

Testimony of
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On behalf of the National Tribal Telecommunications
Association
Presented to the
UNITED STATES SENATE
Committee on Indian Affairs

**“GAO Reports Relating to Broadband Internet Availability on Tribal
Lands ”**

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Chairman Hoeven, Ranking Member Udall and members of the committee, thank you for this opportunity to testify today. I am Godfrey Enjady, General Manager of Mescalero Apache Telecom, Inc. (MATI) located in Mescalero, New Mexico. Today I testify as President of the National Tribal Telecommunications Association (NTTA), which is comprised of the nine Tribally-owned and operated telecommunications companies that provide voice, broadband and other communications services to their communities. Those companies

are Cheyenne River Sioux Telephone Authority, Fort Mojave Telecommunications, Inc., Gila River Telecommunications, Inc., Hopi Telecommunications, Inc., Mescalero Apache Telecom, Inc., Saddleback Communications, San Carlos Apache Telecommunications Utility, Inc., Tohono O’odham Utility Authority, and Warm Springs Telecom. The Nez Perce Tribe and Sacred Wind Communications are associate members.

Members of NTTA represent only a small portion of the 573 Tribes recognized by the federal government. While areas served by NTTA members may have better broadband access than much of Indian Country, we agree with this study’s conclusion that a vast majority of Tribal areas are lacking in or overstating broadband coverage.

Mescalero Apache Telecom serves the entirety of the Mescalero Apache Reservation located in the remote South Central Mountains of New Mexico. Prior to MATI purchasing its service area and building its network in 2001, 52% of the Mescalero Apache Tribe received no service, and 48% received only basic voice service. MATI provides services in what is considered a rural, high-cost area and serves an average population density of two customers per square mile. This situation causes the average cost per loop to substantially exceed the national average. MATI, like all NTTA members, has a high percentage of its consumer base that qualifies for the Lifeline program, a very important element in the affordability and adoption of broadband service. We support the adoption of an enhanced Lifeline credit for Native communities.

I want thank members of this committee for your leadership on this issue. I also want to thank the staff at GAO for their knowledge and professionalism. I, along with other NTTA members, participated in interviews with GAO. We appreciate their work.

The difficulties in serving remote, dispersed communities situated in hard to serve, rough terrain has been thoroughly illuminated in Congressional testimony and on the record at the Federal Communications Commission (FCC), and with USDA's Rural Utilities Service (RUS). They are also highlighted in the recent GAO study that we are discussing today (GAO-18-630).

The September 2018 GAO study acknowledges many of the barriers to access to broadband services on Tribal lands that are primarily located in rugged, sparsely populated areas. The main source of information regarding broadband availability is the National Broadband Map. As the GAO points out, this data has not been updated since 2015.

NTTA members, as providers of broadband and telecommunications services to their communities, report access information to the Federal Communications Commission (FCC) by filing a Form 477. We do this twice a year. The Form 477 filings are the FCC's main tool for evaluating broadband coverage and performance throughout the United States by using census blocks for fixed broadband providers and shapefiles for mobile providers. On one level, as a snapshot, it provides very useful information. However, all parties interested in robust broadband access need more granular and detailed information to decide policy issues, subsidization and investment levels, and the use of various technologies.

I must emphasize a point made in the GAO study – the collection of more granular information will require more resources. Whether it be the Federal Communications Commission, the National Telecommunications and Information Administration (NTIA) or the USDA's Rural Utilities Service, more funding and personnel will be needed. Congress has recently acknowledged this by providing NTIA with some additional funds for mapping. NTTA members also know

that the need for more detailed data gathering and analysis will fall on us to provide. I have firsthand experience that this takes many staff hours and stretches our funding even further. In response to an Order released by the Commission earlier this year, my company is currently working through the FCC process to dig deeper into the data than the Form 477 provides for the purpose of getting funding relief regarding operational expenses (which are currently capped). FCC Chairman Ajit Pai has questioned the wisdom of the operational expense caps and I encourage him and the rest of the Commission to continue to work with us to get a positive outcome in this current matter.

The GAO study mentions two areas of data the FCC does not collect, affordability and quality of service. These are two very important aspects to the take rate of broadband service, especially in remote Tribal communities. In many instances, the price for broadband access for many consumers is simply out of reach. Broadband accessibility is not a luxury; it is a necessity in today's modern world. Low quality of service, experienced in many Tribal communities, leads to frustration and less take rate by consumers. Outages, slow speeds and high latency results in inefficiency and lower productivity. This form of data collection must be addressed.

The FCC is considering proposals to modify the Form 477 data collection. NTTA encourages the Commission to work quickly to formulate a final rule.

The GAO study looks into the lack of engagement between Tribal communities and the broadband providers that serve them. That is not a problem in the communities served by NTTA members. NTTA's Tribally-owned and operated communications providers are a part of their Native community. However, we do see the need to improve engagement between Tribal entities, federal, state and local

governments, and private businesses on many far ranging issues (rights-of-way, easements, pole and tower siting, etc.).

NTTA agrees with the study's three recommendations: more targeted data collection, a formal process to obtain Tribal input (including outreach and technical assistance), and better engagement by all involved entities.

In reference to the just released GAO study (GAO-18-682) regarding partnerships, NTTA wants to stress the information on page 16 of the document – “Specifically, from 2010 to 2017, we found that less than 1 percent of FCC funding and about 14 percent of RUS funding went directly to tribes and tribally owned providers. Combined, FCC and RUS funding totaled \$34.6 billion during that time period and tribes and tribally owned providers received \$235 million, or about 0.7 percent.” This illustrates the need for funds that are targeted for use on Tribal lands.

More work needs to be done by all parties interested in this issue. We all share the worthy goal that consumers, no matter where they live or work, need accessible, robust and affordable broadband services to prosper and thrive in the modern and ever evolving world economy.

Once again, thank you for the opportunity to appear before you today.