, the Band created almost \$336.9 million in output between the tourism, services and construction operations. The impact to employment both directly and indirectly created over 3,600 jobs in the region.



### Fond du Lac Human Services Surveys

Every two years the Fond du Lac Reservation Human Services Division conducts a comprehensive survey to assess the health and human service needs of the community. The most recent assessment was completed in January 2009. Among the highlights were:

The percentage of individuals who filled out the survey who indicated they did not have health insurance increased from 75% in 2007 to 86% in 2009.

The percentage of individuals who smoke cigarettes in the past twelve months has decreased from 56% in 2001 to 60.7% in 2007.

Approximately, 33% of the respondents reported to have either a high school diploma or GED in 2001, results from the 2005 survey states that 32% had a high school diploma or GED, and the 2009 survey states the respondents had a 26% rate to the same question.

As indicated by the survey results the leading issues on Fond du Lac show that drugs, misuse of prescription drugs, abuse and violence are the most significant.

Other related national statistics regarding health conditions in Indian country.

Injuries and violence are the leading killers of Native American children and youth, accounting for 75% of all deaths among one to 19 year olds.

Native American male's ages 15 to 19 years had the highest number of deaths for six causes of injury: motor vehicle-related, pedestrian-related, firearm-related, homicide, suicide, and drowning.

Heart Disease and Cancer are number one and two causes of death, and over half of the adult population has diabetes.

Average age of mortality is 72.3 years.

### Fond du Lac Resource Management

In 2008 the Fond du Lac Reservation Resource Management Division prepared a document titled "Integrated Resource Management Plan". The purpose of the document was to evaluate the Reservation's resources, determine the desires of resident's regarding resource management, and set forth a cohesive plan of action for future management. Management themes were developed with involvement of the Band membership. These themes are fisheries, wild rice, cultural resources, water, forestry and land resources.

Among the major issues identified in the resource assessment were:

- A Tribal Historical Preservation Office (THPO) will be employed to better meet requirements of Section 106. Employees will increase from 1 to 2.

- Improve wild rice harvest by conducting monitoring and restoration projects in the Ceded territories
- Maximize the exercise of tribal sovereignty through the assumption of environmental regulatory authorities under the Clean Water Act: water quality standards, nonpoint source management, permitting under Sections 402 (National Pollutant Discharge Elimination System), and 404 (Wetland Dredge and Fill). These activities are also eligible for federal funding through the US Environmental Protection Agency. Extending the work of the Fond du Lac Office of Water Protection to off-Reservation/Ceded Territories activities (Alternative 3) is not eligible for the same federal program funding, nor do the Band's delegated authorities extend to off-Reservation lands.
- Improve and increase fish population assessments both on the Reservation and within both the 1854 and 1837 Ceded Territories, with the goal of adding harvest opportunities.
- An alternative was not developed for land resources. The resource is currently under the direction of the Land Use Committee and the Planning Division, which operates under a separate Land Use Plan.
- Ecological Silviculture will be used to guide forest management decisions. A limited harvest zone will be established within a ¼ mile of the wild rice lakes and ¼ mile of the St. Louis River.
- Increased staffing with additional skilled positions will allow the Program to address more of the needs and opportunities for wildlife in the two Ceded Territories and on the Reservation. This is needed due to the size of Fond du Lac's land area with wildlife interests – 8,000,000 acres – and increasing pressures and changes on wildlife resources.
- Add toxics monitoring and additional stations to better monitor air quality for members' health.
- Enhance work space to improve efficiency and morale of staff. Enforcement in Ceded Territories would also be expanded. An Administrative Assistant would be hired to track officers' activities and budgets.
- Establish a recreation program with emphasis on motorized and non-motorized trails.
- Establish regulations for motorized trail use.
- Expedite Fond du Lac's Strategic Energy Plan and capital development project.

- Develop a new waste facility on or off-Reservation and implement curbside pickup for Fond du Lac households. The new facility will help with increased utilization of waste for energy and recycling

### Fond du Lac Economy, Development and Vision

Understanding Fond du Lac Bands general economic situation requires a brief review of the economy of northeastern Minnesota. Historically reliant on iron mining and forest industries, the region as a whole has undergone serious economic restructuring since the mid 1980's.

The challenges to economic development:

- Overall high unemployment;
- Single industry dependence;
- Limited availability of development capital;
- Lack of local development capacity;
- Business/industry dislocations;
- Lack of advanced telecommunication, in particular broadband development;
- Lack of housing;
- Lack of technological skills in the workforce;
- Changing regional demographics and;
- Low per capita income.

Opportunities for economic development:

- Strong health care system;
- A strengthening to the overall education system;
- Renewable and green industry potential;
- Tourism and gaming;
- Natural resources;

Many of these regional factors affect Fond du Lac. Carlton County, which half of the Reservation lays, has a more resilient manufacturing economic base than the rest of the region. This base is comprised of Sappi Paper Company, USG Interior and Diamond Brands matchstick plant. The combination of these and other economic drivers have created a relatively stable situation in the area. This is reflected by the county's population that has shown stability since 1970 and increases from the 1990's to the present. Additions to Sappi/Potlatch, Fond du Lac Tribal & Community College, Black Bear Golf Course, Walmart and other enterprises, since 1990 will assist future economic activity.

In nearby Duluth, that city has responded to the restructuring of the regional economy by heavily investing in tourism, medical industry and education. Once considered a steel, manufacturing and port city, Duluth has emerged as a major destination spot for Midwest

tourists. Since the 1990's the City has given the downtown a facelift, invested \$9 million in the waterfront area, \$17 million in a convention center, built the Lake Superior Aquarium and several tourist attractions such as the William A. Irvin and Scenic Railroad. Additionally, Duluth has worked with local hospitals to become a regional health care center with Essentia Health and St. Luke's Hospitals forming the core. Also, expansion at the University of Minnesota, Duluth, Lake Superior College, and the Duluth Business University combined with the College of St. Scholastica has made Duluth a regional higher education center as well.

The Fond du Lac Reservation is also diversifying the local economy. The Fond du Lac Black Bear Casino & Hotel and the Fond du Lac Casino have been very successful for the Band and additional businesses have been developed. In 2004, the Reservation opened the Fond du Lac Propane Company and the Fond du Lac Gas & Grocery. In 2007 the Reservation started a Band owned logging company named Fond du Lac Timber and Logging. Also, in 2001 the Band added a golf course at the location of the Black Bear Casino as an additional alternative to tourists in the area. Most recently, the Band started a non-commercial educational radio WGZS 89.1 FM in 2011 and in 2012 the Band purchased the WKLK radio cluster in Cloquet as ways to improve diversification. The Reservation continues to operate a construction firm. Between Tribal enterprises and administration the Band employs over 2,000 employees half of which are Native American.

#### *Fond du Lac Infrastructure and Services*

Reservation children attend school in the Cloquet, Carlton, and Brookston School Districts as well as the Fond du Lac Ojibwe School. In 2001, the Fond du Lac Reservation opened a new Fond du Lac Ojibwe K-12 School. Presently, the school has an enrollment of 400 students, up from 150 students prior to the new schools opening. There are home-school coordinators in each school and the drop out rate has been reduced from 91% in 1971 to 25% in 1983 to 17% in 2006. University and vocational training is available in several facilities in the region including the Fond du Lac Tribal and Community College. The Fond du Lac Tribal and Community College was the first facility in the United States owned by the Tribe and is a full member of the state college system.

The Fond du Lac Ojibwe School was opened to students in January of 2001. The previous school was undersized and had several outmoded buildings. In 1999, the Fond du Lac Reservation received funding from the Bureau of Indian Affairs to construct a new school in the amount of \$12,000,000.00. Construction on the school began in late 1999 and was completed in 2001.

The Fond du Lac Tribal and Community College has been providing services since 1987. In 1992, a college campus located in Cloquet, MN, adjacent to the Fond du Lac Reservation, was constructed and has since seen steady growth evidenced through several expansions. The college provides classrooms, support services, administration and housing for students.



In general the Reservation has limited public utility systems. Along Big Lake Road, on a corridor extending from the border with the City of Cloquet to the Tribal Center, the Reservation built sewer and water lines in 1997 to service the Tribal Center, Fond du Lac Gas and Grocery, Min-No-Aya-Win Clinic, the Housing Authority and a small number of individual homes. Also, in 1993 sewer and water lines were built from the City of Carlton to service the Black Bear Casino and Hotel. Separate community water systems serve over 60 units of low income housing. All other homes, public buildings, and businesses are served by individual wells and on-site sewage treatment systems. There are two independent living properties for the elderly residents. The oldest facility located in the Cloquet District, has 15 units and is connected to city sewer and water, and the newest unit built in 1996 has 20 units and has an individual well and septic. The Reservation recently completed a 24 unit supportive housing facility, 10 unit assisted living and a 10 unit veteran's supportive housing facility. In addition to the already mentioned low income and elderly group housing units, there are an additional 445 units of HUD housing.

The Reservation itself does not own or provide garbage service. Although, through the Resource Management Division the Reservation provides recycling services and a household hazardous waste program to Band members. The facility located on-site with the division provides these services to Band members at no charge.

Also, the Reservation does not have its own fire protection service. These services are currently provided, under agreements, by other local units of government. Presently, the Reservation is doing an assessment to provide data to see if the Band should provide these services themselves.

In the past fourteen years the Reservation has developed land management infrastructure such as a land use plan, zoning ordinance, air & water quality standards, solid waste ordinance, wetland conservation plan, integrated resource management plan, transportation plan, and other similar controls.

Until 1997 the Reservation did not assume law enforcement within its boundaries. In 1997 the Reservation created a police force and since then the force has grown from two officers to fourteen. The law enforcement now provides service 24 hours per days, seven days a week. Also, the Reservation has cross-deputization agreements with the City of Cloquet, Carlton County and St. Louis County to improve law enforcement services to the Reservation.

Fond du Lac operates its own health and social service delivery system that can meet many of the needs of Indian people residing in the service area. All Indian people in the service area are eligible for this care. In-patient services must be paid for by patients and/or insurance companies. Limited contact health care is available to Fond du Lac enrollees and other Indians living on the Fond du Lac Reservation. Services provided by the Reservation include: ambulatory care, ancillary care, dental, audio-logy, community

health services, mental health services, social services, alcoholism services and community health.

The Reservation is strategically located with regard to highways. Interstate 35 passes the eastern border while Minnesota Highway 210 and US Highway 2 transect the Reservation to the south and north respectively. Within this system is a network of County and local roads, most of which are paved, providing access to all sections of the Reservation.

This road network gives easy access to and from the Reservation by residents and visitors. It is one reason that the Reservation is stressing tourist related economic development enterprises. The system also permits good access to the educational facilities, Tribal administration, health care, and other necessities to local residents.

## B. EVALUATION

Fond du Lac has entered a phase at which its continued development can be continued and expanded upon through the use of traditional values and the opportunities granted by its own hard work. Historically statistics has shown that Native Americans suffered from lack of education, unemployment, dysfunctional families, alcoholism, lack of tribal identity and self-esteem. Although these trends have improved in that past 25 years, and emerging trend of using traditions to assist in the utilization of local resources and initiatives in education, human services, resource management and economic development to provide the tools to direct the future.

Economic development at Fond du Lac requires: financial strength through casino operations and other development efforts, education provided through the Ojibway School and the tribal and community college, and viable families which are helped by services provided by human services. All these components must be interwoven to create a community that is capable and confident of being able to support their livelihoods.

The historic pattern of life on the Reservation is being reversed through tribal actions that must continue in the future. Educational opportunities have been strengthened from pre-school through the college years. This allows people to develop skills to enter the job market. Quality of living has been improved, and will continue to be improved in attempts to eliminate the negative encumbrances on individual and families. Economic activities set to work in conjunction with the diversifying local economy are providing employment opportunities and investment capital essential to a more secure future for the tribe and Band membership.

The statistics and the Reservations past history state that the Band must make coordinated progress on all three fronts if any one of them is to succeed. The result must be an even more successful community fully capable of increased participation in the regional economy, educational system and community development.

Educational efforts have and should continue to be focused on the full range of activities. This includes continual review and upgrade of school facilities and programs. This also includes providing non-school programs to reinforce the educational gains made at school. Sustaining and expanding services at the Fond du Lac Community College must also continue. All of this means that administration must find new ways to integrate traditional teachings and values into modern culture in order to sustain historic ways and to enrich current ones.

Human services must continue to focus on strengthening families as functional units. They must also sustain the health and well-being of individuals so that they are fully capable of being involved members of the community. As new educational and employment initiatives provide people with renewed self-confidence and economic support, human services have to work with these people to successfully counter the negative factors of the past.

Finally, economic development activities must be directed towards those efforts which provide local employment in enterprises and infrastructure development that fit within diversified local economy. The casino's fit in this mold as well provide the fiscal resources for future endeavors. Those new endeavors must not only seek to expand the current successes but also to reach out into such areas as tourism services, forest products, environmental services, renewable energy, internet services, and retail.

## CHAPTER IV GOALS

This section presents the basic economic development goals for the Fond du Lac Band of Lake Superior Chippewa. These goal statements are based upon the evaluation of current and projected needs and opportunities and reflect the philosophy of the Reservation Business Committee and the Fond du Lac community.

Fond du Lac has set forth on the path of increased economic self-sufficiency for the Reservation and individual members. This has and will continue to involve the integration of key services and programs to focus limited Tribal resources on those opportunities which will best advance the economic, education and health situation of Reservation members. These actions also mirror Fond du Lac's understanding that it is a vital member of the broader regions community and that it has and will continue to operate to the mutual benefit of that community.

The emergence of gaming and entertainment complexes as major revenue producers for Fond du Lac is more than just a short-term economic boost for the Reservation. By resolution the Fond du Lac RBC has expressly directed that net profits from its gaming enterprises be used for initiatives and services in economic development, health and human services, and education. For too many years Fond du Lac citizens have been in a downward spiral of despair; lack of education, unemployment, dysfunctional families, alcoholism, lacking self-esteem and loss of individual and tribal confidence. Gaming revenues represent the economic force which, because they derive from tribal initiative

and control, can redirect the old spiral into an upward one of positive change, self-esteem, meaningful employment, income, opportunity and the confidence to grab the opportunity.

The 2013-18 Community Economic Development Strategy outlines goals for the Fond du Lac Reservation are:

- Work with public and private sector groups to strengthen and enhance the Band's capacity and economic development
- Prepare the Band for economic growth by expanding and maintaining critical infrastructure including communications, transportation and public utilities.
- Improve the Band's entrepreneurial environment.
- Ensure an adequate supply of quality, affordable workforce housing in the region.
- Obtain and sustain economic self-sufficiency for the Fond du Lac Band of Lake Superior Chippewa; and,
- Secure, expand and nurture economic and personal self-sufficiency for all individual members of the Fond du Lac Band of Lake Superior Chippewa.

## CHAPTER V OBJECTIVES

The Fond du Lac Community Economic Development Strategy (CEDS) will be broken out into program component areas.

### *CEDS Objectives*

#### 1. Economic Development

- Improve and expand the Fond du Lac Transit system.
- Construct trails on the Reservation to improve non-motorized travel, infrastructure and health.
- Develop infrastructure such as roads, sewer and water lines as ways to improve the quality life for residents, but use as an economic tool.
- Create a business incubator with staff support to assist Band members with business ideas.
- Expansion of the gravel pit business.
- Establishment of a Tribal Emergency Response team, and emergency management.
- Planning page on the Fond du Lac Tribal website.
- Waterline expansion phase II.
- Develop a framework for business development.
- Construction of 10 duplex units for low income housing.



## 2. Education

- Provide meaningful programs to assist children to become knowledgeable and productive members of tribal society.
- Provide adult education programs to offer basic skills required for on-going employment.
- Continued work of accreditation of the Fond du Lac Tribal College.
- Provide support to K-12 and college facilities for purposes of expansion and use.
- Provide supportive services to the ongoing development of the Fond du Lac Tribal College.

## 3. Health and Human Services

- Support home health services to provide better services to residents.
- Provide further health education and care for specific concerns such as diabetes and mental health.
- To further develop services to school age children including services provided in school.
- Continued upgrade of facilities and services for providing key in-patient care.

## 4. Community

- Provide day care services to permit tribal members to seek meaningful employment while offering reliable and rewarding support for their children.
- Provide appropriate governmental services to protect the health, welfare, and property of the Reservation.
- Provide employment opportunities to the Band membership through economic development projects and programs.

## CHAPTER VI

## CEDS DEVELOPMENT STRATEGIES

### *Program and Project Selection Criteria*

It is necessary to concentrate financial and human resources on the most important programs require the application of criteria to select those programs or projects. The following statements will guide Fond du Lac Reservation Business Committee decisions regarding program initiation, maintenance or redirection during the period of this Community Economic Development Strategy.

Currently identified or proposed future programs and projects will be evaluated by the degree to which they satisfy the following criteria as may be appropriate to the project.

### CEDS Goals and Objectives

Does the project meet CEDS goals?

Does the project meet one or more CEDS objectives?

#### Funding

Is the required Reservation Business Committee funding for the project consistent with short and long financial projections for the Reservation?

Are non-Reservation Business Committee sources of funding available and applied to this project? Greater weight will be given to those projects with non-RBC funding)

Is the project, or can it become, financially self-sufficient in a reasonable time period?

#### Area of Impact

What is the area directly or indirectly impacted by the project? (Projects will be given more weight the larger area the impact)

#### Long-term Impact

Will community infrastructure (social, administrative or physical) be expanded or upgraded to sustain future use and development?

Will the Reservation's natural environment and resources be enhanced or impacted regarding traditional hunting, fishing, and gathering activities?

Will the bulk of the direct impact of the program or project be measurably felt for a period of greater than five years?

#### Employment

Does the project create or retain jobs?

Are the jobs created or retained seasonal or year round?

Do the jobs pay greater than minimum wage?

