

Subject: Federal Attack On Indians Continues With FCC Announced Plan
Date: Thursday, September 12, 2019 at 12:53:26 PM Eastern Daylight Time
From: Joe RedCloud
To: Ajit Pai, Michael O'Rielly, Brendan Carr, Jessica Rosenworcel, Geoffrey Starks
Attachments: redcloud oped final aug 21 (1).pdf

Dear Mr. Chairman and Commissioners,

I send you greetings in a troubled yet hopeful way.

The FCC is voting on an [order](#) on September 26, 2019 that will cause irreparable and devastating harm to residents of Tribal lands on the Pine Ridge and Crow Creek Native American Reservations. This FCC order will end affordable broadband service to thousands of Tribal members. It will close an Internet Library and Technology Center that provides low-income Tribal residents with free Internet access and free use of computers. It will also end the Tribal efforts in digital literacy training.

This is not hyperbole. It will happen based upon the FCC's support for large carriers who are opposed to traffic termination by rural carriers, while turning a blind eye to the needs of rural consumers. To make bad matters even worse, the FCC is accelerating the implementation of this historic change to access charges, even though it sanctioned rural carriers' traffic termination in its 2011 intercarrier compensation order.

Native American Telecom is a competitive local exchange carrier on the Pine Ridge and Crow Creek Indian Reservations providing affordable broadband service to Tribal residents and offering free use of an innovative Internet Library and Technology Center. By adopting the so-called access stimulation order on September 26, 2019, the FCC will be voting to:

1. Terminate the employment of 9 individuals on Tribal lands that suffer from debilitating unemployment rates as high as 80%;
2. Close Internet Library and Technology Centers providing Tribal members with free access to the Internet, computers, and digital literacy training. There are no other options for these services available to residents on these Tribal lands;
3. End affordable broadband service to hundreds of Tribal residents, who will have to pay (but can't) \$100 per month for comparable service; and
4. Stop economic and social development on these impoverished Reservations that has resulted in a:
 - a. Tribal radio station providing original Tribal programming for the very first time on the Crow Creek Reservation;
 - b. HubZone eligible government contracting business; and
 - c. Dollar store providing affordable essential items for Tribal residents.

In 2011, the FCC reformed the access charge regime and specifically sanctioned rural carriers terminating traffic. One of the reforms made in 2011 was to gradually phase out the end office termination rate element of access charges over a 5-year period. This was a very significant change in revenue for rural carriers, but the phase out over 5 years allowed rural carriers to adjust over time to the reduction in revenue. Now, in 2019, the FCC is poised to change course. It will outlaw rural carriers receiving compensation of any kind for terminating traffic and expedite this historic change to the access charge regime with the clear and undeniable intent to inflict irreparable harm.

It would be understandable (but not reasonable) for the FCC to implement further reforms to the access charge regime. Never-the-less, it is a travesty and an unnecessary economic assault to implement such sweeping changes that irreparably harm rural carriers and residents of Tribal lands in a historically swift manner. We respectfully and strongly urge the FCC to reconsider its proposed order. If implementation of any changes in access charges must occur, then a more gradual change over a 5 year period might enable rural carriers and their customers to adjust to such important regulatory changes.

Most Respectfully,

Joe RedCloud
Oceti Sakowin Tribal Utility Authority, Executive Director