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**Canis PLLC**

# **LIFELINE SERVICE ON THE OGLALA SIOUX TRIBE PINE RIDGE RESERVATION**

## **Regulatory Action Sought to Preserve and Expand Service**

Presentation to the

**Federal Communications Commission**

by

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# FCC Action Needed to Restore Service

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- It is clear that the re-certification process does not comport with Tribal culture or the abilities of the subscribers; a new method is necessary
- Our Proposal: Use Tribal programs that are proxies for eligibility to re-certify annually
  - AT&T determines eligibility for all Lifeline subscribers by using proxy services designated by the FCC – Most are determined eligible by participation in the Food Distribution and Medicare programs
  - The Tribe can arrange for the Directors of these programs to confirm on an annual basis that the Lifeline subscribers remain enrolled in those programs, and that no change of address has been listed
  - This proposed methodology is fully consistent with the *2016 Lifeline Modernization Order*

# The Requested Action Enhances Security

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- **The need to prevent waste, fraud and abuse in the USF programs is clearly necessary – the use of Tribal programs as 3<sup>rd</sup> party verifiers does so**
  - Programs like Food Distribution and Medicaid have been established for decades – they are inherently more reliable than self-certification by subscribers
  - No 3<sup>rd</sup> party verifier based outside the reservation has the knowledge of the Tribe and its membership roles necessary to be effective
  - The Pine Ridge reservation is one of the poorest places in the U.S.
    - Over 80% unemployment; half the population of 40,000 lives below the poverty line; Oglala Lakota County is the poorest in U.S.
    - The unfortunate fact is that a large proportion of the Oglala Sioux Tribe residents don't need fraud to qualify for Lifeline assistance

# FCC Action Needed to Expand Service

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- **OST also asks that the Commission take action that would allow Tribal members that live off-Reservation to be eligible for the Lifeline Service**
- Pine Ridge has for many years had a housing crisis – there simply are not enough housing units on Pine Ridge to house the Tribal population, as a result, many hundreds of Tribal members have to live in nearby communities – Chadron, NE; Interior, SD; Bennett County, SD; and even Rapid City.
  - The Commission could ensure that otherwise qualified OST members who live in these nearby off-reservation areas may still obtain the OST Lifeline service by either: 1) waiving the exclusion of off-reservation residents; 2) using BIA's definition of Pine Ridge Reservation boundaries, which includes Bennett County, SD; and/or 3) by using alternative population measurements such as the Census Bureau's Tribal Statistical Area.