



ALASKA FEDERATION OF NATIVES: RECOMMENDATIONS FOR GRANT ELIGIBILITY THROUGH THE TRIBAL BROADBAND CONNECTIVITY PROGRAM

Submitted by: Julie Kitka, President, Alaska Federation of Natives (February 11, 2021)

The Consolidated Appropriations Act of 2021 provides \$1 billion in new funding for tribal broadband to help mitigate the effects of the COVID-19 pandemic which has highlighted the digital divide across Indian Country. The Alaska Federation of Natives which represents nearly 125,000 Alaska Native people – the largest concentration of Indian people in any state in the nation -- applauds NTIA's effort to quickly develop the criteria for tribes to participate in the Tribal Broadband Connectivity Program (TBCP). AFN's recommendations include:

NTIA SHOULD PRIORITIZE NATIVE AMERICAN PARTNERSHIPS WITH THE U.S. MILITARY WHICH INCLUDE NATIONAL SECURITY INTERESTS

The Alaska Federation of Natives (AFN) has initiated a partnership with the military in Alaska because of the growing concerns with climate change, the melting of the sea ice, opening transportation routes, interest and global competition over natural resources in the arctic; in addition, with the military build-up of the Russian Arctic and great power competition growing, Alaska finds its strategic position as the northernmost border of the United States of increasing national interest. The AFN partnership has been growing since 2017.

The United States Air Force (USAF) and the Northern Command (NORTHCOM) are very interested in a DoD-Civilian partnership to help extend LEO Satellite Coverage to the Arctic. We see this as a major win-win for both the DoD and the Commercial sector.

Under the partnership, the USAF (under the AFRL/SDPE office) will fund the LEO SATCOM providers about \$50M in FY21 to accelerate and/or extend their coverage to the Arctic. As part of this effort the USAF will receive a small number of ground

terminals that will be used for DoD testing. The USAF expects to award these contracts by the end of March 2021, and the ensuing program will result in a high degree of Satellite coverage over the Arctic.

The USAF partnership with AFN will provide value for the US taxpayer in a civilian-DoD partnership where the number of terminals in Beta testing is greatly expanded, and the additional terminals are used in civilian applications in Alaska. These civilian applications will be selected by the AFN and are expected to include Tribal Lands, schools, medical facilities, and the commercial fishing fleet. As part of the partnership, the USAF will negotiate with the commercial entities to allow the AFN users to establish communications as early as possible through the new LEO satellites.

PAYOFF for the US:

- Developing Arctic Comm coverage is a top priority for several DoD entities including NORTHCOM. DoD prefers to do this as a leveraged commercial leased service in order to reduce cost. DoD only needs a small fraction of the total commercial throughput, so leveraging the capability with the commercial market is the cost-effective approach.
- As DoD seeks to incentivize commercial to create Arctic Satellite Comm coverage, it is critical that they also develop a commercial market so that the DoD is not an anchor tenant carrying the brunt of the costs. DoD also wishes to see this commercial market developed as early as possible. The proposed AFN partnership is an excellent approach for accelerating the non-DoD customer base.
- The partnership also solves a major challenge for the Alaska civilian sector which has identified the lack of communications as a major challenge.

FUNDS SHOULD BE FOCUSED ON DOING, NOT STUDYING

- Funds should be focused primarily on solving the problem and providing actual broadband to Indian tribes and Alaska Native communities, not on studying and mapping the problem. Most Alaska Native communities and tribes can tell you whether they have or don't have adequate broadband service without hiring expensive consultants to study and map the problem.
- Any funding for planning should be tribally driven and include how to better use the increased communications capability to support local public safety, including village public safety officers (VPSOs), counter fraud, cyber-crime, and human trafficking among new users of the technology where DOJ data shows there are increased vulnerabilities. Supporting stronger partnerships with the U.S. Department of Justice, and the FBI will help in the planning and implementation of appropriate measures for the Native community.



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FACILITIES OWNED AND OPERATED BY TRIBES SHOULD BE ELIGIBLE FOR GRANTS WITH PRIORITY GIVEN TO FACILITIES SUPPORTING NON-COMMERCIAL ACTIVITIES