#### Self-sufficiency

Does the project provide education, training, or the opportunity to take advantage of such activities?

Does the project encourage, foster or support direct action by an individual or group of individuals to gain economic self sufficiency?

#### Family

Does the project serve to rebuild, strengthen or sustain functioning families?

Will the project result in enhancing the ability of individuals to more fully participate in community life in a socially acceptable manner?

Will the project encourage greater understanding of and participation in traditional Ojibwe cultural activities?

#### *Strategy Committee*

The CEDS committee will be responsible for the development, updates, changes and implementation of the CEDS document. The committee group is comprised of Executive Director of Programs, Executive Director of Enterprises, Director of Planning, Economic Development Planner, Environmental Program Manager and the Construction Projects Manager. This group includes representatives from the Band's enterprises, administration, economic development, environmental, community members, former small business owners and five of the six are members of the Tribe.

#### 2013 CEDS Committee

<i>Name</i>	<i>Organization</i>	<i>Capacity</i>
Chuck Walt	Fond du Lac Reservation	Executive Director Programs
Mike Himango	Fond du Lac Reservation	Executive Director Enterprises
Jason Holliday	Fond du Lac Reservation	Planning Director
Amy Wicklund	Fond du Lac Reservation	Economic Development Planner
Mike Murray	Fond du Lac Reservation	Construction Projects Manager
Wayne Dupuis	Fond du Lac Reservation	Environmental Program Manger

#### *Governing Board*

The governing board of the Fond du Lac Reservation is the Reservation Business Committee (RBC). The RBC is the executive branch of the Reservation and makes all the final decisions of the Band. The RBC is comprised of five elected officials: chairperson, secretary/treasurer, district one representative, district two representative, and the district three representative. All five of the positions are elected for a four year term and are staggered. The chairperson and

secretary/treasurer positions are openly elected where the entire eligible Band membership votes and the three district representative are voted only by those who registered in that district. Decisions are voted on and must have majority for a decision to be passed or denied.

#### 2013 Governing Board

<i>Name</i>	<i>Position</i>
Karen R. Diver	Chairwoman
Ferdinand Martineau, Jr.	Secretary/Treasurer
Wally Dupuis	District I Representative
David R. Tiessen, Jr.	District II Representative
Kevin R. Dupuis, Sr.	District III Representative

#### *Planning Process*

The Fond du Lac Band of Lake Superior Chippewa is required to submit a new CEDS every five years to the Economic Development Administration (EDA), although updates are occasionally required by the EDA. The Minnesota Chippewa Tribe (MCT) provides a calendar of when the annual and bi-annual reports are due. The reports are based on progress made on the CEDS.

Changes to the CEDS will be made by the CEDS Committee and these changes are then brought to the Reservation Business Committee for approval through a resolution. The EDA and MCT will be given copies of the CEDS, CEDS updates and reports.

Project	Description	Job Created	Lead Agency	Investment
Trail Construction	Develop non-motorized trails for community connectivity, health and sustainability.	8-10 for construction. 2-3 for maintenance.	Fond du Lac Band	\$100,000 per mile
High Speed Internet	This part of Carlton and St. Louis Counties are NOT served by high speed broadband internet. This would bring fiber to the home.	5 positions for support.	Fond du Lac Band	\$8,000,000
Renewable Energy	Research and potential development of pellet plants and furnaces.	Research phase	Fond du Lac Band	Up to \$30,000,000 depending on research findings
Truck Stop	Construct or acquire a truck stop on Highway 2 and/or Highway 210.	12-15 positions	Fond du Lac Band	\$10,000,000
Transitional Housing/Shelter Facility	Provide 10 units of transitional/shelter housing for a population segment that is not being served.	3 positions	Fond du Lac Band	\$2,100,000
Infrastructure Development	Development and construction of roads, sewer and water lines.	20 positions	Fond du Lac Band	\$1,100,000 annually
RV Park	Construct an additional amenity to the Black Bear Casino complex.	8-10 positions	Fond du Lac Band	\$3,000,000
Utility Development	Develop a Fond du Lac utility for water, sewer, and future projects such as green power and broadband.	1 position	Fond du Lac Band	\$150,000
Tribal Emergency Response Team	Emergency management segment that needs to be developed.	2 positions	Fond du Lac Band	\$100,000
Water Line Expansion Phase II	Provide additional services and fire protection to the existing development corridor	15 positions	Fond du Lac Band	\$900,000
Assisted Living Expansion	Provide an additional 10 units of space for assisted living, including memory care.	5 positions	Fond du Lac Band	\$1,500,000
Low Income Duplexes	Develop 10 duplexes for low income people.	2 positions	Fond du Lac Band	\$2,500,000

Fond du Lac Band of Lake Superior Chippewa

**2010-2020**

# Reservation Strategic Plan







**Fond du Lac Band of Lake Superior Chippewa**  
**2010-2020**  
**Reservation Strategic Plan**

**Prepared for:**

The Fond du Lac Band of Lake Superior Chippewa

Adopted by the Fond du Lac Band of Lake Superior Chippewa by  
Resolution December 15, 2011

**Facilitated by:**

MP Hanson Associates, Inc.  
Affiliate, Millennia Consulting LLC  
Minneapolis, Minnesota

# Fond du Lac Band of Lake Superior Chippewa

## Reservation Business Committee

1720 Big Lake Rd.  
Cloquet, MN 55720  
Phone (218) 879-4593  
Fax (218) 879-4146

RESOLUTION # 1410/11

### Resolution to Adopt the Fond du Lac Reservation Strategic Plan

The Fond du Lac Reservation Business Committee, on behalf of the Fond du Lac Band of Lake Superior Chippewa, enacts the following Resolution:



Chairwoman  
Karen R. Diver

Secretary/Treasurer  
Ferdinand Martineau, Jr.

Dist. I Representative  
Wally Dupuis

Dist. II Representative  
Sandra M. Shabiash

Dist. III Representative  
Mary S. Northrup

Executive Director,  
Tribal Programs  
Chuck Walt

WHEREAS, the Fond du Lac Reservation is a sovereignty, created by the Treaty of September 30, 1854, 10 Stat. 1109, as the perpetual home of the Fond du Lac Band of Lake Superior Chippewa, which possesses the inherent jurisdiction and authority to exercise regulatory control within the boundaries of the Fond du Lac Reservation; and

WHEREAS, it is the sovereign obligation of the Fond du Lac Reservation Business Committee, as the Governing Body of the Fond du Lac Band, under the Indian Reorganization Act, 25 U.S.C. section 461 et seq., and in accordance with the Indian Self-Determination Act, 25 U.S.C. section 450 et seq., to assume the responsibilities of Self-Government; and

WHEREAS, the Fond du Lac Reservation Business Committee has developed the Fond du Lac Reservation 10 Year Strategic Plan that will provide a framework to move the Fond du Lac Band of Lake Superior Chippewa in a forward direction; and

WHEREAS, NOW THEREFORE BE IT RESOLVED, that the Fond du Lac Reservation Business Committee hereby adopt the "Fond du Lac Band of Lake Superior Chippewa -- 2010-2020 Reservation Strategic Plan" as a long-term development guide for the Fond du Lac Reservation

We do hereby certify that the foregoing Resolution was duly presented and acted upon by a vote of 2 for, 0 against, 0 silent with a quorum of 3 being present at a Special Meeting of the Reservation Business Committee held on December 15 2011, on the Fond du Lac Reservation.

  
Karen R. Diver  
Chairwoman

  
Ferdinand Martineau, Jr.  
Secretary/Treasurer





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# 2010 -2020 Strategic Plan Overview



## Purpose

The Fond du Lac Band of Lake Superior Chippewa conducted a participative planning process in 2010 to create a 10-year Strategic Plan to guide Fond du Lac Reservation directions and development. Specific steps included the following activities and outcomes:

- A. *Evaluate* existing plans and priorities in order to account for progress and identify the goals, initiatives and commitments to be integrated into the strategic plan.
- B. *Seek* Band Member input and ideas at key points of the process
  - *Initial input* about the current state of the reservation and possible future directions
  - *Mid-course prioritizing* of possible vision, goals and directions
  - *Final feedback* to refine the draft strategic plan
- C. *Develop* a 10-Year Strategic Plan based on the findings and suggestions
  - A clear, long-term vision and goals for the Reservation
  - Priority strategies for implementing the vision and goals
- D. *Activate* the plan by identifying steps, roles and mechanisms for implementing, monitoring and steering the plan

## Process

The first phase of the planning process included an opportunity for Band Members to provide their ideas and insights. Over 500 Band members participated at community meetings, focus groups, elders meetings, Enrollee Day and the Health Fair. In the second phase, strategic directions and goals were developed based on the broad-based input. The specific steps of the process are described in the appendix (p. 24).

Phase I: <i>Gathering</i> Input and Information	Phase II: <i>Activating</i> a Strategic Roadmap
February – June 2010	July – December 2010
<p>A. <i>Seek</i> Band Member input and ideas about current advantages, challenges and future directions through community meetings, focus groups and written input.</p> <p>B. <i>Evaluate</i> existing plans and priorities in order to account for progress and identify the goals, initiatives and commitments to be integrated into the strategic plan.</p>	<p>A. <i>Develop</i> a 10-Year Strategic Plan based on the input suggestions by creating a draft vision, goals and directions and seeking member feedback to refine the plan.</p> <p>B. <i>Approve and activate</i> the plan by identifying steps, roles and mechanisms for implementing, monitoring and steering the plan.</p>

A *Plan-At-A-Glance* can be viewed on the following page.





## Plan-At-A-Glance



### Priority DIRECTIONS and STRATEGIES



### 2020 Vision

#### Direction I: Build COMMUNITY VITALITY

Strategy I-A: Enhance CULTURAL VALUES, PRIDE AND PRACTICES  
Strategy I-B: Celebrate ONE NATION and UNIQUE DIFFERENCES between districts  
Strategy I-C: Assure COMMUNITY SAFETY AND ACCOUNTABILITY FOR BEHAVIOR  
Strategy I-D: Evolve CONSISTENT and PARTICIPATIVE GOVERNANCE

Details pp. 8, 12-15

#### COMMUNITY VITALITY

A vibrant, safe, culturally-grounded, supportive and collectively governed community.

#### Direction II: Support INDIVIDUAL SELF-RELIANCE

Strategy II-A: Focus and Solidify SUPPORT and CARE for the EMERGING GENERATION  
Strategy II-B: Support INDIVIDUAL ECONOMIC SELF-SUFFICIENCY  
Strategy II-C: Develop DIVERSE MULTI-GENERATIONAL HOUSING OPTION  
Strategy II-D: Promote and expand HEALTHY LIFESTYLES AND CARE OPTIONS

Details pp. 9, 16-19

#### INDIVIDUAL SELF-RELIANCE

Empowered, self-confident, self-sufficient band members as a result of tribal interdependence and individual independence

#### Direction III: Structure SUSTAINABLE RESERVATION DEVELOPMENT

Strategy III-A: Diversify RESERVATION BUSINESSES and SERVICES  
Strategy III-B: Enhance WORKFORCE DEVELOPMENT AND EMPLOYMENT PRACTICES  
Strategy III-C: Proactive LAND USE, INFRASTRUCTURE, NATURAL RESOURCES MANAGEMENT

Details pp. 10, 20-23

#### SUSTAINABLE DEVELOPMENT

Sustainable natural, economic, land and infrastructure resources that support a quality livelihood for individuals and the community.

Details pp. 8-23

Details p. 7

# 2020 Vision

What are long-term goals?



Direction I: Build COMMUNITY VITALITY	
2020 VISION	
<p><b>A vibrant, safe, culturally-grounded, supportive and collectively governed community.</b></p>	
<p><i>Related images from community meetings:</i></p> <ul style="list-style-type: none"> <li>Make it a community again</li> <li>An environment that attracts people and they want to live here</li> <li>Kids live, walk and play in a community that is drug-free, alcohol-free and safe.</li> <li>I can visit a district representative and have conversation in Ojibwe language</li> <li>Addressing issues in a culturally appropriate way</li> <li>Active communication and dissemination of information to members</li> <li>Working as one reservation and start ending the competition between communities.</li> <li>Maintain and enhance tribal sovereignty</li> <li>Respect for the past and a focus on the future</li> <li>Develop and implement a new model for how we uplift ourselves and take responsibility for our behaviors and future.</li> </ul>	
Direction II: Support INDIVIDUAL SELF-RELIANCE	
2020 VISION	
<p><b>Empowered, self-confident, self-sufficient band members as a result of tribal interdependence and individual independence</b></p>	
<p><i>Related images from community meetings:</i></p> <ul style="list-style-type: none"> <li>Caring for our youth and children as a community</li> <li>Strong and healthy families</li> <li>Commitment to life-long learning and individual development</li> <li>Physical, mental, spiritual health</li> <li>Individual financial literacy and career planning</li> <li>Shift from a culture of entitlement to empowerment</li> <li>Housing for all needs and generations</li> </ul>	
Direction III: Structure SUSTAINABLE RESERVATION DEVELOPMENT	
2020 VISION	
<p><b>Sustainable natural, economic, land and infrastructure resources that support a quality livelihood for individuals and the community</b></p>	
<p><i>Related images from community meetings:</i></p> <ul style="list-style-type: none"> <li>FDL business not losing money but making money and thriving</li> <li>Economic stability for the community and individuals</li> <li>Strong employment base essential to starting and maintaining strong families</li> <li>More money circulating within the reservation</li> <li>Jobs that are non-gaming and improve the work climate</li> <li>Job training for band members to develop basic job skills</li> <li>Better infrastructure of roads, water and sewer, trails system, transportation</li> <li>I want my children to live in a community where there aren't land use issues for housing and businesses</li> <li>Ongoing tribal cognizant of the natural beauty and committed to its enjoyment and preservation</li> </ul>	



# Status Assessment

How are we doing at present?



<b>STRATEGY</b> Area	<b>Key ADVANTAGES</b>  <input type="checkbox"/> What is <u>working well</u> ? What should <u>not change</u> ? <input type="checkbox"/> What <u>strengths</u> do we need to keep and build upon?	<b>Key CHALLENGES</b>  <input type="checkbox"/> What <u>needs work</u> ? <input type="checkbox"/> What <u>issues need to be addressed</u> in planning?
<b>I - COMMUNITY VITALITY</b>		
<b>Strategy A:</b> <i>Enhance</i> <b>CULTURAL VALUES, PRIDE, PRACTICES AND LANGUAGE</b>	<b>A.</b> Strong sense of tribal identity, sense of community and civic participation (12 comments) <b>B.</b> Ojibwe language and cultural preservation (4 comments)	<b>A.</b> Loss of traditional values – respect and consequences for actions (3 comments) <b>B.</b> Keeping our language alive (1 comment)
<b>Strategy B:</b> <i>Unify &amp; expand</i> <b>RESERVATION COOPERATION AND COMMUNICATION</b>	<b>C.</b> Community centers (6 comments) <b>D.</b> Opportunities and care of elders (4 comments) <b>E.</b> Good Pre-K through college education (4 comments) <b>F.</b> Increased Band enrollment (1 comment)	<b>C.</b> Unsystematic communication about tribal happenings, opportunities and resources (10 comments) <b>D.</b> Social interactions are sometimes divisive and disrespectful (6 comments) <b>E.</b> Maintaining a sense of community (1 comment) <b>F.</b> Becoming proactive about our future development given the setbacks of the past (1 comment) <b>G.</b> Inter-community competition creates division rather than unity (3 comments)
<b>Strategy C:</b> <i>Assure</i> <b>COMMUNITY SAFETY AND ACCOUNTABILITY FOR BEHAVIOR</b>	<b>G.</b> Public safety initiatives (4 comments)	<b>H.</b> Law enforcement issues in addressing dug, emergencies, dogs, etc. (3 comments)
<b>Strategy D:</b> <i>Evolve</i> <b>CONSISTENT and PARTICIPATIVE GOVERNANCE</b>	<b>H.</b> Increased governance accountability, transparency, capability and professionalism (21 comments) <b>I.</b> Constitutional base for strong self-governance (13 comments) <b>J.</b> Progressive community with business-oriented, community-focused leaders (12 comments) <b>K.</b> Many means for addressing disputes (11 comments)	<b>I.</b> Need to have independent branches of governance –elected, executive, judicial, law enforcement, media (14 comments) <b>J.</b> Challenges in operating within the Minnesota Chippewa Tribes (MCT) constitution (11 comments) <b>K.</b> Minimal Band member understanding and participation in major tribal decisions (9 comments) <b>L.</b> Active civic engagement is not broad-based – quieter majority and vocal minority (6 comments) <b>M.</b> Need for examining Band membership criteria in order to sustain the Band in the long-term future (4 comments) <b>N.</b> Need more respect for women leaders and top administrators (2 comments)

*Note: The numbers in parentheses show how many comments related to the theme were expressed by Band Members at various planning input opportunities*



# Status Assessment Continued

How are we doing at present?



