



**OFFICE OF THE GOVERNOR**

PAGO PAGO, AMERICAN SAMOA 96799

Before the

**Federal Communications Commission  
Washington, DC 20554**

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In the Matter of Rural Health Care )  
Support Mechanism ) WC Docket No. 02-60  
)  
)

**REPLY COMMENTS**

The American Samoa Government (ASG) encourages the continued efforts of the Federal Communications Commission (FCC) to address the application of the Rural Health Care Program in the Pacific Insular Areas and appreciates the opportunity to submit reply comments. ASG implores the Commission to find a remedy with the application of the Rural Health Care Program in the Pacific Insular areas, especially since the problem was initially raised with the Commission over five years ago.

Rural Health Care Program in the Pacific Insular Areas

With respect to the designation of Hawaii as the urban area for the Pacific Insular Areas, we understand the constraints regarding the definition of urban and rural support within "states." Unfortunately, if the Commission treats the Insular areas as "states," then, the problem remains that health care providers (HCPs) in American Samoa

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are unable to qualify for discounted telecommunications capacity, despite the facts that (a) government, business, and residential telecommunications subscribers pay into the universal service fund (through carrier assessments for universal service support); (b) that the Rural Health Care Division appropriately defines American Samoa as completely rural and with no urban area; and, (c) our healthcare providers and citizens require access to specialist healthcare resources that are available in Hawaii and other "states."

Although American Samoa is supporting a change in how the Pacific Insular Areas are treated under the universal service provisions of the Telecommunications Act of 1996, ASG encourages the Commission to consider two basic alternatives to enable our healthcare providers to have access to healthcare resources similar to rural healthcare providers in other states.

Alternative 1 - ASG proposes that the Commission consider enabling healthcare carriers in Pacific Insular Areas to participate as "eligible" members of the public school district applications at the same discount levels approved for the school district by the Schools and Libraries Division (SLD). ASG believes that the Commission has the authority to define the rural healthcare provider as an "eligible entity" and how the discounts for services are calculated. ASG believes that the Commission could therefore permit the healthcare providers in the Pacific Insular areas to use the same discount formula as administered by the Schools and Libraries Division for the Erate program. This approach would be easy to codify in a rule and easy to administer with a jurisdiction since the percentage of the Consortium participation by an HCP could be easily calculated

based on several simple usage formulas (e.g. number (#) of PCs on the network or projected capacity as negotiated between the Consortium members and the rural healthcare provider). Further, since defining the rural healthcare provider to be an "eligible" entity would only allow the HCP in the Pacific Insular Area to be eligible. The participation as a member would still be subject to approval by the educational consortium.

In American Samoa, the American Samoa State Education Agency (SEA) Erate Consortium includes all public schools, all private schools, and the Public Library. The AS-DOE has expressed a willingness to allow the LBJ Tropical Medical Center and the Department of Health Tafuna Family Health Center (TFHC) to participate as members for Internet access. However, at present, the HCPs are defined as an "ineligible" entity and have to pay its full share for connection.

Defining rural health care providers in the Pacific Insular Areas as an eligible entity for participation as members of an Erate consortium, with a prorated share to be assessed to the Rural Health Care Program, would address the needs of all HCPS in the Pacific Insular areas. American Samoa is aware that the Commonwealth of the Northern Marianas Islands and Guam applies for Erate funding as district applications. Thus, the approach would help the HCPs in the eligible Pacific Insular Areas. Finally, this approach simply makes a lot of sense and promotes the Commission's interest in efficiency in shared use of universal service funds.

Alternative 2 - The Commission is proposing to provide a 25% discount for Internet access for rural healthcare providers. ASG

proposes that the Commission consider increasing the level of the discount for Internet Access for the Pacific Insular areas to 80%. The reason is simple: the proposal will not help the health care providers in American Samoa.

The Internet providers in American Samoa have such small off-island satellite links (there is no submarine fiber optic cable to American Samoa) that they are unable to provide an Internet-based "Quality of Service" connection to the major healthcare centers in Hawaii and elsewhere.

The off-island telecommunication links of the largest carrier, the American Samoa Telecommunications Authority, for example, are only about 4.5 T1s for all voice and data communications, including Internet. The carrier is unable to provide an on-demand QoS for video teleconsultations and other high-speed applications without having to set-aside off-island capacity to support the link speed required. This would be costly and would require that a "fractional T1" be held available for QoS. Since an off-island satellite T1 link is about \$540,000 per year, a 768 Kbps link would be about \$270,000 per year (actual cost would be higher since this does not include establishing a QoS to the other healthcare providers). A 25% discount would still require the Hospital Authority, for example, to pay \$202,500. As such, the proposed discount level would not help the Pacific Insular areas given the very high cost for out-of-"state" or off-island telecommunications.