- The Universal Service Fund (USF) provides funding for rural health care, including Indian Health Service hospitals and clinics, as well as schools and libraries. However, since tribal facilities such as tribal offices, community centers, childcare centers, etc. are not eligible for these funds, tribes should be eligible to apply for these grants to help pay their monthly broadband bills. This will help in the short run.
 - **TRIBES SHOULD BE ELIGIBLE FOR GRANTS:** “Tribes” as defined by Section 4 of the Indian Self-Determination and Education Act should be eligible to receive grants.
 - **ALASKA NATIVE NON-PROFIT CORPORATIONS PROVIDING SERVICES PURSUANT TO TRIBAL RESOLUTION SHOULD BE ELIGIBLE FOR GRANTS:** This should also include Alaska Native Regional Non-Profit Corporations such as the Association of Village Council Presidents (AVCP) that operate pursuant to tribal resolutions (complete list provided by footnote), Alaska Native Non-profit Health Corporations like the Yukon-Kuskokwim Health Corporation that provide health care through the Indian Health Service (complete list provided by footnote), and Alaska Native Housing Corporations (complete list provided by footnote).
 - The Alaska Federation of Natives (AFN) should be eligible in a coordinating role to support the AFN-DoD partnership; and assist in appropriate efforts within the Native community.
 - **RURAL SCHOOLS IN ALASKA SERVING PREDOMINANTLY NATIVE STUDENTS SHOULD BE ELIGIBLE FOR GRANTS:** Alaska does not have tribal schools operated by the BIA, and therefore Alaska Native students would not benefit from any program aimed at tribal schools.

However, many rural schools serve predominantly Native students who should be eligible for any program that benefits Indian schools.

- **FUNDS SHOULD BE AVAILABLE TO HELP NATIVE STUDENTS ACQUIRE LAPTOPS, SOFTWARE, AND TECHNICAL SUPPORT:** Funds should be available to ensure that Indian and Alaska Native students have access to a laptop, software, and the technical support and training necessary to use it effectively and fully regardless of whether they attend a BIA school.
- **INDIAN AND NATIVE COLLEGE STUDENTS SHOULD ALSO BE ELIGIBLE FOR HELP WITH LAPTOPS:** In addition, Indian and Alaska Native college students, including nursing student, graduate students, and those attending trade schools, should be eligible for a laptop, whether they are attending college or a training program remotely or in person.
- **LAPTOPS SHOULD BE AVAILABLE TO NATIVE RESIDENTS LIVING IN NATIVE VILLAGES AND INDIAN COMMUNITIES:** Laptops should also be made available to “check-out” like library books at tribal offices by individuals without access to a computer to address the needs of other Alaska Native and Indian people. Given the funding available through this program, it is not possible to provide a laptop to every deserving household. However, priority should be given to students – K-12, college, and trade school -- to own their own laptop.
- **AN INDIAN AND ALASKA NATIVE COMPUTER HELPLINE SHOULD BE AVAILABLE 24- HOURS A DAY TO ASSIST NATIVE STUDENTS AND TRIBES WHO NEED ASSISTANCE OR ENCOUNTER PROBLEMS.** Lack of proper computer assistance, when needed, can become an obstacle to effective use of the equipment for every American, and particularly for those living in remote communities without a “nerd desk” at an Apple store or a Best Buy.
 - **HELP DESK TRAINING PROGRAM SHOULD BE SUPPORTED:** A pilot program should be developed to train Indian and Alaska



Native students with these HELP desk skills as well as more advanced computer skills such as installation and training. This could and should utilize existing training materials and not re

- **CIRCUIT RIDER PROGRAM:** A “circuit rider” program could be developed, mimicking the circuit rider program operated by the Rural Utility Service which provides rotating maintenance workers to address water and sewer repair needs. Computer circuit riders could travel from village to village in a region to provide computer set-up and maintenance first to tribes, then to schools and students, and lastly to individual families and businesses.

- **COMPUTER TRAINING FOR STUDENTS AND TEACHERS SHOULD BE ONGOING:** This training should be ongoing and build skills over time. This is vitally important in an online education environment. The USF program which funds connectivity through its education program does not fund laptops or training.

- **PRIORITY FOR LIMITED FUNDING SHOULD BE GIVEN TO TRIBES AND TRIBAL ENTITIES PROVIDING SERVICES TO INDIAN PEOPLE, RATHER THAN THOSE ENGAGING IN COMMERCIAL ACTIVITIES:** Given the limited amount of funds available, priority for grant funding should be given to providing broadband access to facilities that provide services to Indian and Alaska Native people such as social services, health care, mental health care, housing, job training, and similar services, rather than entities owned by tribes that are primarily commercial in nature. Unless the broadband needs of those tribes providing critical services to individual Indians or Alaska Natives such as healthcare, mental health services, housing, job training or employment services, or social services are met fully, broadband for tribal organizations engaging

primarily in commercial activities such as gambling should not be funded

■ **TO PROVIDE A LONGER-TERM SOLUTION BEYOND COVID, TRIBAL FACILITIES ENGAGED IN NON-COMMERICAL ACTIVITIES SHOULD BE ELIGIBLE FOR USF SUPPORT ON THE SAME BASIS AS RURAL HEALTH CARE FACILITIES, SCHOOLS, AND LIBRARIES.**

- The Biden Administration should develop and support legislation to expand the USF Program to make tribes eligible for USF support when these NTIA grant funds are fully exhausted. Otherwise, once these grant funds have been used up, tribes will once again be forced to absorb the full costs of broadband which can be cost prohibitive, particularly in remote areas, and digital divide will only get deeper and wider.

