



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #MKE-17-015

### TITLE: Improving Broadband Access Via Expansion of the FCC's Rural Health Care Program

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**NCAI HEADQUARTERS**  
1516 P Street, N.W.  
Washington, DC 20005  
202.466.7767  
202.466.7797 fax  
[www.ncai.org](http://www.ncai.org)

**WHEREAS**, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States and the United Nations Declaration on the Rights of Indigenous Peoples, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

**WHEREAS**, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

**WHEREAS**, the expansion of broadband into Indian Country and Native Communities is a vital issue to American Indian and Alaska Native tribes; and

**WHEREAS**, the geography of American Indian Tribes and Alaska Native Villages is such that wireline solutions are expensive and slow to expand, causing our communities to increasingly rely on wireless technology to provide telecommunications services or redundancy in services to our members, business, services, and tribal governments; and

**WHEREAS**, the Federal Communications Commission (FCC) has made efforts to expand access for Native Communities to its programs and funding in recent years; and

**WHEREAS**, the Federal Communications Commission reported that 41% of people living on Tribal lands lacked access to broadband and that number is even higher, 68% in rural areas resulting in high costs of service and high healthcare-related communications services; and

**WHEREAS**, the Rural Health Care Program (RHC Program) support helps to reduce the costs of these services, indeed “the Program is essential for allowing providers to deliver affordable, world-class care to those living in rural and Bush communities, while saving patients the high costs associated with travel to urban medical centers;” and

**WHEREAS**, connectivity is now mission critical to delivering health care in remote communities for delivery of care, telehealth, operations, compliance, and accreditation; and

**WHEREAS**, as a general matter, tribal communities still lag far behind other remote and rural communities for telecommunications infrastructure, access, and opportunities; and

**WHEREAS**, the FCC's RHC Program, administered by the Universal Service Administrative Company (USAC), has rolled out to some tribal communities, including many remote areas in Alaska, with some degree of success, offering funding support for telemedicine, telehealth, and related telecommunications health programs; and

**WHEREAS**, the FCC has made substantial efforts to grow interest and demand for this program for remote communities and health care providers, funding has remained capped nationally for 20 years at \$400 million; and

**WHEREAS**, the cap imposed by the FCC is not mandated by the Telecommunications Act that authorizes the program, but is rather implemented as an administrative cap on a program that, with more funding, could continue to improve health outcomes and save lives in a wide range of rural communities in the United States, including Indian Country and for Alaska Natives; and

**WHEREAS**, the FCC recently modernized the RHC Program to create a new program, the Healthcare Connect Fund; and

**WHEREAS**, broadband infrastructure expansion will be accelerated by raising the funding cap and increasing funding in the RHC Program, making rural communities healthier and more resilient; and

**WHEREAS**, the FCC must protect and fulfill the tribal trust responsibility.

**NOW THEREFORE BE IT RESOLVED**, that the National Congress of American Indians (NCAI) calls on the FCC to undertake a rulemaking to ensure both the near and long-term viability of the RHC Program to meet the increased demand for telemedicine services in Native communities across the Country; and


**BE IT FURTHER RESOLVED**, that NCAI calls upon the FCC to raise the \$400 million cap on the RHC Program to:

- address the new infrastructure support associated with the FCC's recent modernization in creating the Healthcare Connect Fund,
- to keep pace with program demand,
- eliminate future pro rata funding shortfalls,
- provide RHC funding recipients certainty as they plan their health programs,
- protect against inflation through a permanent inflation adjustment mechanism,
- address increased HIPAA legal obligations,
- support advances in telemedicine capabilities,
- address changes in patient expectations and standards of care, and
- support the ever increasing utilization of telemedicine in American Indian and Alaska Native communities; and

**BE IT FINALLY RESOLVED**, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

**CERTIFICATION**

The foregoing resolution was adopted by the General Assembly at the 2017 Annual Session of the National Congress of American Indians, held at the Wisconsin Center in Milwaukee, WI, Oct 15, 2017 - Oct 20, 2017, with a quorum present.

  
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Jefferson Keel, President

**ATTEST:**

  
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Juana Najel Dixon, Recording Secretary