<b>Strategy Area</b>	<b>Key ADVANTAGES</b> <input type="checkbox"/> What is <u>working well</u> ? What should <u>not change</u> ? <input type="checkbox"/> What <u>strengths</u> do we need to keep and build upon?	<b>Key CHALLENGES</b> <input type="checkbox"/> What <u>needs work</u> ? <input type="checkbox"/> What <u>issues need to be addressed</u> in planning?
<b>II - INDIVIDUAL SELF-RELIANCE</b>		
<b>Strategy A:</b> <i>Focus and Solidify</i> <b>SUPPORT and CARE for the EMERGING GENERATION</b>	<b>A.</b> Support programs and institutions for education and kids on the reservation (5 comments)	<b>A.</b> Low education attainment and graduation rate (6 comments) <b>B.</b> Negative impacts of per capita payment on youth (4 comments) <b>C.</b> Minimal activities, facilities and parental/community support for youth (4 comments) <b>D.</b> Lack of positive adult role models for youth (2 comments) <b>E.</b> Inadequate Care and Support of Youth and Children (1 comment)
<b>Strategy B:</b> <b>Support INDIVIDUAL ECONOMIC SELF-SUFFICIENCY</b>	<b>B.</b> Talented people with many skills and pursuing ongoing education (4 comments) <b>C.</b> Programs to enhance career development and leadership (4 comments)	<b>F.</b> Need to address gaps in educating and training for jobs, careers, life and leadership (14 comments) <b>G.</b> Need ongoing improvement of care for elders (5 comments) <b>H.</b> Addictive and destructive behaviors (3 comments) <b>I.</b> Sense of entitlement to free support, services and help (2 comments) <b>J.</b> Short-term focus for individual life-planning (2 comments)
<b>Strategy C:</b> <b>Develop DIVERSE MULTI-GENERATIONAL HOUSING OPTIONS</b>	<b>D.</b> Housing Plan and new options in place	<b>K.</b> Lack of affordable housing (5 comments)
<b>Strategy D:</b> <b>Promote and expand HEALTHY LIFESTYLES AND CARE OPTIONS</b>	<b>E.</b> Good health care clinic and services (11 comments)	<b>L.</b> Health care system gaps (6 comments)
<b>III - SUSTAINABLE RESERVATION DEVELOPMENT</b>		
<b>Strategy A:</b> <b>Diversify RESERVATION BUSINESSES and SERVICES</b>	<b>A.</b> Successful Tribal enterprises (11 comments) <b>B.</b> Many citizen-owned businesses (10 comments) <b>C.</b> Basic housing, transportation, resources management, public safety infrastructure and public services (7 comments) <b>D.</b> Business support available (5 comments) <b>E.</b> Gaming as an economic foundation (4 comments) <b>F.</b> Increasing self-sufficiency as a reservation (4 comments) <b>G.</b> Local food production of rice, tea, walleye and maple syrup (2 comments)	<b>A.</b> Financial, political and technical assistance barriers to increasing small businesses and diversifying the economic base (28 comments) <b>B.</b> Assuring long-term revenues and increase self-sufficiency (5 comments) <b>C.</b> Need to increase reservation self-support in food, jobs, energy etc. (1 comment)
<b>Strategy B:</b> <b>Enhance WORKFORCE DEVELOPMENT AND EMPLOYMENT PRACTICES</b>	<b>L.</b> Increased equity in employment (3 comments)	<b>D.</b> Employment still impacted by subjective factors (9 comments)
<b>Strategy C:</b> <b>Proactive LAND USE, PUBLIC INFRASTRUCTURE AND NATURAL RESOURCES MANAGEMENT</b>	<b>H.</b> Abundant natural resources and land (5 comments) <b>I.</b> Advantageous location near multi-modal transportation but isolated to help build sense of community (2 comments) <b>J.</b> Natural resources plan guiding resource management (2 comments) <b>K.</b> Land ownership of ceded territory and acquiring more land (2 comments) <b>L.</b> Land use plan and ordinances in place and being implemented (2 comments) <b>M.</b> Strong cultural connection to the land with zoning that includes cultural preservation (1 comment)	<b>E.</b> Maintaining and expanding our roads, buildings, cleanliness to meet needs (4 comments) <b>F.</b> Need for a sewer and water infrastructure (4 comments) <b>G.</b> Increasing public transportation (1 comment) <b>H.</b> Limits to individual and collective land access and expansion (6 comments) <b>I.</b> Water quality issues (2 comments) <b>J.</b> Lack of jurisdiction in areas other than water and air resources (1 comments)

*Note: The numbers in parentheses show how many comments related to the theme were expressed by Band Members at various planning input opportunities*



# Priority Strategies - Summary

What initiatives are needed to achieve our vision?



## Direction I: Build COMMUNITY VITALITY

### **Strategy I-A: Enhance CULTURAL VALUES, PRIDE AND PRACTICES**

*See Action Details p. 12*

1. *Create and implement a plan* to preserve and revitalize our culture and language in schools, homes, workplaces and the community (24 comments)
2. *Integrate* culture and language into tribal functions and workplaces (4 comments)
3. *Promote and support* tribal art and Band artists (2 comments)
4. *Build* on the museum and/or build a prominent cultural facility for internal and external uses (6 comments)
5. *Preserve* hunting experience for future generations in developing land use plans (1 comment)

### **Strategy I-B: Celebrate ONE NATION and UNIQUE DIFFERENCES between districts and off-reservation members**

*See Action Details p. 13*

1. *Develop* ways to become a vibrant and unified reservation community (14 comments)
2. *Establish* a proactive communication strategy and systems and director (3 comments)
3. *Create* a guide of services and programs available to band members (3 comments)
4. *Diversify* methods and technologies for communication and dissemination of information (15 comments)
5. *Eliminate* inter-community competition for resources (1 comment)

### **Strategy I-C: Assure COMMUNITY SAFETY AND ACCOUNTABILITY FOR BEHAVIOR**

*See Action Details p. 14*

1. *Improve* the truancy court to teach ethics, work habits, encourage school attendance (2 comments)
2. *Implement* Restorative Justice to help youth to take responsibility for actions (5 comments)
3. *Assure* consistent and confidential law enforcement and public safety program (8 comments)
4. *Set up* an animal shelter (1 comment)
5. *Lead* the way in prioritizing and addressing youth violence and crime as a reservation community (4 comments)
6. *Assure* an independent judicial and law enforcement system (7 comments)

### **Strategy I-D: Evolve CONSISTENT and PARTICIPATIVE GOVERNANCE**

*See Action Details p. 15*

1. *Increase* community information and involvement in tribal decision-making (11 comments)
2. *Increase* help for off-reservation band members (3 comments)
3. *Assure* data-driven, proactive program planning effectiveness, follow-through and development (10 comments)
4. *Assure* strategic plan effectiveness and follow-through (14 comments)
5. *Assure* objective, consistent leadership roles and decision-making (18 comments)
6. *Develop* a plan for band succession and continued sovereignty (24 comments)

*Note: The numbers in parentheses show how many comments related to the theme were expressed by Band Members at various planning input opportunities*

# Priority Strategies - Summary Continued



What initiatives are needed to achieve our vision?

## Direction II: Support INDIVIDUAL SELF-RELIANCE

### **Strategy II-A: Focus and Solidify SUPPORT and CARE for the EMERGING GENERATION**

*See Action Details p. 16*

1. *Set up* a Youth Advisory Group and clarify their role (*In process*) (1 comment)
2. *Provide* transitional programs for teens to adults; guide youth in the use of money and basic life skills (5 comment)
3. *Provide* more opportunities, activities and jobs for children and youth (22 comments)
4. *Develop* and implement a plan to address youth issues systemically as a “village” – combine public programming efforts with broad-based, grassroots participation and leadership (12 comments)
5. *Change* the per capita process to support positive growth, pursuit of education/career development and relate effectively to scholarships (8 comments)

### **Strategy II-B: Support INDIVIDUAL ECONOMIC SELF-SUFFICIENCY**

*See Action Details p. 17*

1. *Unite and organize* to encourage, model and develop life-long learning and career development (7 comments)
2. *Enhance* the standards, quality and expectation of the school system and curriculum (6 comments)
3. *Provide* community education at community centers (3 comments)
4. *Utilize* distance learning and other new technologies for education and upgrade education facilities (4 comments)

### **Strategy II-C: Develop DIVERSE MULTI-GENERATIONAL HOUSING OPTIONS**

*See Action Details p. 18*

1. *Provide* emergency shelter and support for the homeless – especially women and families (11 comments)
2. *Offer* homeownership training and support (3 comments)
3. *Develop/update* the 5-Year Indian Housing Plan to *create a* comprehensive and innovative housing strategy (16 comments)
4. *Set* clear standards and guidelines for equitable assistance for housing (7 comments)

### **Strategy II-D: Promote and expand HEALTHY LIFESTYLES AND CARE OPTIONS**

*See Action Details p. 19*

1. *Unite and organize* a strong effort to promote and practice preventative health care (9 comments)
2. *Develop a long-term plan* to *increase and innovate* health care services to meet current and future reservation needs (20 comments)
3. *Make* all facilities smoke-free (4 comments)
4. *Develop* health care policies as needed to support the health care plan regarding prioritizing care for band members etc. (1 comment)

*Note: The numbers in parentheses show how many comments related to the theme were expressed by Band Members at various planning input opportunities*



# Priority Strategies - Summary Continued



What initiatives are needed to achieve our vision?

## III - Structure SUSTAINABLE RESERVATION DEVELOPMENT

### **Strategy III-A: Diversify RESERVATION BUSINESSES and SERVICES**

*See Action Details pp. 20-21*

1. *Expand* existing tribal businesses (24 comments)
2. *Support* for starting and growing local businesses (7 comments)
3. *Diversify and increase* reservation businesses to meet needs (35 comments)
4. *Develop* a business district, mall or "main street" and access to basic businesses and services in all communities (5 comments)
5. *Seek* and coordinate additional funding sources for all reservation development programs and initiatives (2 comments)
6. *Develop* a long-range income, investment and economic plan for a sustainable and strong reservation economy not based on gaming (Build on the 2008-2013 Community Economic Development Strategy) (33 comments)

### **Strategy III-B: Enhance WORKFORCE DEVELOPMENT AND EMPLOYMENT PRACTICES**

*See Action Details p. 22*

1. *Develop* a jobs, work force development and job training plan (4 comments)
2. *Provide* customer service and employee training to assure effective workplaces (3 comments)
3. *Assure* a workplace of trained and qualified employees (12 comments)

### **Strategy III-C: Proactive LAND USE, INFRASTRUCTURE AND NATURAL RESOURCES MANAGEMENT**

*See Action Details p. 23*

1. *Establish* a public works department to maintain, manage and develop the basic community infrastructure and land use (7 comments)
2. *Establish* service agreements to assure reservation fire protection (1 comment)
3. *Identify and develop* adequate land and locations for needed and diverse development - business, residential, natural habitat, recreational etc. (7 comments)
4. *Increase, improve and interconnect* reservation transportation system and services - implement, update and revise transportation plans (3 comments)
5. *Manage* reservation natural resources by implementing and revising the Integrated Resources Management Plan (2008) (2 comments)
6. *Create and implement* a long-term land acquisition strategy (5 comments)

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# Priority Strategies – Action Steps

What steps are needed to implement the strategies?



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## III - Structure SUSTAINABLE RESERVATION DEVELOPMENT

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# Priority Strategies – Action Steps



Direction I: Build COMMUNITY VITALITY		
Strategy I-A: Enhance CULTURAL VALUES, PRIDE, PRACTICES AND LANGUAGE		
CURRENT Committed or Completed Actions and Initiatives		
1. Museum and related programs – FDL History Day, Beading	5. Enrollee Day Culture Fair Language Table (meets Wednesdays)	
2. ABA Language Immersion Birch Bark Canoe Building	6. Teaching our language in schools and homes	
3. Wisdom Steps	7. Newspaper articles - 13 Moons, feature stories, etc.	
4. Project Grow – Gitigaam		
Responsibility	FUTURE Actions and Initiatives	Timing
Grass Roots Initiatives	<p><b>A-1. Create and implement a plan to preserve and revitalize our culture and language in schools, homes, workplaces and the community (24 comments)</b></p> <ul style="list-style-type: none"> <li>a) Communicate the history and culture in order to build pride and focus on the future                             <ul style="list-style-type: none"> <li><input type="checkbox"/> 2011 Action Step: Add “big picture” of the Reservation to the orientation</li> </ul> </li> <li>b) Strengthen the use of our language in schools, homes and the community</li> <li>c) Develop visual displays, storytelling, etc. to communicate connections to our ancestry in order to bridge generations                             <ul style="list-style-type: none"> <li><input type="checkbox"/> 2011 Action Step: Tribal Center Lobby Display (2011 Jeff Savage)                                     <ul style="list-style-type: none"> <li>• Put only current RBS pictures</li> <li>• Slideshow with history continuously playing on large (50” TV)</li> </ul> </li> <li><input type="checkbox"/> Develop contemporary ways to connect young generations to elders and regain cultural pride. Build on Age to Age, Wisdom Steps, Gitigaam, Art Fair, Craft Show, Art at pow-wows</li> </ul> </li> </ul>	
Programs and Services	<p><b>A-2. Integrate culture and language into tribal functions and workplaces (4 comments)</b></p> <ul style="list-style-type: none"> <li>a) Communicate public information bilingually (e.g. the strategic plan, etc.)</li> <li>b) Require employee knowledge of history and culture</li> </ul>	
	<b>A-3. Promote and support tribal art and Band artists (2 comments)</b>	
Public Space and Infrastructure	<p><b>A-4. Build on the museum and/or build a prominent cultural facility for internal and external uses (6 comments)</b></p> <ul style="list-style-type: none"> <li>a) Respectful place for families and friends to conduct funerals, ceremonial activities and community events</li> <li>b) A visible interpretive center to exhibit and communicate our culture and history to the Band and the world</li> </ul>	
	<b>A-5. Preserve hunting experience for future generations in developing land use plans (1 comment)</b>	
RBC Policies and Decisions	<b>A-6. Declare resolution to have Ojibwe be the primary language of FDL – 13 Moons</b>	

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# Priority Strategies – Action Steps



## Direction I: Build COMMUNITY VITALITY Continued

### Strategy I-B: Celebrate ONE NATION and UNIQUE DIFFERENCES between districts and off-reservation members

#### CURRENT Committed or Completed Actions and Initiatives

1. Newsletter
2. Active Website
3. Radio Station
4. Regular Band Meetings
5. Social Media Policy

Responsibility	FUTURE Actions and Initiatives	Timing
Grass Roots Initiatives	<b>B-1. Develop ways to be One Nation that celebrates the unique differences of the district communities and individualism of all members. (14 comments)</b> <ol style="list-style-type: none"> <li>a) Enhance each center and community as a way to foster band/reservation-wide cooperation and unity</li> <li>b) Build a vision and plan to enhance civic participation and community life</li> </ol>	
Programs and Services	<b>B-2. Establish a proactive communication strategy and systems and director (3 comments)</b> <ol style="list-style-type: none"> <li>a) Establish a director of communication to coordinate all reports, PR, etc. internally and externally</li> <li>b) Develop a system of internal and external messaging and communication accessible to all Band members and the reservation                             <ul style="list-style-type: none"> <li><input type="checkbox"/> Continue the Reservation newsletter as a primary communication from the RBC to Band Members</li> <li><input type="checkbox"/> Set up Reservation radio station</li> <li><input type="checkbox"/> Update the website and social media policy</li> </ul> </li> </ol>	
	<b>B-3. Create a guide of services and programs available to band members (3 comments)</b>	
Public Space and Infrastructure	<b>B-4. Diversify methods and technologies to communicate and disseminate information (15 comments)</b> <ol style="list-style-type: none"> <li>a) Improve communication and dissemination of information</li> <li>b) Set up an electronic billboard, utilize social media and other future forms of communication</li> <li>c) Install reservation-wide cell-phone, internet and/or broadband coverage</li> <li>d) Get everyone a computer or easy access to a computer</li> <li>e) Develop and distribute an Annual Report</li> </ol>	
RBC Policies and Decisions	<b>B-5. Eliminate inter-community competition for resources (1 comment)</b> <b>B-6. Broadcast RBC Meetings and publish minutes on the web</b>	

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# Priority Strategies – Action Steps



## Direction I: Build COMMUNITY VITALITY Continued

### Strategy I-C: Assure SAFETY AND ACCOUNTABILITY FOR BEHAVIOR

#### CURRENT Committed or Completed Actions and Initiatives

1. Police Department improvements
  - ☐ Video/audio in interview room
  - ☐ Safe and Sober program
  - ☐ Community watch groups
2. Supportive Housing – violators were dealt with and negative activity has improved

Responsibility	FUTURE Actions and Initiatives	Timing
Grass Roots Initiatives	C-1: <i>Work together</i> as a band to reduce gang activity	
Programs and Services	C-2. <i>Improve</i> the truancy court to teach ethics, work habits and encourage school attendance (2 comments)	
	C-3. <i>Implement</i> Restorative Justice to help youth to take responsibility for actions (5 comments)	
	C-4. <i>Assure</i> consistent and confidential law enforcement and public safety program (8 comments)	
	C-5. <i>Develop</i> animal control strategies (work with Friends of Animals Human Society)	
Public Space and Infrastructure		
RBC Policies and Decisions	C- 5. <i>Lead</i> the way in prioritizing and addressing youth violence, gang activity and crime as a reservation community (4 comments)	
	C-6. <i>Assure</i> an independent judicial and law enforcement system (7 comments) – through political will and community support <ul style="list-style-type: none"> <li><input type="checkbox"/> Violence policy</li> <li><input type="checkbox"/> Exclusion ordinance</li> <li><input type="checkbox"/> Housing policies</li> </ul>	

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# Priority Strategies – Action Steps



## Direction I: Build COMMUNITY VITALITY Continued

### Strategy I-D: Evolve CONSISTENT and PARTICIPATIVE GOVERNANCE

CURRENT Committed or Completed Actions and Initiatives		
1. Internal controls and financial systems and practices	5. The School board will make some decisions on "judicial issues" concerning students	
2. Court	6. MCT hears cases on enrollment	
3. Employee grievance process and a grievance committee Elders circle on truancy issues	7. Board of Ethics set up in 2010	
4. Board of the clinic may make decisions when clients bring cases about being served	8. Housing Board	
	9. More efficient RBC Meetings – Tuesday for larger meetings – one for education and one for the clinic	

