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Testimony of the National Congress of American Indians to the Senate Committee on Indian Affairs Regarding Senate Bill 2382: The Native American Connectivity Act

Presented By:
JD Williams

NCAI Telecommunications Subcommittee Chair

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Chairman Campbell, Vice-Chairman Inouye, and Committee members, I thank you for this opportunity to testify on the Native American Connectivity Act, a measure that seeks to address a range of critical telecommunications issues impacting tribes. President Tex Hall sends his regards to the Committee, and regrets being unable to join you today to discuss this important matter. As the Chair of the NCAI Telecommunication subcommittee, as well as the General Manager of the Cheyenne River Sioux Tribe Telephone Authority, I am pleased with the advances in telecommunications infrastructure and education that this bill proposes. NCAI strongly supports this measure, and we look forward to working with the Committee as it moves to advance this bill to passage in the 108th Congress.

INTRODUCTION

Not only is a strong telecommunications infrastructure vital to the effective functioning of our economies and governments, but it also serves as an invaluable tool for education and training of tribal members, a blessing for our infirm or elderly who are now or will be able to receive medical care through telemedical services, and a critical component in efforts to preserve our cultures and languages. This bill will enable tribes to use its programs to improve access to all of these critical tools and more.

Examples abound throughout Indian Country of tribes who have prioritized the development of a sound telecommunications infrastructure. Those same tribes generally are among the most successful in carrying out diversified development of all kinds within their communities. It is no question that high telephone penetration rates and easier access to the internet are hallmarks of healthy economies. Most businesses today see high-speed internet access, flexible telecommunications technology, and technologically skilled employees as absolute necessities. Some reservations have one or two of these key commodities in place, but most have none. We must be able to provide these services in order to attract a diverse array of businesses to Indian Country, and we must have these services if businesses in Indian Country are to achieve long term success.

The education and training of our tribal members are essential ingredients to successful development. We must not only train them to be proficient in information technology related fields, we must also find ways to provide tribal members with skills for success in all sectors of tribal government and economies. E-training and distance learning are tailor-made for the unique needs of our communities. We have need for skills training and continued education, and most of us live in rural communities removed from education centers. Technology to access teachers and trainers over the Internet is a critical tool to provide our members the opportunity to learn the skills they need to find productive employment.

The same technology can also provide us with an avenue to increase dramatically the health and quality of health care for our people. Telemedicine is a fast-developing arena of information technology that is particularly suited to meeting the needs of our remote and

underserved reservations. Ailing tribal members often cannot make the long trips to IHS clinics or other healthcare facilities far from their homes. Small communities, if they were provided with the infrastructure and resources to implement such a program, could set up a “teleclinic” where health professionals could address patients and provide initial examinations over video conference. These services have proven to be very effective for Indian Country where currently available. National Public Radio documented its success in a report in October of last year, noting how both doctors and patients find it far more effective than infrequent doctor trips to the reservation or costly and difficult trips from reservation to urban areas. I am happy to see telemedicine as one of the goals of this legislation.

IT is also rapidly becoming indispensable in the arena of protecting our sacred sites and retaining our native languages. The Alaska Native Language Center, the Choctaw Nation of Oklahoma, the Cherokee Nation of Oklahoma, Ft. Peck Community Colleges, and others provide online resources or even online instruction for students in their native languages. After generations of declining use of native languages—a vital tie to our traditional culture—we are bringing together our elders and our youth on-line to keep our languages alive. Vital tools for protecting sacred sites are also becoming increasingly reliant on IT. One example is the FCC’s Tower Construction Notification System, an all-online tool to give tribes information about proposed construction of cell phone towers to determine if they are a threat to sacred or culturally significant sites. This system not only prevents destruction of our sites, but also gives the cell tower industry a simple and efficient way to fulfill Section 106 of the Historic Preservation Act.

These are only a few examples of the many ways that increased access to resources for development of telecommunications infrastructure such as those proposed in this measure can help our communities in a very tangible manner.

CONNECTIVITY ACT PROVISIONS OF NOTE

S. 2382 proposes to set up two grant programs: block grants for a wide-range of telecommunications related activities and training and technical assistance grants for employee training and student programs, funded at \$20 million for the first year. Eligible entities for the funding are broad-based as well, to ensure that tribes, tribal colleges, and other entities can all work together to deliver the benefits of this measure to tribal members.

The status of tribal telecommunications infrastructure varies widely across the nation. Some tribes include vast areas within their jurisdiction that lack basic telephone service or are struggling to keep the basic service they have. Other tribes are providing their members with high-speed internet services, wireless phones, and are exploring next-generation telecommunications technologies. The vast majority of tribes fall somewhere in between and are thinking about how they can best make the next step toward improved connectivity.

There is clearly no panacea for meeting the telecommunications needs of the tribes--only focused resources with flexibility to meet the unique needs of individual tribes can

begin to address this dial-tone and digital divide in Indian Country. With twelve different eligible activities plus training and the flexibility to enable any type of tribal government, institution, organization, or its partner to use these funds, tribes will be able to effectively use their block grants to meet the unique needs of their members under this measure.

This bill would allow eligible entities to use funds to increase tribal capacity to exercise regulatory authority by issuing their own telecommunications regulations and codes. Through this governmental function, tribes are not only delineating their expectations of how service should be provided on their reservations, but they are also exercising their sovereign right to manage affairs on their own lands. As you know, the Cheyenne River Telephone Authority is the first tribal telecommunications company, and we have found that we are by far the most capable provider on our reservation. We hope that other tribes take advantage of the programs that this bill envisions to create their own companies that exercise an important aspect of sovereignty in the 21st Century.

The ability of tribes to self-determine the best course of action for utilizing the funds that would be authorized under this legislation coupled with adequate enacted funding levels are vital to the success of this bill. Tribes will be eager to access these funds, so funding should certainly be set at the level of \$20 million at a minimum, and all eligible activities should be preserved as this bill moves forward.

CONCLUSION

NCAI supports the Native American Connectivity Act. We feel that this is a step in the right direction toward increasing the availability of telecommunications infrastructure in our communities. Of course, more can always be done. Over the course of the last decade, telephone service availability in Indian Country has increased by 46 percent, largely due to the concerted push by this committee and the committed staff of the Federal Communications Commission. We need to keep that trend up, and we know it is possible. The New York Times has documented a 130 percent increase in telephone service in just the last year for the population of Iraq—an advance lauded as critical to the advancement of the Iraqi economy and people, just as it is to ours. We know the same can be done in Indian Country with a concerted federal commitment.

The Native American Connectivity Act is a good-faith effort to provide our tribes with the resources to grow and strengthen our communities. Please accept our endorsement of this legislation, and we look forward to working with you to ensure that this important measure is passed into law in a timely manner. Thank you for your invitation to speak, and I welcome any questions the committee may have.