

# Advocates, Tribal Groups Seek to Delay Drastic Changes to Program Providing Affordable Voice and Broadband Access in Indian Country

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*Advocates Ask FCC to Delay Implementation of Changes to the Tribal Lifeline Program While D.C. Circuit Completes Review*

WASHINGTON — Today, consumer advocates, alongside tribal, civil rights and faith-based groups, voiced their support for efforts by the Crow Creek Sioux Tribe, the Oceti Sakowin Tribal Utility Authority, and wireless service providers (Joint Petitioners), to delay implementation of expansive changes to the Tribal Lifeline Program. The groups sent a letter to the Federal Communications Commission (FCC) urging it to delay rule changes outlined in its Fourth Report and Order (Tribal Order), which would disrupt affordable voice and broadband access for thousands in Indian Country, until the conclusion of a review sought by Joint Petitioners in U.S. Court of Appeals for the D.C. Circuit.

If the Commission's Tribal Lifeline Order is to take effect while the court appeal is pending, "residents of Tribal lands will be put at risk of consumer confusion, at best, and loss of phone and broadband service, at worst," advocates warned in a letter submitted to the FCC today.

The federal Lifeline program, created in 1985, helps low-income consumers afford voice, wireless, and broadband internet service by providing qualified recipients with a \$9.25 monthly credit toward the costs of service. The Tribal Lifeline program provides an enhanced Tribal benefit, an additional \$25, to eligible consumers who live on Tribal lands.

The FCC's Tribal Order makes substantial changes to the Tribal Lifeline program by prohibiting Lifeline carriers without their own network infrastructure (non-facilities based providers like Petitioners Assist Wireless, enTouch Wireless and Easy Wireless) from receiving the enhanced Tribal benefit. The Tribal Order also limits the availability of the enhanced Tribal benefit geographically to those living in rural Tribal areas. Taken together, the impact of these changes could be profound.

Approximately two-thirds of the more than 418,000 low-income Tribal Lifeline subscribers purchase voice and broadband internet services from non-facilities based providers. The FCC's plans to boot a majority of providers from the Tribal Lifeline Program could impact more than a quarter of a million low-income Tribal residents, who had insufficient notice of these changes.

"The advocacy community was very disappointed by the FCC's failure to engage in government-to-government Tribal consultations per the FCC's own long-established procedure concerning proposals that impact Indian country," **said Olivia Wein, an attorney with the National Consumer Law Center.** "Granting this stay is reasonable given the potential harm. Even if the

Tribes and carriers ultimately prevail in court, the implementation of these changes, beginning with consumer notices, will be hard to undo and could result in Tribal Lifeline subscribers facing confusion and disruption, or total loss, of voice and broadband services if carriers pull out of the Lifeline marketplace.”

The effective date of the FCC’s Tribal Order is in flux but it could go into effect by October 2018–forcing providers to notify Tribal Lifeline subscribers of the changes in August 2018. Hence the urgency of the request for a delay of the Order.

Additional resources:

Learn more about the Lifeline program and how it helps seniors, veterans, students, and survivors of domestic violence all across the nation to remain connected, and review state-by-state enrollment data.

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