Responsibility	FUTURE Actions and Initiatives	Timing
Grass Roots Initiatives	<b>D-1. Increase community information and involvement in tribal decision-making (11 comments)</b> <ul style="list-style-type: none"> <li>a) Open meetings and meeting minutes</li> <li>b) Improve information about election candidates</li> <li>c) Expand collective influence in the state and national political process by encouraging involvement</li> </ul>	
Programs and Services	<b>D-2. Create equitable opportunities for off-reservation band members (3 comments)</b>	
Public Space and Infrastructure		
RBC Policies and Decisions	<b>D-3. Assure data-driven, proactive program planning effectiveness, follow-through and development (14 comments)</b> <ul style="list-style-type: none"> <li>a) Gather ongoing data about the reservation in order to make projections and guide development</li> <li>b) Make decisions to start, continue and discontinue programs based on data and needs assessment</li> <li>c) Set up accountability, monitoring and follow-through for all programs and projects</li> <li>d) Increase legal services</li> <li>e) Expand and improve accounting methods and requirements across all programs, divisions, enterprises</li> </ul>	
	<b>D-4. Assure strategic plan effectiveness and follow-through (14 comments)</b>	
	<b>D-5. Assure objective, consistent leadership roles and decision-making (18 comments)</b> <ul style="list-style-type: none"> <li>a) Make changes in tribal governance to assure knowledgeable and trustworthy leaders</li> <li>b) Establish clear separation of powers</li> <li>c) Act like a government fiscally – use tools such as taxing and tax exempt debt</li> </ul>	
	<b>D-6. Develop a plan for band succession and continued sovereignty (22 comments)</b>	

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# Priority Strategies – Action Steps



## Direction II: Support INDIVIDUAL SELF-RELIANCE

### Strategy II-A: Focus and Solidify SUPPORT and CARE for the EMERGING GENERATION

CURRENT Committed or Completed Actions and Initiatives		
1. Scholarship Program <ul style="list-style-type: none"> <li><input type="checkbox"/> Awards to every eligible Band Member</li> <li><input type="checkbox"/> Scholarship program redesign from a “non-need-based” to “incentive or performance based program”</li> <li><input type="checkbox"/> Policies, procedures, guidelines being revised</li> </ul>	2. Head Start Program (and planned facilities improvements)After-School Program	
	3. FACE Program for pre-natal -3 year olds	
	4. Ojibwe School and ongoing improvements	
	5. Age to Age initiatives – elders and kids get together	
	6. Boys and Girls Club	
Responsibility	FUTURE Actions and Initiatives	Timing
Grass Roots Initiatives	A-1. Set up a Youth Advisory Group and clarify their role (In process) (1 comment) <ul style="list-style-type: none"> <li><input type="checkbox"/> Run through the school</li> </ul>	
Programs and Services	A- 2. Initiate or increase programs to support families in caring for their children (11 comments) <ul style="list-style-type: none"> <li>a) Parenting education, mentoring and early childhood programs to strengthen young families</li> <li>b) Improve care for our foster children</li> <li>c) Increase Child Welfare Legal Support</li> <li>d) Provide P&amp;I at Centers</li> </ul>	
	A-3. Provide transitional programs for teens to adults (to guide youth in the use of money and basic life skills (5 comment)	
	A-4. Provide more opportunities, activities and jobs for children and youth (22 comments) <ul style="list-style-type: none"> <li>a) Teach youth through community service-oriented activities/field trips</li> <li>b) Implement Reward Points</li> <li>c) Consider parent orientation at the start of summer day camp and weekly feedback</li> </ul>	
Public Space and Infrastructure	A-5. Develop indoor and outdoor recreational spaces and activities	
RBC Policies and Decisions	A-5. Develop and implement a plan to address youth issues systemically as a “village” in a way that underscores, promotes and supports parents’ primary responsibility for their children. Combine public programming efforts with broad-based, grassroots participation and leadership. Involve Community Centers actively. (12 comments) <ul style="list-style-type: none"> <li>a) Support home-life conditions and accountability by families</li> <li>b) Study all the internal and external issues that affect kids</li> <li>c) Invite adults and youth to be involved</li> <li>d) Provide mentoring and adult role models for youth</li> <li>e) Foster work ethics</li> </ul>	
	A-6. Change the per capita process to support positive growth, pursuit of education/career development and relate effectively to scholarships (8 comments) <ul style="list-style-type: none"> <li><input type="checkbox"/> Per capita sub-committee</li> </ul>	

*Note: The numbers in parentheses show how many comments related to the theme were expressed by Band Members at various planning input opportunities*



# Priority Strategies – Action Steps



## Direction II: Support INDIVIDUAL SELF-RELIANCE Continued

### Strategy II-B: Support INDIVIDUAL ECONOMIC SELF-SUFFICIENCY

#### CURRENT Committed or Completed Actions and Initiatives

1. 2008 5-Year Indian Housing Plan
2. Food and commodities assistance to families
3. WEIA/Day Labor
4. College/Scholarship Program
5. Childcare
6. Job creation – pay for increased skills

Responsibility	FUTURE Actions and Initiatives	Timing
Grass Roots Initiatives		
Programs and Services	B-1. <i>Enhance</i> the standards, quality and expectation of the school system and curriculum (6 comments)	
	B-2. <i>Provide</i> community education at community centers (3 comments)	
Public Space and Infrastructure	B-3. <i>Utilize</i> distance learning and other new technologies for education and upgrade education facilities as needed (3 comments)	
RBC Policies and Decisions		

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# Priority Strategies – Action Steps



## Direction II: Support INDIVIDUAL SELF-RELIANCE Continued

### Strategy II-C: Develop DIVERSE MULTI-GENERATIONAL HOUSING OPTIONS

#### CURRENT Committed or Completed Actions and Initiatives

1. Emergency energy and weatherization assistance
2. Assisted Living Project – Phase II
3. Supportive Housing Project
4. 5-Year Indian Housing Plan ( 2008)
5. Veterans Housing at Supportive Housing/Assisted Living Area

Responsibility	FUTURE Actions and Initiatives	Timing
Grass Roots Initiatives		
Programs and Services	C-1. <i>Provide emergency shelter and support for the homeless – especially women and families</i> (11 comments)	
	C-2. <i>Offer homeownership training and support</i> (3 comments)	
Public Space and Infrastructure	C-3. <i>Develop/update the 5-Year Indian Housing Plan to create a comprehensive and innovative housing strategy to provide diverse options</i> (16 comments) <ol style="list-style-type: none"> <li>a) <i>Develop</i> a comprehensive plan that meets current and future reservation needs</li> <li>b) <i>Make</i> multi-unit housing available</li> <li>c) <i>Provide</i> a variety of elder housing options with support services and sense of control (Look at Senior Apartments in Brookston)</li> </ol>	
RBC Policies and Decisions	C-4. <i>Develop clear standards and equitable assistance for housing</i> (7 comments)	

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# Priority Strategies – Action Steps



## Direction II: Support INDIVIDUAL SELF-RELIANCE Continued

### Strategy II-D: *Promote and expand* HEALTHY LIFESTYLES AND CARE OPTIONS

#### CURRENT Committed or Completed Actions and Initiatives

1. Annual Health Fair
2. Plan for human and health care expansions

Responsibility	FUTURE Actions and Initiatives	Timing
Grass Roots Initiatives	<b>D-1. Unite and organize a strong effort to promote and practice preventative health care</b> (9 comments) <ol style="list-style-type: none"> <li>a) Encourage exercise for all ages - get more people to participate</li> <li>b) Encourage better nutrition for all – in homes, events, etc.</li> <li>c) Encourage use of Health and fitness facilities</li> </ol>	
Programs and Services	<b>D-2. Develop a long-term plan to increase and innovate health care services to meet current and future reservation needs</b> (20 comments) <ol style="list-style-type: none"> <li>a) Continue the Health Fair and expand preventative health care efforts</li> <li>b) Expand availability all other types of care, especially dental</li> <li>c) Address the growing health issues related to drug-use (6 comments)</li> <li>d) Incorporate native healing practices</li> <li>e) Provide clinic service orientation on the website</li> <li>f) Expand support services for children – medical, childcare, etc.</li> <li>g) Provide Children's mental health care on reservation</li> </ol>	
Public Space and Infrastructure	<b>D-3. Complete walking trails and benches between C-Store and the school</b> (See Trail Plan)	
RBC Policies and Decisions	<b>D-4. Make all facilities smoke-free in the future</b> (4 comments)	
	<b>D-5. Develop health care policies as needed to support the health care plan regarding prioritizing care for band members etc.</b> (1 comment) (MN Care e.g.)	

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# Priority Strategies – Action Steps



## Direction III: Structure SUSTAINABLE RESERVATION DEVELOPMENT Continued

### Strategy III-A: Diversify RESERVATION BUSINESSES and SERVICES

#### CURRENT Committed or Completed Actions and Initiatives

1. 2008-2013 Community Economic Development Strategy and progress made - Enhanced casino services and amenities and initiate support businesses-related business; assisted living complex; updated land use plan and zoning ordinance, new resources management building and other reservation businesses in place
2. Secure Transactions Code

#### Responsibility

#### FUTURE Actions and Initiatives

#### Timing

#### Grass Roots Initiatives

#### A-1. Expand existing tribal businesses (24 comments)

- a) Build onto the current store
  - ☐ Examples suggested for consideration in the planning input: bait shop, 10-minute oil change, sell wares like traditional trading posts, etc.
- b) Expand our pit and gravel business
- c) Develop the construction business
  - ☐ Become self-sufficient and profitable and not require subsidies
  - ☐ Develop a business plan to provide structures/procedures for improve efficiency and cover all costs
  - ☐ Upgrade/purchase new crushing equipment (chance for profitability; on/ off reservation)
  - ☐ Provide more training for employees in order that they have the knowledge and experiences needed to improve work quality control and morale
- d) Continue to enhance casino services and amenities
  - ☐ Examples suggested for consideration in the planning input: A waterpark (return may not be there), luxury spa, larger conference center, truck stop, golf course improvements, additional tower, etc.
- e) RV Park

#### A-2. Set up support systems for starting and growing local businesses (7 comments)

- ☐ Examples suggested for consideration in the planning input: Tribal revolving loan fund; banking services to provide financing, accounting, business services for start-up phase of new businesses; business incubator services; entrepreneur business training, connect all new businesses to wind and other alternative energy, etc.

#### A-3. Diversify and increase a critical core of reservation businesses to meet needs (35 comments)

- ☐ Examples suggested for consideration in the planning input: Add a bank, laundromat, hair salon, bank, car repair, coop grocery store, car lot, thrift store or second-hand store, car lot or service station with oil changes or other automotive services, gun club, local restaurants and caterers (e.g. wild game diner, American Indian-based food, or other restaurants), etc.

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# Priority Strategies – Action Steps



## Direction III: Structure SUSTAINABLE RESERVATION DEVELOPMENT Continued

### Strategy III-A: Diversify RESERVATION BUSINESSES and SERVICES Continued

Responsibility	Major Actions and Initiatives	Timing
Public Space and Infrastructure	A-4. <i>Develop</i> a business district, mall, “main street” and/or industrial park hub and access to services in all communities (5 comments)	
	A-8. <i>Seek</i> and coordinate additional funding sources for all reservation programs and initiatives (2 comments)	
RBC Policies and Decisions	<p>A-6. <i>Develop</i> a long-range income, investment and economic plan for a sustainable and strong reservation economy not based on gaming (Build on the 2008-2013 Community Economic Development Strategy) (33 comments)</p> <ul style="list-style-type: none"> <li>a) <i>Develop</i> a long-range plan to diversify reservation revenues</li> <li>b) <i>Develop</i> a comprehensive tribal investment plan                             <ul style="list-style-type: none"> <li><input type="checkbox"/> <i>Consider</i> investing per capita funds in local businesses and investments (priority for per cap deductions)</li> <li><input type="checkbox"/> <i>Enable</i> community involvement on major investment and spending decisions</li> </ul> </li> <li>c) <i>Identify</i> Indian and non-Indian business partnerships to support the reservation economy and jobs</li> <li>d) <i>Generate</i> income by operating human service programs as a business</li> <li>e) <i>Consider</i> additional tribal-owned businesses                             <p><i>Examples suggested for consideration in the planning input: Start a timber mill, bank, insurance company, initiate businesses that serve and supply the casinos (and then also sell outside the reservation), buy our own tents, stages, etc. rather than renting each time, tribal telecommunications company, etc.</i></p> </li> <li>f) <i>Develop</i> new sources and businesses related to local energy and food production                             <ul style="list-style-type: none"> <li><input type="checkbox"/> <i>Support</i> fishing and lake harvest for food, vacations, etc.</li> <li><input type="checkbox"/> <i>Community</i> garden with composting and an organic store</li> <li><input type="checkbox"/> <i>Plant</i> more trees and a fruit tree orchard</li> <li><input type="checkbox"/> <i>Protect and grow</i> our capacity to grow food</li> <li><input type="checkbox"/> <i>Consider</i> solar, biomass and other “green” enterprises, etc.</li> </ul> </li> </ul>	

*Note: The numbers in parentheses show how many comments related to the theme were expressed by Band Members at various planning input opportunities*

# Priority Strategies – Action Steps



## Direction III: Structure SUSTAINABLE RESERVATION DEVELOPMENT Continued

### Strategy III-B: Enhance WORKFORCE DEVELOPMENT AND EMPLOYMENT PRACTICES

#### CURRENT Committed or Completed Actions and Initiatives

1. Progress in setting up an objective and efficient hiring process based on qualifications vs. connections
2. Progress in developing personnel policies
3. Workplace training conducted by training departments for casino, customer service and supervisor training

Responsibility	FUTURE Actions and Initiatives	Timing
Grass Roots Initiatives		
Programs and Services	<b>B-1. Build and implement a plan for creating jobs, developing the work force and providing job training (4 comments)</b> <input type="checkbox"/> Include determination of a plan and role for FDL College	
	<b>B-2. Provide customer service and other employee training to assure effective workplaces (3 comments)</b>	
Public Space and Infrastructure	<b>B-3. Establish systems to assure trained and qualified reservation employees (13 comments)</b> <ol style="list-style-type: none"> <li>a) <i>Set up</i> an objective and efficient hiring process based on qualifications vs. connections</li> <li>b) <i>Develop</i> personnel policies</li> <li>c) <i>Develop</i> staff development strategies and support</li> <li>d) <i>Set-up</i> electronic processes and upgrade computers for job application and other human resources processes</li> </ol>	
RBC Policies and Decisions		

*Note: The numbers in parentheses show how many comments related to the theme were expressed by Band Members at various planning input opportunities*



# Priority Strategies – Action Steps



## Direction III: Structure SUSTAINABLE RESERVATION DEVELOPMENT Continued

### Strategy III-C: *Proactive* LAND USE, PUBLIC INFRASTRUCTURE AND NATURAL RESOURCES MANAGEMENT

#### CURRENT Committed or Completed Actions and initiatives

1. 20-Year Transportation Plan (2005),
2. Trail Connections Plan (2006)
3. Safe Routes to School Plan (2009)
4. Integrated Resources Management Plan (2008) and new Resource Management Building
5. 2007 Land Use Plan
6. 2007 Land Use Ordinance

Responsibility	FUTURE Actions and Initiatives	Timing
Grass Roots Initiatives		
Programs and Services	<b>C-1. Establish a public works department to maintain, manage and develop the basic community infrastructure and land use (7 comments)</b> <ol style="list-style-type: none"> <li>a) <i>Plan and coordinate</i> infrastructure development and upkeep – roads, water, sewer, etc.</li> <li>b) <i>Enforce, update and expand</i> the land use plan and ordinances</li> <li>c) <i>Identify</i> and post all properties</li> <li>d) <i>Clean up</i> eyesores</li> </ol>	January Planning Day
	<b>C-2. Establish service agreements to assure reservation fire protection (1 comment)</b>	Done
Public Space and Infrastructure	<b>C-3. Identify and develop adequate land and locations for needed and diverse development - business, residential, natural habitat, recreational etc. (7 comments)</b>	Done
	<b>C-4. Increase, improve and interconnect reservation transportation system and services - implement, update and revise transportation plans –20-Year Transportation Plan (2005), Trail Connections Plan (2006) and Safe Routes to School Plan (2009) (3 comments)</b>	
	<b>C-5. Manage reservation natural resources by implementing and revising the Integrated Resources Management Plan (2008) (2 comments)</b>	
RBC Policies and Decisions	<b>C-9. Create and follow a long-term land acquisition strategy (5 comments)</b>	

*Note: The numbers in parentheses show how many comments related to the theme were expressed by Band Members at various planning input opportunities*



# Appendix: Planning Process Steps

Strategic Planning Activities			
Step		Participants	Time
<b>Evaluate CURRENT PLANS and PRIORITIES</b>			
1	<b>Assess current status and priorities</b> Meet with Division Directors to assess the state of reservation development and existing priorities.	Planning Facilitator Division Directors	February 2010
2	<b>Evaluate existing plans and information</b> Conduct an "inventory" of all the current plans that the Reservation has developed and is implementing. Based on the review and analysis, compile a user-friendly summary of what the plans describe and prescribe.	Planning Facilitator Planning Director	February 2010
<b>Seek BAND MEMBER INPUT</b>			
3	<b>Planning initiation</b> Introduce and launch the strategic planning as a part of the <i>State of the Band Address</i> – describe the process and encourage Band Members participation.	Chairwoman Diver Council Members Band Members	February 25, 2010
4	<b>Community Input</b> Provide an on-line and hard-copy form that Band Members living on and outside the reservation can use to share ideas about the present needs and future directions.	Planning Facilitator Band Members	March - April 2010
5	<b>Community Input Meetings</b> Gather ideas and insights about the present needs and future directions from Band Members in three "open space" community meetings held at convenient times and locations <ul style="list-style-type: none"> <li><input type="checkbox"/> Sawyer: March 19, 2010</li> <li><input type="checkbox"/> Cloquet: March 22, 2010</li> <li><input type="checkbox"/> Brookston: March 23, 2010</li> </ul> <b>Focus Groups on key topics identified at Community Meetings</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Natural resources and land use; Economic Development: May 11, 2010</li> <li><input type="checkbox"/> Community life and culture; Life-long education, individual development: May 13, 2010</li> <li><input type="checkbox"/> Public infrastructure and human services; Tribal governance and administration: May 17, 2010</li> </ul>	Band Members Planning Facilitator	March – May 2010
<b>Develop a STRATEGIC DIRECTIONS</b>			
6	<b>Share results and prioritize directions</b> Compile the input from the focus groups and surveys. Seek advice for prioritizing the future vision and directions from Band Members at the Enrollee Day and Health Fair.	Planning Facilitator Band Members	June – October 2010
7	<b>Review and input on draft Strategic Directions</b> Create a draft of the Strategic Directions based on the advice and make it available for review in the newspaper and website. Invite Band Members to evaluate and refine the prioritized strategic directions through written input.	Planning Facilitator Planning Director	November 2010
8	<b>Review and approve the Strategic Directions</b>	Reservation Business Committee	December 2010
10	<b>Implementation planning</b> Create a coordinated short and long-term implementation action plan that identifies the steps, roles, measurable outcomes and timelines needed to initiate the strategic directions. Set up coordination practices/mechanisms to keep the plan on course.	Planning Facilitator Division Directors	



S1701

## POVERTY STATUS IN THE PAST 12 MONTHS

2012-2016 American Community Survey 5-Year Estimates

Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Data and Documentation section.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.