■ **GRANT FUNDS TO IMPROVE INFRASTRUCTURE SHOULD BE PRIORITIZED FOR UNSERVED AND UNDERSERVED COMMUNITIES RANKING IN THE FOLLOWING ORDER:**

- 1. Unserved communities without access to broadband
 - 2. Underserved communities with access to broadband in schools, libraries, or health clinics through the Universal Service Fund, but limited access to homes or limited wireless access for individuals
 - 3. Underserved communities with below average broadband speeds.
- **OVERBUILDING EXISTING INFRASTRUCTURE SHOULD BE RESTRICTED, AND ONLY SUPPORTED IN THE RAREST OF CIRCUMSTANCES UPON A SHOWING OF UNIQUE CIRCUMSTANCES AND NEED.**
- \$1 billion in grant funding, while greatly appreciated, does not come close to closing the digital divide in Indian country. Therefore, funds should NOT be available to build duplicative



infrastructure or even similar infrastructure using different technology that will provide service to people already served.

- Allowing overbuilding would also disincentivize investment in Indian country and even may undermine the ability of commercial companies who invest in Indian country to re-pay other federal loans such as through the Rural Utility Service.
 - It makes no sense to have RUS and other federal programs fund deployment of service in a geographic area only to have NTIA fund competing service in the same area while other Indian and Native communities go without.
- **ENHANCEMENT OF EXISTING SERVICE BY ADDING MORE HOUSEHOLDS OR INCREASING SPEEDS TO THE 1 GIGABYTE LEVEL OR HIGHER SHOULD BE GIVEN PRIORITY FOR INFRASTRUCTURE FUNDING.**
- **WHEN EVALUATING COMPETING APPLICATIONS, PRIORITY SHOULD BE GIVEN TO THOSE PROPOSALS WHERE FEDERAL GRANT FUNDING CAN SERVE A LARGE GEOGRAPHIC AREA COMPRISING MANY INDIAN OR NATIVE VILLAGES.**
 - Because funds are limited, those proposals that can make federal funds stretch to serve multiple communities should be given priority, rather than a similar proposal that will only serve a limited geographic area.

- **WHEN EVALUATING COMPETING APPLICATIONS, PRIORITY SHOULD BE GIVEN TO THOSE PROPOSALS WHERE FEDERAL GRANT FUNDING WOULD INCREASE CAPACITY IN A REGIONAL HUB COMMUNITY OF 3,500 OR MORE NATIVE OR INDIAN RESIDENTS THAT WOULD IN TURN FREE UP BROADBAND CAPACITY AND INCREASE SPEEDS FOR SURROUNDING NATIVE VILLAGES OR INDIAN COMMUNITIES.**

- This would include proposals to increase capacity to a largely Native regional hub such as Bethel, Alaska that would in turn allow its existing capacity to be spread among 50 or more Native villages in the Yukon-Kuskokwim Delta.

■ **GRANTS SHOULD ALSO BE AVAILABLE TO EXPAND EXISTING BROADBAND SERVICE PROVIDED TO HEALTH CARE CLINICS, SCHOOLS, AND LIBRARIES THROUGH THE UNIVERSAL SERVICE FUND TO ALL RESIDENTS IN AN INDIAN OR NATIVE VILLAGE.**

- Unfortunately, the level of one-time funding provided is not sufficient to provide broadband to every individual Indian or Alaska Native household, so every effort should be made to boost existing services to more people.
- Leveraging existing broadband facilities that serve schools, libraries, and health clinics to enable local residents first, and local businesses second, to obtain affordable service should be a priority for grant funding. The Brookings Institution study showed that the average low-income family does not have broadband, because they cannot afford it. Their research indicated that \$10 to \$20 per month would be an affordable funding level for lower income families.

■ **ELIGIBILITY CRITERIA MUST TAKE INTO ACCOUNT TERRAIN AND OTHER PHYSICAL IMPEDIMENTS THAT CAN CONSTRAIN BROADBAND SPEEDS SUCH AS USE OF SATELLITES.**



- For example, many remote Native villages can only be served by satellite which means speeds are necessarily slower. These slower speeds should not be a barrier to receiving grant funding for infrastructure, or these communities will be left behind.
- But where technology exists such as fiber to provide 1 gigabyte or higher speed to Native communities, regardless of terrain, those applications should be balanced with applications advancing technologies which require continual and replacement such as satellites.
 - When evaluating competing applications, NTIA must also take into consideration the life cycle and the value of the partnerships with the Native community.

Thank you for consideration of our perspectives. We stand ready to assist in any way we can.

Sincerely,

Julie Kitka, President