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OVERCOMING OBSTACLES TO TELEPHONE SERVICE FOR INDIANS ON RESERVATIONS

Nemont Telephone Cooperative, Inc. and its subsidiary companies, Project Telephone Company and Valley Telecommunications, Inc., provide local telephone service to the Fort Peck Assiniboine and Sioux Reservation and the Crow Indian Reservation, both in the State of Montana.

One of the biggest obstacles to providing service to the Indian community is economics. The two reservations which we serve have low employment rates and a low average annual family incomes. We find that most families with stable incomes have telephone service and those without stable incomes have sporadic or no service at all.

The Low Income Telephone Assistance Program (LITAP) is a Federal Communications Commission program administered by the State of Montana. Montana's eligibility rules state that a person is eligible for LITAP if they qualify for Medicaid, a state administered medical assistance program. LITAP is designed to make basic telephone service available to low income members of our communities.

The guidelines for the State of Montana LITAP are:

MCA 69-3-1002. Eligibility - rules. (1) A residential subscriber with single telephone line service at the subscriber's principal residence is eligible for low income telephone assistance if the subscriber is certified by the department of public health and human services as a recipient of Medicaid benefits. (2) The department shall periodically certify and verify the eligibility of a subscriber to receive low income telephone assistance. (3) The department may adopt rules to establish procedures for the certification and verification of eligible subscribers. Emphasis added.

Currently, there are a number of our customers, and potential customers, that may meet the underlying eligibility guidelines but are not certified for Medicaid. These are Native American residents on seven Montana reservations who are served by the Bureau of Indian Affairs, (BIA), for public assistance and not by the State of Montana under the state welfare program. The General Assistance Program, (GA), has similar qualification guidelines to the Montana State welfare programs and the Medicaid program. The guidelines for the BIA GA Program can be

found in 25 CFR 20.20.=20

The BIA serves a number of clients in Montana, who may be eligible for the discounted telephone service. From information we received from the BIA and the Tribes, the monthly averages of the number of GA recipients are: on the Ft. Peck Reservation, 400 clients, on the Crow Reservation, 100 clients, on the Blackfeet Reservation, 178 clients, on the Rocky Boy Reservation, 170 clients, on the Flathead Reservation, 250 clients, on the Fort Belknap Reservation, 374 clients, and on the Northern Cheyenne Reservation, 55 clients.=20

If a Native American makes application for public assistance from the state of Montana, they are given financial assistance and also are certified for Medicaid. However, if that Native American makes application for public assistance to the Bureau of Indian Affairs, they are given financial assistance and told they may be eligible for Medicaid but must also make application to the State of Montana. In the second instance, the majority of Native Americans do not follow up with an application to the State of Montana.

Medicaid is a health insurance for low income people. Native Americans utilize the services of the Indian Health Services (IHS), which is an entitlement and not health insurance. On all these seven Reservations in the state of Montana the United States Department of Health and Human Services operate IHS clinics or hospitals.

Native Americans utilize IHS for medical services and see no apparent need to apply for Medicaid and Native Americans go to the Bureau of Indian Affairs because it is more convenient and are familiar dealing with other Native people. Medicaid is a health assistance program and the Native American people may see no need for this if they can receive their medical services from the Indian Health Services without a Medicaid certification.=20

Our main concern is ensuring that low income people have access to telecommunication services. The apparent solutions to this problem would be: 1) To allow the Bureau of Indian Affairs to certify General Assistance clients for Medicaid; or 2) To change Montana statutes to make all BIA General Assistance clients and Medicaid clients qualify for LITAP (the Montana Legislature has just adjourned and will not be in session to bring up the issue until 2001. This would be a slow process and the outcome is uncertain); or 3) To adopt an FCC rule that would allow both the States and the BIA or Tribes to certify eligibility for the LITAP. This rule would also need to include a procedure for Telephone Service providers to recover their allowable costs when providing this service.

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