**Tell us what you think.** Provide feedback to help make American Community Survey data more useful for you.

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities and towns and estimates of housing units for states and counties.

Subject	Fond du Lac Reservation and Off-Reservation Trust Land, MN--WI				
	Total		Below poverty level		Percent below poverty level
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate
Population for whom poverty status is determined	3,988	+/-287	834	+/-166	20.9%
AGE					
Under 18 years	898	+/-130	284	+/-83	31.6%
Under 5 years	240	+/-51	77	+/-33	32.1%
5 to 17 years	658	+/-101	207	+/-64	31.5%
Related children of householder under 18 years	875	+/-127	261	+/-80	29.8%
18 to 64 years	2,527	+/-195	491	+/-112	19.4%
18 to 34 years	950	+/-106	242	+/-72	25.5%
35 to 64 years	1,577	+/-136	249	+/-66	15.8%
60 years and over	781	+/-63	85	+/-29	10.9%
65 years and over	563	+/-45	59	+/-25	10.5%
SEX					
Male	2,089	+/-180	438	+/-113	21.0%
Female	1,899	+/-146	396	+/-75	20.9%
RACE AND HISPANIC OR LATINO ORIGIN					
White alone	2,080	+/-133	234	+/-62	11.3%
Black or African American alone	43	+/-49	27	+/-37	62.8%
American Indian and Alaska Native alone	1,560	+/-212	472	+/-104	30.3%
Asian alone	49	+/-36	24	+/-28	49.0%
Native Hawaiian and Other Pacific Islander alone	0	+/-11	0	+/-11	-
Some other race alone	11	+/-12	11	+/-12	100.0%
Two or more races	245	+/-72	66	+/-44	26.9%
Hispanic or Latino origin (of any race)	59	+/-40	17	+/-21	28.8%
White alone, not Hispanic or Latino	2,035	+/-131	225	+/-57	11.1%
EDUCATIONAL ATTAINMENT					
Population 25 years and over	2,572	+/-199	423	+/-94	16.4%
Less than high school graduate	315	+/-86	110	+/-50	34.9%

Subject	Fond du Lac Reservation and Off-Reservation Trust Land, MN--WI				
	Total		Below poverty level		Percent below poverty level
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate
High school graduate (includes equivalency)	931	+/-82	192	+/-49	20.6%
Some college, associate's degree	925	+/-90	111	+/-28	12.0%
Bachelor's degree or higher	401	+/-59	10	+/-9	2.5%
EMPLOYMENT STATUS					
Civilian labor force 16 years and over	1,963	+/-127	185	+/-58	9.4%
Employed	1,797	+/-124	116	+/-38	6.5%
Male	900	+/-91	59	+/-27	6.6%
Female	897	+/-70	57	+/-26	6.4%
Unemployed	166	+/-44	69	+/-35	41.6%
Male	102	+/-28	36	+/-22	35.3%
Female	64	+/-27	33	+/-23	51.6%
WORK EXPERIENCE					
Population 16 years and over	3,230	+/-212	601	+/-129	18.6%
Worked full-time, year-round in the past 12 months	1,215	+/-94	20	+/-13	1.6%
Worked part-time or part-year in the past 12 months	850	+/-78	177	+/-55	20.8%
Did not work	1,165	+/-149	404	+/-91	34.7%
ALL INDIVIDUALS WITH INCOME BELOW THE FOLLOWING POVERTY RATIOS					
50 percent of poverty level	456	+/-112	(X)	(X)	(X)
125 percent of poverty level	1,068	+/-195	(X)	(X)	(X)
150 percent of poverty level	1,231	+/-200	(X)	(X)	(X)
185 percent of poverty level	1,508	+/-218	(X)	(X)	(X)
200 percent of poverty level	1,608	+/-233	(X)	(X)	(X)
300 percent of poverty level	2,309	+/-249	(X)	(X)	(X)
400 percent of poverty level	2,897	+/-253	(X)	(X)	(X)
500 percent of poverty level	3,258	+/-269	(X)	(X)	(X)
UNRELATED INDIVIDUALS FOR WHOM POVERTY STATUS IS DETERMINED	882	+/-141	335	+/-94	38.0%
Male	484	+/-117	189	+/-78	39.0%
Female	398	+/-68	146	+/-43	36.7%
15 years	4	+/-5	4	+/-5	100.0%
16 to 17 years	19	+/-14	19	+/-14	100.0%
18 to 24 years	138	+/-57	66	+/-46	47.8%
25 to 34 years	124	+/-40	49	+/-25	39.5%
35 to 44 years	106	+/-40	38	+/-20	35.8%
45 to 54 years	176	+/-38	66	+/-27	37.5%
55 to 64 years	146	+/-45	57	+/-29	39.0%
65 to 74 years	127	+/-27	28	+/-16	22.0%
75 years and over	42	+/-12	8	+/-6	19.0%
Mean income deficit for unrelated individuals (dollars)	7,449	+/-749	(X)	(X)	(X)
Worked full-time, year-round in the past 12 months	289	+/-45	0	+/-11	0.0%
Worked less than full-time, year-round in the past 12 months	204	+/-48	87	+/-36	42.6%
Did not work	389	+/-101	248	+/-72	63.8%

Subject	Fond du Lac Reservation and Off-Reservation Trust Land, MN-- WI
	Percent below poverty level
	Margin of Error
Population for whom poverty status is determined	+/-3.4
AGE	
Under 18 years	+/-6.9
Under 5 years	+/-11.0
5 to 17 years	+/-7.5
Related children of householder under 18 years	+/-7.0
18 to 64 years	+/-3.6
18 to 34 years	+/-6.1
35 to 64 years	+/-3.5
60 years and over	+/-3.7
65 years and over	+/-4.4
SEX	
Male	+/-4.2
Female	+/-3.5
RACE AND HISPANIC OR LATINO ORIGIN	
White alone	+/-2.7
Black or African American alone	+/-37.6
American Indian and Alaska Native alone	+/-5.0
Asian alone	+/-29.4
Native Hawaiian and Other Pacific Islander alone	**
Some other race alone	+/-85.9
Two or more races	+/-15.4
Hispanic or Latino origin (of any race)	+/-26.7
White alone, not Hispanic or Latino	+/-2.5
EDUCATIONAL ATTAINMENT	
Population 25 years and over	+/-2.9
Less than high school graduate	+/-8.4
High school graduate (includes equivalency)	+/-4.8
Some college, associate's degree	+/-2.7
Bachelor's degree or higher	+/-2.1
EMPLOYMENT STATUS	
Civilian labor force 16 years and over	+/-2.8
Employed	+/-2.1
Male	+/-2.9
Female	+/-2.8
Unemployed	+/-12.9
Male	+/-15.0
Female	+/-19.2
WORK EXPERIENCE	
Population 16 years and over	+/-3.3
Worked full-time, year-round in the past 12 months	+/-1.1
Worked part-time or part-year in the past 12 months	+/-5.8
Did not work	+/-5.4
ALL INDIVIDUALS WITH INCOME BELOW THE FOLLOWING POVERTY RATIOS	
50 percent of poverty level	(X)
125 percent of poverty level	(X)
150 percent of poverty level	(X)

Subject	Fond du Lac Reservation and Off-Reservation Trust Land, MN-- WI
	Percent below poverty level
	Margin of Error
185 percent of poverty level	(X)
200 percent of poverty level	(X)
300 percent of poverty level	(X)
400 percent of poverty level	(X)
500 percent of poverty level	(X)
UNRELATED INDIVIDUALS FOR WHOM POVERTY STATUS IS DETERMINED	+/-5.7
Male	+/-8.3
Female	+/-6.4
15 years	+/-100.0
16 to 17 years	+/-65.4
18 to 24 years	+/-16.5
25 to 34 years	+/-12.7
35 to 44 years	+/-12.7
45 to 54 years	+/-11.6
55 to 64 years	+/-11.3
65 to 74 years	+/-11.6
75 years and over	+/-13.9
Mean income deficit for unrelated individuals (dollars)	(X)
Worked full-time, year-round in the past 12 months	+/-9.9
Worked less than full-time, year-round in the past 12 months	+/-10.8
Did not work	+/-6.4

Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see Accuracy of the Data). The effect of nonsampling error is not represented in these tables.

While the 2012-2016 American Community Survey (ACS) data generally reflect the February 2013 Office of Management and Budget (OMB) definitions of metropolitan and micropolitan statistical areas; in certain instances the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB definitions due to differences in the effective dates of the geographic entities.

Estimates of urban and rural population, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2010 data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.

Source: U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates

#### Explanation of Symbols:

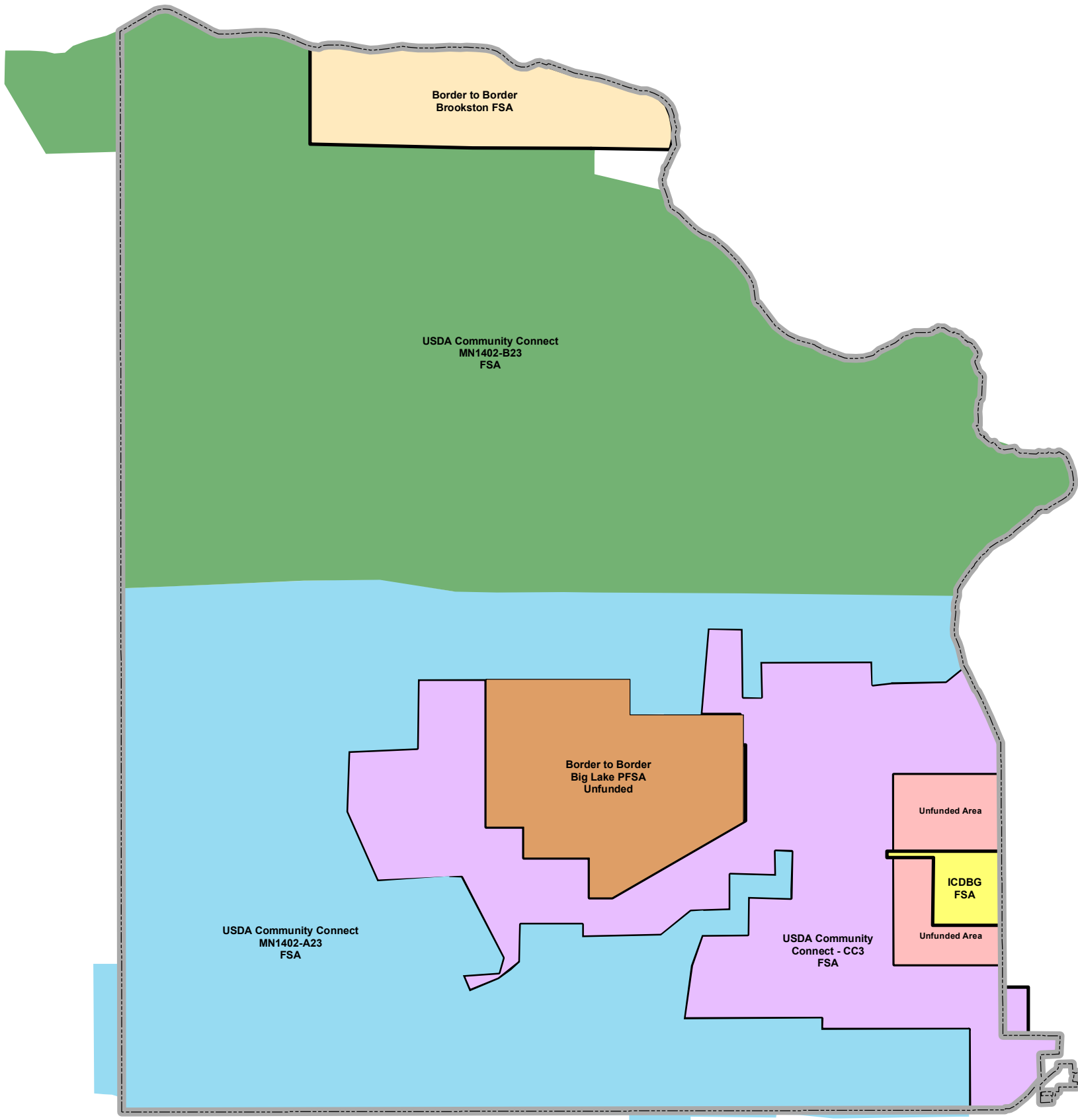
1. An '\*\*\*' entry in the margin of error column indicates that either no sample observations or too few sample observations were available to compute a standard error and thus the margin of error. A statistical test is not appropriate.
2. An '-' entry in the estimate column indicates that either no sample observations or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest interval or upper interval of an open-ended distribution.
3. An '-' following a median estimate means the median falls in the lowest interval of an open-ended distribution.
4. An '+' following a median estimate means the median falls in the upper interval of an open-ended distribution.
5. An '\*\*\*\*\*' entry in the margin of error column indicates that the median falls in the lowest interval or upper interval of an open-ended distribution. A statistical test is not appropriate.
6. An '\*\*\*\*\*' entry in the margin of error column indicates that the estimate is controlled. A statistical test for sampling variability is not appropriate.
7. An 'N' entry in the estimate and margin of error columns indicates that data for this geographic area cannot be displayed because

the number of sample cases is too small.