In summary, the American Samoa Government urges the Commission to consider defining the public healthcare providers as "eligible"

entities for the Erate program or increase the discount level for the Pacific Insular Areas.

Rural Health Care Program in the Pacific Insular Areas

American Samoa is a rural and remote community that is approximately 2,600 miles from Hawaii. Hawaii is another 2,400 miles away from California. The distance between Washington DC and San Francisco, California is about 2,850 miles.

American Samoa understands that the Commission is considering a proposal to "define rural as areas located outside of Urbanized Areas (and Urban Clusters), as specified by the Census Bureau." The ASG is concerned that there may be the potential for the redefinition to adversely affect American Samoa and other Pacific Insular Areas. The Census Bureau's use of population density is not appropriate for the Pacific Insular areas since it does not take into account the

geographic location of American Samoa and the vast distances, the demography (e.g. population income and economic base), or the telecommunication and health infrastructure. ASG is concerned that the use of population density could result in further problems for American Samoa, and does not negate the fact that American Samoa is rural in character, isolated, and far removed from metropolitan centers that have specialty and subspecialty care and health training programs.<sup>2</sup> If the Census Bureau urban/rural definitions are used, they

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<sup>1</sup> For example, the community of Lanai, island of Lanai is classified by the Census Bureau as an urban cluster. The total population of Lanai is 3164. The only health facility on the island is a Critical Access Hospital and a primary care clinic, staffed by two primary care physicians. Travel to a tertiary level hospital or to specialists requires a plane ride to Maui or Oahu.

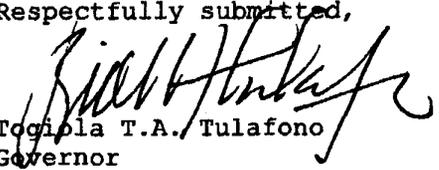
<sup>2</sup> For example, the population per square mile of Guam is 634, the Commonwealth of the Northern Mariana Islands is 242, and the American Samoa is 607. U.S. Census Bureau - <http://www.census.gov/population>

<sup>3</sup> A critical element of the rural, remote nature of many island territories is the water mass that separates islands within a jurisdiction.

may lead to an inappropriate and unreasonable classification of American Samoa as "urban."

American Samoa suggests that any redefinition consider distances from major metropolitan centers and advanced medical facilities, social and economic indicators, and others that would indicate the extent of a disadvantaged rural community. ASG also urges that any redefinition specifically address the impacts on the Pacific Insular Areas because of their uniqueness.

Respectfully submitted,

  
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<sup>4</sup>  
<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> "We conclude, moreover, that section 254(h)(2)(A) authorizes our adoption of special mechanisms by which to calculate support for these territories." First Report and Order, May 1997, ...

<sup>8</sup> U.S. Census Bureau - About Metropolitan and Micropolitan Statistical Areas,

<http://www.census.gov/population/www/estimates/aboutmetro.html>

<sup>9</sup> <http://www.rhc.universalservice.org/eligibility/rurallist.asp>

<sup>10</sup> <http://www.whitehouse.gov/omb/inforeg/msa99.pdf>

<sup>11</sup> The territories of American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands, benefit from the "Education Rate" (E-Rate) program. The discounts levels for telecommunication services and Internet access range from 85-90%.

<sup>12</sup> Source: U.S. Census Bureau, *Census 2000 Data for American Samoa, 2000*, at <http://www.census.gov/Press-Release/www/2002/AMSAMFULLPROFILE.xls>

<sup>13</sup> See Governor of Guam universal service comments at paras. 2 and 13

<sup>14</sup> See, CC Docket No. 96-45, *Reply Comments of the Commonwealth of the Northern Mariana Islands*, January 19, 2000, at para. 2.

<sup>3</sup> See letter to the FCC sent by Senator Conrad Burns (Montana) and Congressman Eni F. H. Faleomavaega (American Samoa), September 21, 1999. Letter to the FCC by Congressman Neil Abercrombie (Hawaii), Congresswoman Patsy T. Mink (Hawaii), Congressman Eni F. H. Faleomavaega and Congressman Robert A. Underwood (Guam), July 24, 2001. Letter to the FCC sent by Senator Daniel K. Inouye (Hawaii), September 18, 2001.

<sup>6</sup> See Resolution of the Pacific Island Health Officers Association, *Regarding the Applicability of the Telecommunications Act of 1996 to the Public Island Region*, filed February 19, 2000.