8. An '(X)' means that the estimate is not applicable or not available.

**Exhibit B - Reservation Map Showing Grant and FDL Funding Build-Out**





Border to Border  
Brookston FSA

USDA Community Connect  
MN1402-B23  
FSA

USDA Community Connect  
MN1402-A23  
FSA

Border to Border  
Big Lake PFSA  
Unfunded

USDA Community  
Connect - CC3  
FSA

Unfunded Area

ICDBG  
FSA

Unfunded Area

**Exhibit C - FDLCI Proposed Rates (Preliminary)**

FOND DU LAC COMMUNICATIONS, INC SERVICE, PACKAGES AND FEATURES

SERVICES					RETAIL RATES				
SERVICE	CLASS DESCRIPTION	SERVICE DESCRIPTION	Dialing Code	USOC	Billing Class	Billing Frequency	Incidental/ Activity Charge	Recurring Charge	Usage Charge
TOTAL PACKAGE VALUE									
BANDAID	*****BANDAID PACKAGES*****								
BandAid	Service Packages	Lifeline Voice			Residential	Monthly	\$ 99.95	\$ 29.95	\$ -
BandAid	Service Packages	Lifeline Bundle 30			Residential	Monthly	\$ 99.95	\$ 49.95	\$ -
BandAid	Service Packages	Lifeline Bundle 50			Residential	Monthly	\$ 99.95	\$ 69.95	\$ -
DATABAND	*****DATABAND PACKAGES*****								
DataBand	Service Packages	MegaBand 50			All		\$ -		
DataBand	Service Packages	MegaBand 100			Residential	Monthly	\$ 99.95	\$ 74.95	\$ -
DataBand	Service Packages	MegaBand 250			Residential	Monthly	\$ 99.95	\$ 99.95	\$ -
DataBand	Service Packages	MegaBand 500			Residential	Monthly	\$ 99.95	\$ 124.95	\$ -
DataBand	Service Packages	GigaBand 1000			Residential	Monthly	\$ 99.95	\$ 149.95	\$ -
DataBand	Service Packages	MegaBand Business 50			Business	Monthly	\$ 104.95	\$ 149.95	\$ -
DataBand	Service Packages	MegaBand Business 100			Business	Monthly	\$ 104.95	\$ 174.95	\$ -
DataBand	Service Packages	MegaBand Business 250			Business	Monthly	\$ 104.95	\$ 199.95	\$ -
DataBand	Service Packages	MegaBand Business 500			Business	Monthly	\$ 104.95	\$ 224.95	\$ -
DataBand	Service Packages	GigaBand Business 1000			Business	Monthly	\$ 104.95	\$ 249.95	\$ -
DATABAND	*****DATA SERVICES FEATURES, OPTIONS AND OTHER CHARGES*****								
DataBand	Service Features and Options	30 Mbps Synchronous (Available Lifeline Bundle Only)			ALL	Monthly	\$ -	\$ 29.95	\$ -
DataBand	Service Features and Options	50 Mbps Synchronous			ALL	Monthly	\$ -	\$ 49.95	\$ -
DataBand	Service Features and Options	100 Mbps Synchronous			ALL	Monthly	\$ -	\$ 74.95	\$ -
DataBand	Service Features and Options	250 Mbps Synchronous			ALL	Monthly	\$ -	\$ 99.95	\$ -
DataBand	Service Features and Options	500 Mbps Synchronous			ALL	Monthly	\$ -	\$ 124.95	\$ -
DataBand	Service Features and Options	1000 Mbps Synchronous			ALL	Monthly	\$ -	\$ 149.95	\$ -
DataBand	Service Features and Options	Best Effort Speeds of up to Published Speed			ALL	Monthly	\$ -	\$ -	\$ -
DataBand	Service Features and Options	Next Business Day On-Site Support - 8x5xNBD			ALL	Monthly	\$ -	\$ -	\$ -
DataBand	Service Features and Options	Same Day Business On-Site Support - 24x7x365			Business	Monthly	\$ 5.00	\$ 100.00	\$ -
DataBand	Service Features and Options	20% Minimum Guarantee (CIR) of Published Speed			Business	Monthly	\$ 5.00	\$ 100.00	\$ -
DataBand	Service Features and Options	Border Gateway Protocol Support			Business	Monthly	\$ -	\$ -	\$ -
DataBand	Service Features and Options	Static IP Address Block /28 - 16 Addresses			Business	Monthly	\$ 5.00	\$ 50.00	\$ -
DataBand	Service Features and Options	Static IP Address Block /29 - 8 Addresses			Business	Monthly	\$ 5.00	\$ 25.00	\$ -
DataBand	Service Features and Options	Static IP Address Block /30 - 4 Addresses			Business	Monthly	\$ -	\$ -	\$ -
DataBand	Service Features and Options	Wifi			All	Monthly	\$ 5.00	\$ 4.95	\$ -
DataBand	Service Features and Options	Wifi Extender			All	Monthly	\$ 5.00	\$ 7.95	\$ -
DataBand	Installation / Service Calls	Custom Work Labor Charge			All	Per Hour	\$ 49.95	\$ -	\$ -
DataBand	Installation / Service Calls	Primary Installation/Reconnect			All	Per Activity	\$ 94.95	\$ -	\$ -
DataBand	Installation / Service Calls	Service Call Truck Roll			All	Per Activity	\$ 49.95	\$ -	\$ -
DataBand	Installation / Service Calls	Trip Charge			All	Per Activity	\$ 49.95	\$ -	\$ -
DataBand	Installation / Service Calls	Wall Fish			All	Per Activity	\$ 49.95	\$ -	\$ -
DataBand	Bundle Discount	Bundle Discount			ALL	Monthly	\$ -	-\$ 5.00	\$ -
DataBand	Service Charges	New Service/Feature Change Fee			ALL	Incidental	\$ 5.00	\$ -	\$ -
DataBand	Service Charges	Insufficient Funds Fee			All	Incidental	\$ 25.00	\$ -	\$ -
DataBand	Service Charges	Late Fee (30 Days Past Due)			All	Incidental	\$ 8.95	\$ -	\$ -
DataBand	Service Charges	Phone Payment Processing (Assisted)			All	Incidental	\$ 5.00	\$ -	\$ -
DataBand	Service Charges	Reconnection Fee			All	Incidental	\$ 4.99	\$ -	\$ -
DataBand	Unreturned Equipment Fees (Per Unit)	Residential / Business Gateway			All	Incidental	\$ 186.00	\$ -	\$ -
DataBand	Unreturned Equipment Fees (Per Unit)	Wifi Extender			All	Incidental	\$ 85.00	\$ -	\$ -
VIDEObAND	*****VIDEObAND PACKAGES*****								
VideoBand	Service Packages	VideoBand - Local			All	Monthly	\$ 94.95	\$ 34.95	\$ -
VideoBand	Service Packages	VideoBand - Home			All	Monthly	\$ 94.95	\$ 74.95	\$ -
VideoBand	Service Packages	VideoBand - Silver			All	Monthly	\$ 94.95	\$ 94.95	\$ -
VideoBand	Service Packages	VideoBand - Gold			All	Monthly	\$ 94.95	\$ 114.95	\$ -
VideoBand	Service Packages	VideoBand - Platinum			All	Monthly	\$ 94.95	\$ 154.95	\$ -

SERVICES					RETAIL RATES				
SERVICE	CLASS DESCRIPTION	SERVICE DESCRIPTION	Dialing Code	USOC	Billing Class	Billing Frequency	Incidental/ Activity Charge	Recurring Charge	Usage Charge
VIDEOBAND	*****VIDEO SERVICES FEATURES, OPTIONS AND OTHER CHARGES*****								
VideoBand	Miscellaneous Charges	Broadcast TV Service Charge Recovery			ALL	Monthly	\$ -	\$ 9.95	\$ -
VideoBand	Channels	Local			ALL	Monthly	\$ -	\$ 24.95	\$ -
VideoBand	Channels	Home			ALL	Monthly	\$ -	\$ 64.95	\$ -
VideoBand	Channels	Silver			ALL	Monthly	\$ -	\$ 84.95	\$ -
VideoBand	Channels	Gold			ALL	Monthly	\$ -	\$ 104.95	\$ -
VideoBand	Channels	Platinum			ALL	Monthly	\$ -	\$ 144.95	\$ -
VideoBand	Premium Services	Cinemax			ALL	Monthly	\$ 5.00	\$ 14.95	\$ -
VideoBand	Premium Services	EPIX			ALL	Monthly	\$ 5.00	\$ 14.95	\$ -
VideoBand	Premium Services	HBO			ALL	Monthly	\$ 5.00	\$ 14.95	\$ -
VideoBand	Premium Services	Showtime			ALL	Monthly	\$ 5.00	\$ 14.95	\$ -
VideoBand	Premium Services	Starz			ALL	Monthly	\$ 5.00	\$ 14.95	\$ -
VideoBand	Premium Services	Starz Encore			ALL	Monthly	\$ 5.00	\$ 14.95	\$ -
VideoBand	Premium Services	TMC			ALL	Monthly	\$ 5.00	\$ 14.95	\$ -
VideoBand	Premium Services	ALL Premium Movie Channels			ALL	Monthly	\$ 5.00	\$ 49.95	\$ -
VideoBand	Equipment Rental and other Services	DVR Service (1 DVR Receiver)			ALL	Monthly	\$ 5.00	\$ 12.95	\$ -
VideoBand	Equipment Rental and other Services	DVR Service Package (Up to 4 DVR Receivers)			ALL	Monthly	\$ 5.00	\$ 19.95	\$ -
VideoBand	Equipment Rental and other Services	TV Receiver & Remote			ALL	Monthly	\$ 5.00	\$ 5.95	\$ -
VideoBand	Miscellaneous Charges	Whole House Wire Maintenance			ALL	Monthly	\$ 5.00	\$ 4.99	\$ -
VideoBand	Installation / Service Calls	Custom Work Labor Charge			ALL	Activity Per Hour	\$ 49.95	\$ -	\$ -
VideoBand	Installation / Service Calls	Primary Installation/Reconnect (Per Activity)			ALL	Activity	\$ 94.95	\$ -	\$ -
VideoBand	Installation / Service Calls	Service Call Truck Roll			ALL	Activity	\$ 49.95	\$ -	\$ -
VideoBand	Installation / Service Calls	Trip Charge			ALL	Activity	\$ 49.95	\$ -	\$ -
VideoBand	Installation / Service Calls	Wall Fish			ALL	Activity	\$ 49.95	\$ -	\$ -
VideoBand	Discounts	Bundle Discount			ALL	Monthly	\$ -	-\$ 5.00	\$ -
VideoBand	Service Charges	New Service/Feature Change Fee			ALL	Incidental	\$ 5.00	\$ -	\$ -
VideoBand	Service Charges	Insufficient Funds Fee			ALL	Incidental	\$ 25.00	\$ -	\$ -
VideoBand	Service Charges	Late Fee (30 Days Past Due)			ALL	Incidental	\$ 8.95	\$ -	\$ -
VideoBand	Service Charges	Phone Payment Processing (Assisted)			ALL	Incidental	\$ 5.00	\$ -	\$ -
VideoBand	Service Charges	Reconnection Fee			ALL	Incidental	\$ 4.99	\$ -	\$ -
VideoBand	Unreturned Equipment Fees (Per Unit)	Residential / Business Gateway			ALL	Incidental	\$ 186.00	\$ -	\$ -
VOICEBAND	*****VOICEBAND PACKAGES*****								
VoiceBand	Service Packages	VoiceBand - Home Metered LD		SC105	Residential	Monthly	\$ 104.95	\$ 29.95	\$ 0.03
VoiceBand	Service Packages	VoiceBand - Home Unlimited LD		SD105	Residential	Monthly	\$ 104.95	\$ 31.95	\$ -
VoiceBand	Service Packages	VoiceBand - Home Unlimited LD Addition		SD105	Residential	Monthly	\$ 104.95	\$ 19.95	\$ -
VoiceBand	Service Packages	VoiceBand - Business - Basic - Metered LD		SC115	Business	Monthly	\$ 104.95	\$ 36.95	\$ 0.03
VoiceBand	Service Packages	VoiceBand - Business - Basic - Unlimited LD		SD115	Business	Monthly	\$ 104.95	\$ 38.95	\$ -
VoiceBand	Service Packages	VoiceBand - Business - Standard - Metered LD		SC130	Business	Monthly	\$ 104.95	\$ 38.95	\$ 0.03
VoiceBand	Service Packages	VoiceBand - Business - Standard - Unlimited LD		SD130	Business	Monthly	\$ 104.95	\$ 39.95	\$ -
VoiceBand	Service Packages	VoiceBand - Business - Executive - Metered LD		SC140	Business	Monthly	\$ 104.95	\$ 39.95	\$ 0.03
VoiceBand	Service Packages	VoiceBand - Business - Executive - Unlimited LD		SD140	Business	Monthly	\$ 104.95	\$ 41.95	\$ -
VoiceBand	Service Packages	VoiceBand - Hosted - Seat - Basic - Metered LD		SC115	Business	Monthly	\$ 104.95	\$ 36.95	\$ 0.03
VoiceBand	Service Packages	VoiceBand - Hosted - Seat - Basic - Unlimited LD		SD115	Business	Monthly	\$ 104.95	\$ 37.95	\$ -
VoiceBand	Service Packages	VoiceBand - Hosted - SmartNumber - Metered LD		SC125	Business	Monthly	\$ 104.95	\$ 38.95	\$ 0.03
VoiceBand	Service Packages	VoiceBand - Hosted - SmartNumber - Unlimited LD		SD125	Business	Monthly	\$ 104.95	\$ 39.95	\$ -
VoiceBand	Service Packages	VoiceBand - Hosted - Extension - Standard - Unlimited LD		SX135	Business	Monthly	\$ 104.95	\$ 37.95	\$ -
VoiceBand	Service Packages	VoiceBand - Hosted - Seat - Standard - Metered LD		SC135	Business	Monthly	\$ 104.95	\$ 38.95	\$ 0.03
VoiceBand	Service Packages	VoiceBand - Hosted - Seat - Standard - Unlimited LD		SD135	Business	Monthly	\$ 104.95	\$ 39.95	\$ -
VoiceBand	Service Packages	VoiceBand - Hosted - Extension - Executive - Unlimited LD		SX145	Business	Monthly	\$ 104.95	\$ 38.95	\$ -
VoiceBand	Service Packages	VoiceBand - Hosted - Seat - Executive - Metered		SC145	Business	Monthly	\$ 104.95	\$ 39.95	\$ 0.03
VoiceBand	Service Packages	VoiceBand - Hosted - Seat - Executive Unlimited		SD145	Business	Monthly	\$ 104.95	\$ 41.95	\$ -
VoiceBand	Service Packages	VoiceBand - Hosted - Seat - Auto Attendant - Metered		SC172	Business	Monthly	\$ 104.95	\$ 41.95	\$ 0.03
VoiceBand	Service Packages	VoiceBand - Hosted - Seat - Auto Attendant - Unlimited		SK172	Business	Monthly	\$ 104.95	\$ 43.95	\$ -

SERVICES					RETAIL RATES				
SERVICE	CLASS DESCRIPTION	SERVICE DESCRIPTION	Dialing Code	USOC	Billing Class	Billing Frequency	Incidental/ Activity Charge	Recurring Charge	Usage Charge
VoiceBand	Service Packages	VoiceBand - SIP Trunking - Call Path (Metered Outbound)		TB160	Business	Monthly	\$ 104.95	\$ 19.95	\$ 0.03
VoiceBand	Service Packages	VoiceBand - SIP Trunking - Call Path (Metered LD)		TC160	Business	Monthly	\$ 104.95	\$ 22.95	\$ 0.03
VoiceBand	Service Packages	VoiceBand - SIP Trunking - Call Path (Unlimited)		TK160	Business	Monthly	\$ 104.95	\$ 24.95	\$ -
VOICEBAND	*****VOICE SERVICES FEATURES, OPTIONS AND OTHER CHARGES*****								
VoiceBand	Feature Set	Residential Line - Metered LD		SC105	Residential	Monthly	\$ -	\$ 17.00	\$ 0.03
VoiceBand	Feature Set	Residential Line - Unlimited		SD105	Residential	Monthly	\$ -	\$ 19.00	\$ -
VoiceBand	Feature Set	Business Line - Metered LD		SC115	Business	Monthly	\$ -	\$ 18.00	\$ 0.03
VoiceBand	Feature Set	Business Line - Unlimited		SD115	Business	Monthly	\$ -	\$ 20.00	\$ -
VoiceBand	Feature Set	Business - Standard - Metered LD		SC130	Business	Monthly	\$ -	\$ 20.00	\$ 0.03
VoiceBand	Feature Set	Business - Standard - Unlimited LD		SD130	Business	Monthly	\$ -	\$ 21.00	\$ -
VoiceBand	Feature Set	Business - Executive - Metered LD		SC140	Business	Monthly	\$ -	\$ 21.00	\$ 0.03
VoiceBand	Feature Set	Business - Executive - Unlimited LD		SD140	Business	Monthly	\$ -	\$ 23.00	\$ -
VoiceBand	Feature Set	Hosted - Seat - Basic - Metered LD		SC115	Business	Monthly	\$ -	\$ 18.00	\$ 0.03
VoiceBand	Feature Set	Hosted - Seat - Basic - Unlimited LD		SD115	Business	Monthly	\$ -	\$ 19.00	\$ -
VoiceBand	Feature Set	Hosted - SmartNumber - Metered LD		SC125	Business	Monthly	\$ -	\$ 20.00	\$ 0.03
VoiceBand	Feature Set	Hosted - SmartNumber - Unlimited LD		SD125	Business	Monthly	\$ -	\$ 21.00	\$ -
VoiceBand	Feature Set	Hosted - Extension - Standard - Unlimited LD		SX135	Business	Monthly	\$ -	\$ 19.00	\$ -
VoiceBand	Feature Set	Hosted - Seat - Standard - Metered LD		SC135	Business	Monthly	\$ -	\$ 20.00	\$ 0.03
VoiceBand	Feature Set	Hosted - Seat - Standard - Unlimited LD		SD135	Business	Monthly	\$ -	\$ 21.00	\$ -
VoiceBand	Feature Set	Hosted - Extension - Executive - Unlimited LD		SX145	Business	Monthly	\$ -	\$ 20.00	\$ -
VoiceBand	Feature Set	Hosted - Seat - Executive - Metered LD		SC145	Business	Monthly	\$ -	\$ 21.00	\$ 0.03
VoiceBand	Feature Set	Hosted - Seat - Executive Unlimited		SD145	Business	Monthly	\$ -	\$ 23.00	\$ -
VoiceBand	Feature Set	Hosted - Seat - Auto Attendant - Metered LD		SC172	Business	Monthly	\$ -	\$ 23.00	\$ 0.03
VoiceBand	Feature Set	Hosted - Seat - Auto Attendant - Unlimited		SK172	Business	Monthly	\$ -	\$ 25.00	\$ -
VoiceBand	Access Line	SIP Trunking - Call Path (Metered Outbound)		TB160	Business	Monthly	\$ -	\$ 16.00	\$ 0.03
VoiceBand	Access Line	SIP Trunking - Call Path (Metered LD)		TC160	Business	Monthly	\$ -	\$ 19.00	\$ 0.03
VoiceBand	Access Line	SIP Trunking - Call Path (Unlimited)		TK160	Business	Monthly	\$ -	\$ 21.00	\$ -
VoiceBand	Access Line	Residential Line			Residential	Monthly	\$ -	\$ 9.95	\$ -
VoiceBand	Access Line	Business Line			Business	Monthly	\$ -	\$ 15.95	\$ -
VoiceBand	Regulatory (Mandatory)	MN 911 Surcharge			ALL	Monthly	\$ -	\$ 0.95	\$ -
VoiceBand	Regulatory (Mandatory)	Telecommunications Access Minnesota Fee (TAM)			ALL	Monthly	\$ -	\$ 0.05	\$ -
VoiceBand	Regulatory (Mandatory)	Telephone Assistance Plan Surcharge (TAP)			ALL	Monthly	\$ -	\$ 0.03	\$ -
VoiceBand	Regulatory (Mandatory)	Universal Service Fee - varies			ALL	Monthly	\$ -	varies	\$ -
VoiceBand	Regulatory (Recovery)	Access Line Charge/End User Common Line (EUCL)			ALL	Monthly	\$ -	\$ 2.00	\$ -
VoiceBand	Regulatory Discounts	Lifeline Assistance Credit			ALL	Monthly	\$ -	-\$ 9.95	\$ -
VoiceBand	Regulatory Discounts	Lifeline Tribal Credit			ALL	Monthly	\$ -	-\$ 25.00	\$ -
VoiceBand	Regulatory Discounts	Link-Up for Tribal Credit			ALL	Monthly	\$ -	-\$ 100.00	\$ -
VoiceBand	Regulatory Discounts	Telephone Assistance Plan Credit (TAP)			ALL	Monthly	\$ -	-\$ 3.50	\$ -
VoiceBand	SIP Registration	SIP Device Registration			ALL	Monthly	\$ -	\$ -	\$ -
VoiceBand	Touch Tone Service	Touchtone Service			ALL	Monthly	\$ -	\$ -	\$ -
VoiceBand	10 Digit Telephone Number	10 Digit Telephone Number			ALL	Monthly	\$ -	\$ -	\$ -
VoiceBand	E911	Enhanced Universal Emergency Service			ALL	Monthly	\$ -	\$ -	\$ -
VoiceBand	Directory Listings	Directory Listing			ALL	Monthly	\$ -	\$ -	\$ -
VoiceBand	Features	Anonymous Call Rejection	*77,*87		ALL	N/A	\$ -	\$ -	\$ -
VoiceBand	Features	Anywhere			Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features Additional - Business/Hosted/SIP	Anywhere Feature Control		FX345	Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Auto Attendant			Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Barge In Exempt (Barge In)			Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Busy Lamp			Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Business Communicator			Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Call Control Toolbar			Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Call Block			ALL	N/A	\$ -	\$ -	\$ -
VoiceBand	Features	Call Forward Always			ALL	N/A	\$ -	\$ 2.50	\$ -

SERVICES					RETAIL RATES				
SERVICE	CLASS DESCRIPTION	SERVICE DESCRIPTION	Dialing Code	USOC	Billing Class	Billing Frequency	Incidental/ Activity Charge	Recurring Charge	Usage Charge
VoiceBand	Features	Call Forward Busy Line	*41,*43		ALL	N/A	\$ -	\$ 2.50	\$ -
VoiceBand	Features	Call Forward Don't Answer			ALL	N/A	\$ -	\$ 2.50	\$ -
VoiceBand	Features	Call Forward Not Reachable			ALL	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Call Forward Selective			ALL	N/A	\$ -	\$ 2.50	\$ -
VoiceBand	Features	Call Hold	*76		Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Call Logs			ALL	N/A	\$ -	\$ -	\$ -
VoiceBand	Features	Call Notify			Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Call Return			Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Call Transfer			Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Call Waiting			ALL	N/A	\$ -	\$ 2.50	\$ -
VoiceBand	Features	Caller Identification			ALL	N/A	\$ -	\$ 2.50	\$ -
VoiceBand	Features	Caller Identification Delivery Blocking	*67		ALL	N/A	\$ -	\$ 2.50	\$ -
VoiceBand	Features	Client Call Control			Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features Additional - Business/Hosted/SIP	Dial-In Feature Control		FX351	Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Directed Call Pick-up			Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Directed Call Pick-up w Barge In			Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Do not Disturb			ALL	N/A	\$ -	\$ 2.50	\$ -
VoiceBand	Features	Find Me / Follow Me			Business	N/A	\$ -	\$ 2.50	\$ -
VoiceBand	Features	Hoteling Guest and Host			Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Last Call Return	*69,*89		ALL	N/A	\$ -	\$ 2.50	\$ -
VoiceBand	Features	Last Number Redial			Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Message Waiting Indicator			Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Multiple Call Arrangement			Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	N-way Calling			Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Priority Call/VIP Alert	*61		ALL	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Privacy			ALL	N/A	\$ -	\$ 2.50	\$ -
VoiceBand	Features	Push-to-Talk			Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Selective Call Acceptance	*64		Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Series Completion		FX329	Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Shared Call Appearance			Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features	Speed Dialing	75#,75*		Business	N/A	\$ -	\$ 2.50	\$ -
VoiceBand	Features	Three Way Calling			ALL	N/A	\$ -	\$ 2.50	\$ -
VoiceBand	Features	Voicemail			ALL	N/A	\$ -	\$ 3.50	\$ -
VoiceBand	Features	Voicemail to Email			ALL	N/A	\$ -	\$ 2.50	\$ -
VoiceBand	Features Additional - Hosted/SIP	Account/Authorization Codes		FX300	Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features Additional - Hosted/SIP	Call Park/Pickup		FX333	Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features Additional - Hosted/SIP	Hunt Group Extension		SX178	Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Features Additional - Hosted/SIP	Music On Hold		FX316	Business	N/A	\$ -	\$ 2.25	\$ -
VoiceBand	Toll Restriction	Toll Restriction			ALL	N/A	\$ -	\$ -	\$ -
VoiceBand	CLASS Call Trace	Call Trace	*57		ALL	N/A	\$ -	\$ -	\$ -
VoiceBand	Additional Services - Hosted/SIP	Advanced DID Feature Pack		DX213	Business	Monthly	\$ -	\$ 3.95	\$ -
VoiceBand	Additional Services - Hosted/SIP	Audio Conferencing		SA174	Business	Monthly+Usage	\$ -	\$ 4.95	\$ 0.03
VoiceBand	Additional Services	Auto Attendant (Metered LD)		SC172	Business	Monthly	\$ 6.25	\$ 16.95	\$ -
VoiceBand	Additional Services - Hosted/SIP	Auto Attendant Extension		SX172	Business	Monthly	\$ -	\$ 12.95	\$ -
VoiceBand	Additional Services - Hosted	Business Communicator		FX335	Business	Monthly	\$ 12.50	\$ 6.95	\$ -
VoiceBand	Additional Services - Hosted/SIP	Call Control Toolbar		FX328	Business	Monthly	\$ -	\$ 1.95	\$ -
VoiceBand	Additional Services - Hosted/SIP	Call Path Minute of Use			Business	Usage	\$ -	\$ -	\$ 0.03
VoiceBand	Additional Services - Hosted	Connect (goIntegrator Lite)		IX106	Business	Monthly	\$ -	\$ 1.95	\$ -
VoiceBand	Additional Services - Hosted	Connect CRM (goIntegrator DB)		IX103	Business	Monthly	\$ -	\$ 7.95	\$ -
VoiceBand	Additional Services	DID		DX206	Business	Monthly	\$ 6.25	\$ 0.95	\$ -
VoiceBand	Additional Services	Directory Assistance (411)		CX900	ALL	Incidental	\$ -	\$ -	\$ 1.50
VoiceBand	Additional Services - Hosted	Enhanced IVR Call Path		IX101	Business	Monthly	\$ -	\$ 248.95	\$ -
VoiceBand	Additional Services	Fax Line		PC177	Business	Monthly	\$ 6.25	\$ 9.95	\$ -



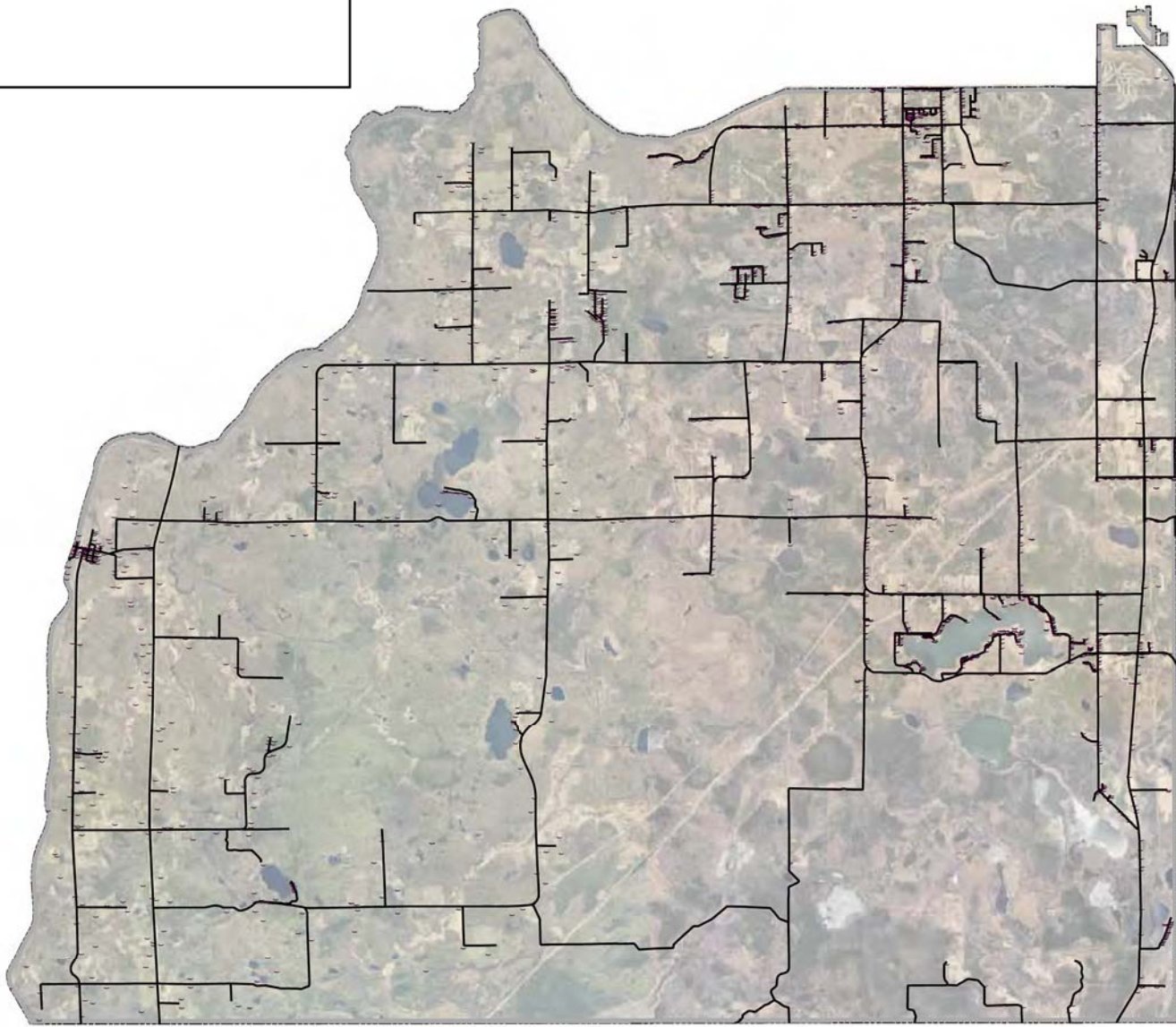
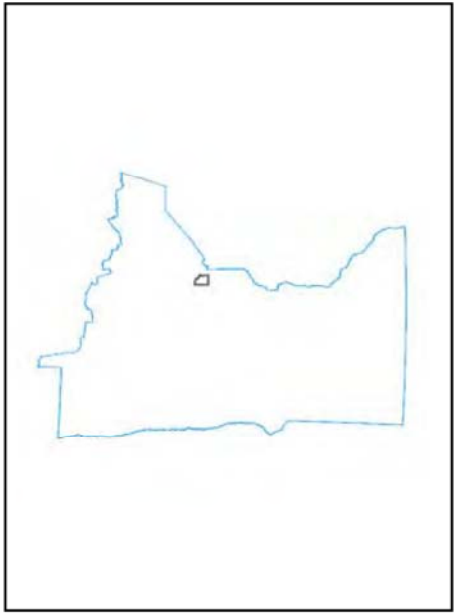
SERVICES					RETAIL RATES				
SERVICE	CLASS DESCRIPTION	SERVICE DESCRIPTION	Dialing Code	USOC	Billing Class	Billing Frequency	Incidental/ Activity Charge	Recurring Charge	Usage Charge
VoiceBand	Additional Services - Hosted/SIP	Hunt Group		SK178	Business	Monthly	\$ 6.25	\$ 8.95	\$ -
VoiceBand	Additional Services - Hosted/SIP	Instant Conference		FX334	Business	Monthly	\$ -	\$ 6.95	\$ -
VoiceBand	Additional Services	International Directory Assistance		CX925	ALL	Usage	\$ -	\$ -	\$ 7.50
VoiceBand	Additional Services - Hosted	IVR Setup (Per Hour)		BX100	Business	Incidental	\$ 187.50	\$ -	\$ -
VoiceBand	Additional Services - Hosted	Mobility Complete		FX391	Business	Monthly+Usage	\$ 12.50	\$ 9.95	\$ 0.03
VoiceBand	Additional Services	Mobility Desktop		EM100	Business	Monthly	\$ -	\$ 1.95	\$ -
VoiceBand	Additional Services	Mobility Smartphone		EM200	Business	Monthly	\$ -	\$ 1.95	\$ -
VoiceBand	Additional Services	Operator Assistance		CX930	ALL	Usage	\$ -	\$ -	\$ 1.50
VoiceBand	Additional Services	Outbound International (Per Minute International LD)		CX935	ALL	Usage	\$ -	\$ -	Rate Deck
VoiceBand	Features Additional - Hosted	Receptionist Dashboard		FX382	Business	Monthly	\$ -	\$ 86.95	\$ -
VoiceBand	Additional Services - Hosted	Reserved Telephone Number		DX282	Business	Monthly	\$ -	\$ 0.95	\$ -
VoiceBand	Additional Services	Reserved Telephone Number/DID		DX282	Business	Monthly	\$ -	\$ 0.95	\$ -
VoiceBand	Additional Services	Residential Line Software Only		SA105	Business	Monthly	\$ 4.38	\$ 1.95	\$ -
VoiceBand	Additional Services - Hosted	Standard IVR Call Path		IX100	Business	Monthly	\$ -	\$ 148.95	\$ -
VoiceBand	Additional Services	Toll Free Number		DA213	Business	Monthly+Usage	\$ 6.25	\$ 7.95	\$ 0.03
VoiceBand	Additional Services - Business/Hosted/SIP	Virtual Fax (plus usage per page)		PC176	Business	Monthly+Usage	\$ 6.25	\$ 9.95	\$ 0.03
VoiceBand	Additional Services - Hosted/SIP	Virtual Fax 10,000pg		PI176	Business	Monthly+Usage	\$ 6.25	\$ 138.95	\$ 0.03
VoiceBand	Additional Services - Hosted/SIP	Virtual Fax 15,000pg		PJ176	Business	Monthly+Usage	\$ 6.25	\$ 207.95	\$ 0.03
VoiceBand	Additional Services - Hosted/SIP	Virtual Fax 2,500pg		PG176	Business	Monthly+Usage	\$ 6.25	\$ 37.95	\$ 0.03
VoiceBand	Additional Services - Hosted/SIP	Virtual Fax 20,000pg		PK176	Business	Monthly+Usage	\$ 6.25	\$ 276.95	\$ 0.03
VoiceBand	Additional Services - Hosted/SIP	Virtual Fax 5,000pg		PH176	Business	Monthly+Usage	\$ 6.25	\$ 71.95	\$ 0.03
VoiceBand	Additional Services - Hosted/SIP	Virtual Fax 50,000pg		PM176	Business	Monthly+Usage	\$ 6.25	\$ 574.95	\$ 0.03
VoiceBand	Additional Services - Business/Hosted/SIP	Virtual Number		DX205	Business	Monthly	\$ 6.25	\$ 1.95	\$ -
VoiceBand	Additional Services - Hosted/SIP	Virtual User Feature Pack		FX350	Business	Monthly	\$ -	\$ 4.95	\$ -
VoiceBand	Additional Services	Vociemail Only		FC330	Business	Monthly	\$ 6.25	\$ 7.95	\$ -
VoiceBand	Additional Services - Hosted	Voicemail Transcription (Gist)		IX102	Business	Monthly	\$ -	\$ 2.95	\$ -
VoiceBand	Contact Center Services	Basic Call Center Agent		FX370	Business	Monthly	\$ -	\$ 8.95	\$ -
VoiceBand	Contact Center Services	Basic Call Center Queue		SK377	Business	Monthly	\$ 6.25	\$ 49.95	\$ -
VoiceBand	Contact Center Services	Call Center Agent Client		FX375	Business	Monthly	\$ -	\$ 24.95	\$ -
VoiceBand	Contact Center Services	Call Center Supervisor Client		FX376	Business	Monthly	\$ -	\$ 39.95	\$ -
VoiceBand	Contact Center Services	Contact Center DNIS Number		DX214	Business	Monthly	\$ 6.25	\$ 1.95	\$ -
VoiceBand	Contact Center Services	Premium Call Center Agent		FX372	Business	Monthly	\$ -	\$ 24.95	\$ -
VoiceBand	Contact Center Services	Premium Call Center Queue		SK379	Business	Monthly	\$ 6.25	\$ 68.95	\$ -
VoiceBand	Contact Center Services	Standard Call Center Agent		FX371	Business	Monthly	\$ -	\$ 16.95	\$ -
VoiceBand	Contact Center Services	Standard Call Center Queue		SK368	Business	Monthly	\$ 6.25	\$ 59.95	\$ -
VoiceBand	Contact Center Recording Services	Call Recording Basic		FX337	Business	Monthly	\$ 12.50	\$ 9.95	\$ -
VoiceBand	Contact Center Recording Services	Call Recording Plus		FX325	Business	Monthly	\$ 12.50	\$ 14.95	\$ -
VoiceBand	Contact Center Recording Services	Call Recording Pro		FX336	Business	Monthly	\$ 43.75	\$ 18.95	\$ -
VoiceBand	Contact Center Recording Services	Evaluate		FX339	Business	Monthly	\$ 6.25	\$ 3.95	\$ -
VoiceBand	Contact Center Recording Services	Screen Capture		FX338	Business	Monthly	\$ 6.25	\$ 3.95	\$ -
VoiceBand	Contact Center Reporting	Akixi 1000 (Tenant setup)		QX101	Business	Monthly	\$ 206.25	\$ -	\$ -
VoiceBand	Contact Center Reporting	Akixi 1000 Supervisor		QX203	Business	Monthly	\$ -	\$ 18.95	\$ -
VoiceBand	Contact Center Reporting	Akixi 1000/2000 Extension		QX201	Business	Monthly	\$ -	\$ 3.95	\$ -
VoiceBand	Contact Center Reporting	Akixi 2000 (Tenant Setup)		QX102	Business	Monthly	\$ 625.00	\$ -	\$ -
VoiceBand	Contact Center Reporting	Akixi 2000 Supervisor		QX204	Business	Monthly	\$ -	\$ 3.95	\$ -
VoiceBand	Contact Center Reporting	Akixi ACD Agent		QX205	Business	Monthly	\$ -	\$ 9.95	\$ -
VoiceBand	Contact Center Reporting	Akixi Lite (Tenant Setup)		QX100	Business	Monthly	\$ 62.50	\$ -	\$ -
VoiceBand	Contact Center Reporting	Akixi Lite Extension		QX200	Business	Monthly	\$ -	\$ 0.95	\$ -
VoiceBand	Contact Center Reporting	Akixi Lite Supervisor		QX202	Business	Monthly	\$ -	\$ 14.95	\$ -
VoiceBand	Additional Line Charges - Wholesale	Additional Listing (* only applies on Momentum's "on-net" carrier footprint)		DX270	Wholesale	N/A	\$ -	\$ -	\$ -
VoiceBand	Additional Line Charges - Wholesale	Change of Directory Listing (MACD) - Per DID		DX275	Wholesale	N/A	\$ -	\$ -	\$ -
VoiceBand	Additional Line Charges - Wholesale	DID Inventory		DX280	Wholesale	N/A	\$ -	\$ -	\$ -
VoiceBand	Additional Line Charges - Wholesale	Retail Tax Calculation Billing		BX502	Wholesale	N/A	\$ -	\$ -	\$ -

SERVICES					RETAIL RATES				
SERVICE	CLASS DESCRIPTION	SERVICE DESCRIPTION	Dialing Code	USOC	Billing Class	Billing Frequency	Incidental/ Activity Charge	Recurring Charge	Usage Charge
VoiceBand	Additional Line Charges - Wholesale	Special Billing Treatment (Non-Standard CDR/Billing detail requirements)		BX501	Wholesale	N/A	\$ -	\$ -	\$ -
VoiceBand	Additional Line Charges - Wholesale	Third Party Verification - LNP eLOA per order		BX551	Wholesale	N/A	\$ -	\$ -	\$ -
VoiceBand	Additional Line Charges - Wholesale	Third Party Verification - LNP IVR per order		BX552	Wholesale	N/A	\$ -	\$ -	\$ -
VoiceBand	Additional Line Charges - Wholesale	Toll Free Inventory		DX281	Wholesale	N/A	\$ -	\$ -	\$ -
VoiceBand	Additional Line Charges - Wholesale	Unlisted Number (* only applies on Momentum's "on-net" carrier footprint)		DX215	Wholesale	N/A	\$ -	\$ -	\$ -
VoiceBand	Extraordinary Charges (Pass Through)	911 Emergency Call Relay Center (E911 calls routed to ERCR)		CX905	ALL	Incidental	\$ 125.00	\$ -	\$ -
VoiceBand	Extraordinary Charges (Pass Through)	Cancellation of LNP - per DID		DX240	ALL	Incidental	\$ 15.00	\$ -	\$ -
VoiceBand	Extraordinary Charges (Pass Through)	ECRC Call Investigation instance		BX550	ALL	Incidental	\$ 100.00	\$ -	\$ -
VoiceBand	Extraordinary Charges (Pass Through)	Expedite Cancel of LNP Order - Per DID within 48-Hours of Port		DX245	ALL	Incidental	\$ 125.00	\$ -	\$ -
VoiceBand	Extraordinary Charges (Pass Through)	Expedite of LNP Order		DX230	ALL	Incidental	\$ 125.00	\$ -	\$ -
VoiceBand	Extraordinary Charges (Pass Through)	Snapback of Ported Number - per DID		DX250	ALL	Incidental	\$ 300.00	\$ -	\$ -
VoiceBand	Extraordinary Charges (Pass Through)	Supplement of Original LNP Order		DX235	ALL	Incidental	\$ 25.00	\$ -	\$ -
VoiceBand	Directory Listings	Additional Listing			ALL	Monthly	\$ -	6.95	\$ -
VoiceBand	Directory Listings	Primary Listing			ALL	Monthly	\$ -	-	\$ -
VoiceBand	Directory Listings	Unlisted Service			ALL	Monthly	\$ 1.25	6.95	\$ -
VoiceBand	Installation / Service Calls	Custom Work Labor Charge			ALL	Activity Per Hour	\$ 49.95	\$ -	\$ -
VoiceBand	Installation / Service Calls	Primary Installation/Reconnect (Per Activity)			ALL	Activity	\$ 94.95	\$ -	\$ -
VoiceBand	Installation / Service Calls	Service Call Truck Roll			ALL	Activity	\$ 49.95	\$ -	\$ -
VoiceBand	Installation / Service Calls	Trip Charge			ALL	Activity	\$ 49.95	\$ -	\$ -
VoiceBand	Installation / Service Calls	Wall Fish			ALL	Activity	\$ 49.95	\$ -	\$ -
VoiceBand	Discounts	Bundle Discount			ALL	Monthly	\$ -	-\$ 5.00	\$ -
VoiceBand	Service Charges	New Service/Feature Change Fee			ALL	Incidental	\$ 5.00	\$ -	\$ -
VoiceBand	Service Charges	Insufficient Funds Fee			ALL	Incidental	\$ 25.00	\$ -	\$ -
VoiceBand	Service Charges	Late Fee (30 Days Past Due)			ALL	Incidental	\$ 8.95	\$ -	\$ -
VoiceBand	Service Charges	Phone Payment Processing (Assisted)			ALL	Incidental	\$ 5.00	\$ -	\$ -
VoiceBand	Service Charges	Reconnection Fee			ALL	Incidental	\$ 4.99	\$ -	\$ -
VoiceBand	Operator Services	Busy Line Verification			ALL	Incidental	\$ 1.50	\$ -	\$ -
VoiceBand	Operator Services	Busy Line Verification with Interrupt			ALL	Incidental	\$ 1.50	\$ -	\$ -
VoiceBand	Operator Services	Call Completion			ALL	Incidental	\$ 1.50	\$ -	\$ -
VoiceBand	Operator Services	Calling Card Station to Station, Mechanized			ALL	Incidental	\$ 1.50	\$ -	\$ -
VoiceBand	Operator Services	Calling Card Station to Station, Operator Assisted (0+only)			ALL	Incidental	\$ 1.50	\$ -	\$ -
VoiceBand	Operator Services	Collect Calling			ALL	Incidental	\$ 1.50	\$ -	\$ -
VoiceBand	Operator Services	General Assistance			ALL	Incidental	\$ 1.50	\$ -	\$ -
VoiceBand	Operator Services	Person to Person			ALL	Incidental	\$ 1.50	\$ -	\$ -
VoiceBand	Operator Services	Station to Station			ALL	Incidental	\$ 1.50	\$ -	\$ -
VoiceBand	Operator Services	Third Number Billing			ALL	Incidental	\$ 1.50	\$ -	\$ -
VoiceBand	Unreturned Equipment Fees (Per Unit)	Residential / Business Gateway			ALL	Incidental	\$ 186.00	\$ -	\$ -

**Exhibit D - Map of FDL Reservation**

Fond du Lac Communications

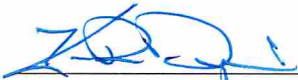
(Fond du Lac Band of Lake Superior Chippewa)



**Exhibit E - FDLCI Certificate in Good Standing**

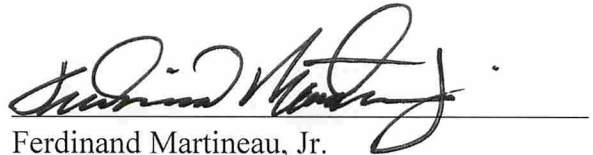
## CERTIFICATE OF GOOD STANDING

The Fond du Lac Band of Lake Superior Chippewa (the "Band") hereby attests that Fond du Lac Communications, Inc. (FDLCI) is a Corporation in good standing with the Band. FDLCI was granted its charter on the 24<sup>th</sup> day of April, 2018. FDLCI is operated under the laws of the Band as a tribally-owned enterprise and continues to operate in good standing through the date of this declaration. The foregoing Petition for Designation as an Eligible Telecommunications Carrier was duly presented and adopted by a vote at a meeting of the Fond du Lac Band of Lake Superior Chippewa Reservation Business Committee on September 4, 2018.



Kevin R. Dupuis, Sr.  
Chairman

Dated: 9-10-18



Ferdinand Martineau, Jr.  
Secretary/Treasurer

Dated: 9-10-18



**Exhibit F - Resolution of Support from FDL Reservation Business Committee**

# Fond du Lac Band of Lake Superior Chippewa

## Reservation Business Committee

1720 Big Lake Rd.  
Cloquet, MN 55720  
Phone (218) 879-4593  
Fax (218) 879-4146



Chairman  
Kevin R. Dupuis, Sr.

Secretary/Treasurer  
Ferdinand Martineau, Jr.

Dist. I Representative  
Vanessa L. Northrup

Dist. II Representative  
Bruce M. Savage

Dist. III Representative  
Roger M. Smith, Sr.

Executive Director,  
Tribal Programs  
Miyah M. Danielson

RESOLUTION # 1201/18

### ADOPTING, ENDORSING, AND SUPPORTING FOND DU LAC COMMUNICATION, INC.'S PETITION FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER

The Fond du Lac Reservation Business Committee (*Wegimaawijig*), on behalf of the Fond du Lac Band of Lake Superior (*Nagaajiwanaang*), hereby enacts the following Resolution:

WHEREAS  
(*nashke*),

the Fond du Lac Band of Lake Superior Chippewa (*Anishinaabeg*) are a sovereign people, who occupy the Fond du Lac Reservation and retain their aboriginal rights of self-government and self-determination pursuant to the Treaty of LaPointe of September 30, 1854, 10 Stat. 1109; the Indian Reorganization Act of 1934, 25 U.S.C. §461 et seq.; the common law of the United States; and as recognized by the United Nations Declaration on the Rights of Indigenous Peoples of September 17, 2007; *miinawaa*

WHEREAS  
(*nashke*),

it is the sovereign obligation of the Fond du Lac Reservation Business Committee (RBC), as the duly-constituted governing body of the Fond du Lac Band, to exercise the responsibilities of self-government and management over the Band's affairs; *miinawaa*

WHEREAS  
(*nashke*),

in its Economic Development Plan for the Fond du Lac Reservation, the RBC identified the need for state-of-the-art telecommunications capabilities as essential to provide educational, employment, commercial and health care opportunities, as well as better public safety services and government programs; *miinawaa*

WHEREAS  
(*nashke*),

The RBC established Fond du Lac Communications, Inc., as a separate business enterprise for the purpose of building out a fiber broadband network and offering voice and broadband services throughout the Fond du Lac Reservation to satisfy the foregoing identified needs ; *miinawaa*

WHEREAS the Band has a poverty rate of 22.7 percent and requires the communications company's services to be affordable to disadvantaged and low-income members;  
(*nashke*), *miinawaa*

WHEREAS designation of Fond du Lac Communications, Inc., as an Eligible Telecommunications Carrier ("ETC") pursuant to 47 U.S.C. §214(e)(6) will allow eligible Fond du Lac Communications customers to benefit from the federal Tribal Lifeline program;  
(*nashke*), *miinawaa*

WHEREAS because it advances the health and welfare of Fond du Lac Band members, the RBC fully supports Fond du Lac Communications, Inc.'s petition for ETC designation filed with the Federal Communications Commission.  
(*nashke*),

NOW THEREFORE BE IT RESOLVED (*MII GII-INAAKONIGAADEG*), that the Fond du Lac Reservation Business Committee does hereby adopt, endorse, and support Fond du Lac Communications, Inc.'s Petition for Designation as an Eligible Telecommunications Carrier, effective immediately.

CERTIFICATION (*ENAAKONIGAADEG*)

We do hereby certify that the foregoing Resolution was duly presented and acted upon by a vote of 4 for, 0 against, 0 silent, with a quorum of 5 being present at a Regular Meeting of the Fond du Lac Reservation Business Committee held on July 11, 2018, on the Fond du Lac Reservation.

  
Kevin R. Dupuis, Sr.  
Chairman (*Eshpabid*)

  
Ferdinand Martineau, Jr.  
Secretary/Treasurer (*Wechibii'iged*)

**Exhibit G - FDLCI Lifeline Certification Form**

Lifeline Verification Form

This signed authorization is required in order to enroll you in the state and federal Lifeline Programs. This authorization is only for the purpose of verifying your participation in these programs and will not be used for any other purpose. Service requests will not be processed until this form has been received and verified by Fond du Lac Communications, Inc., personnel.

I authorize the company to access any records required to verify my statements on this form and to confirm my eligibility for the Lifeline program.

**Things to know about the Lifeline Program:**

**(1) Lifeline service is a federal benefit. Only eligible consumers may enroll in the program.**

**(2) Lifeline Service is available for only one line per household. A household cannot receive benefits from multiple providers; and**

**(3) A household is defined, for purposes of the Lifeline Program, as any individual or group of individuals who live together at the same address and share income and expenses.**

Applicant Information:

First Name: \_\_\_\_\_ MI: \_\_\_\_\_ Last Name: \_\_\_\_\_

Date of Birth: Month: \_\_\_\_\_ Day: \_\_\_\_\_ Year: \_\_\_\_\_

Social Security Number (or Tribal ID Number if no SSN): \_\_\_\_\_ (xxx-xx-xxxx) WTAP # \_\_\_\_\_

Contact Telephone Number: \_\_\_\_\_

Residence Address (No PO Boxes. Must be your principal address): **This address is:** ☐ Permanent ☐ Temporary ☐ Multi-Household

\_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_

Apt/Floor/Other \_\_\_\_\_  
Zip Code \_\_\_\_\_

**FOR OFFICE USE ONLY:**

New \_\_\_\_\_ Recertification \_\_\_\_\_

Tribal:

\_\_\_\_\_ Yes \_\_\_\_\_ No

Other:

\_\_\_\_\_

\_\_\_\_\_  
**Initial Here**

I hereby certify that I am an eligible resident of Tribal Lands (a reservation or other designated Tribal Land) and that I participate in at least one of the following programs (check all that apply).

- ☐ Bureau of Indian Affairs Gen Assistance  
☐ Head Start (for those meeting income qualifying standard)  
☐ Tribally-Administered Temp Assistance for Needy Families (TTANF)  
☐ Food Distribution Program on Indian Reservations

\_\_\_\_\_  
**Initial Here**

I certify that my household income is at or below 135% of the Federal Poverty Guidelines (FPG). There are \_\_\_\_\_ in my household.

I certify, under penalty of perjury: (Initial by Each Certification)

\_\_\_\_\_(1) The information contained in this form remains true and correct to the best of my knowledge and I acknowledge that willfully providing false or fraudulent information to receive Lifeline benefits is punishable by law with fines and imprisonment, and may result in de-enrollment or me being barred from the program.



\_\_\_\_\_ (2) I am a current recipient of the program checked above, or have an annual household income at or below 135 percent of the Federal Poverty Guidelines.

\_\_\_\_\_ (3) I have provided documentation of eligibility if required to do so.

\_\_\_\_\_ (4) I understand that I and my household can only have one Lifeline-supported telephone service. The company has explained the one-per-household requirement to me. I understand that violation of the one-per-household requirement constitutes a violation of the FCC's rules and will result in my de-enrollment from the lifeline program, and could result in criminal prosecution by the United States Government.

\_\_\_\_\_ (5) I attest to the best of my knowledge, that I and no one in my household is receiving a Lifeline supported service from any other land line or wireless provider.

\_\_\_\_\_ (6) I understand my Lifeline service is non-transferable. I may not transfer my service to any individual, including another eligible low income consumer.

\_\_\_\_\_ (7) I understand that if my service goes unused for sixty (60) days, my service will be suspended, subject to a thirty (30) day period which I may use the service or contact the company to confirm that I want to continue receiving their service.

\_\_\_\_\_ (8) I will notify the company within thirty (30) days if I no longer qualify for Lifeline. I understand this requirement and may be subject to penalties if I fail to notify my phone company. Specifically, I will notify my company if:

- (1) I cease to participate in the above federal or state program, or my annual household income exceeds 135% FPG;
- (2) I am receiving more than one Lifeline supported service;
- (3) I no longer satisfy the criteria for receiving Lifeline support;
- (4) Another member of my household is receiving Lifeline support.

\_\_\_\_\_ (9) I will notify the company within thirty (30) days of moving. Additionally, if my address listed above is a temporary address, I understand that I must verify my address with the company every ninety (90) days. If I fail to respond to the company's address verification attempts within thirty (30) days, my Lifeline service may be terminated.

Notice Information:  
FOND DU LAC COMMUNICATIONS, INC.  
1720 Big Lake Road  
Cloquet, MN 55720  
(218) 878-7337  
e-mail: lifeline@aaniin.net

ATTN: Lifeline Support

\_\_\_\_\_ (10) The company has explained to me that I am required each year to re-certify my continued eligibility for Lifeline. If I fail to do so within thirty (30) days, it will result in the termination of my Lifeline service. I acknowledge that, in addition, I may be required to re-certify my continued eligibility at any time and failure to re-certify will result in de-enrollment and termination of my Lifeline benefits.

\_\_\_\_\_ (11) I authorize and understand that the company may provide to state and Federal agencies, as required by law, for the purposes of complying with the Lifeline program all the information related to my account including but not limited to my name, date of birth, social security, usage history, address and phone number. I understand that a failure to provide this consent will result in my being denied Lifeline service.

\_\_\_\_\_ (12) I understand that my name, telephone number, date of birth, last four digits of my social security number or tribal identification number, and address will be transmitted to the Universal Service Administrative Company (USAC) and/or its agents for the purpose of verifying that I do not receive more than one Lifeline subsidy. I understand that a failure to provide this consent will result in my being denied Lifeline service.

\_\_\_\_\_ (13) I understand that if USAC identifies I am receiving more than one Lifeline subsidy, all carriers involved may be notified so that I may select one service and be de-enrolled from the other.

\_\_\_\_\_ (14) I understand that by signing this form I am authorizing appropriate state and federal agencies to disclose or give access to confidential information about me for 90 days from the date of this application for the purpose of determining my eligibility for Life Line assistance.

\_\_\_\_\_  
APPLICANT'S SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PRINT APPLICANT'S NAME  
GSB:9582956.1

## **Exhibit H - FDLCI Organization Chart**

# FDL COMMUNICATIONS ORG CHART

