



April 26, 2013

Ms. Judith B. Herman
Office of Managing Director
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

**RE: PAPERWORK REDUCTION ACT COMMENTS OF THE CENTER FOR SOCIAL
INCLUSION AND THE RURAL BROADBAND POLICY GROUP**

**OMB CONTROL NUMBER 3060-0986: *COMPETITIVE CARRIER LINE COUNT
REPORT AND SELF-CERTIFICATION AS A RURAL CARRIER***

Dear Ms. Herman,

The Center for Social Inclusion (CSI) and the Rural Broadband Policy Group (RBPBG) respectfully submit these comments in support of the Tribal Government Obligation Engagement Provisions ('Tribal Engagement Provisions').¹ CSI works to identify and support policy strategies to transform structural inequity and exclusion into structural fairness and inclusion. CSI works with community groups and national organizations to develop policy ideas, foster effective leadership, and develop communications tools for an opportunity-rich world in which we all will thrive no matter our race or ethnicity. The RBPBG is a national coalition of rural advocates for fast, affordable, and reliable Internet. RBPBG members advocate for broadband policies that create opportunities for rural communities to participate fully in the nation's society, economy, culture, and democracy.

CSI and RBPBG, on behalf of rural and broadband advocates, firmly believe that the 'Tribal Engagement Provisions' are essential rules to be adopted and enforced at the Federal Communications Commission ('Commission' or 'FCC'). In adopting the 'Tribal Engagement Provisions' in the *USF/ICC Transformation Order*, the FCC has already

¹ See Federal Communications Commissions. *USF/ICC Transformation Order*. Adopted by the Commission October 27, 2011. Published November 18, 2011. ¶ 604, pgs. 194 – 195. Available at http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-11-161A1.pdf.

recognized the importance of these measures to meet deployment goals. The ‘Tribal Engagement Provisions,’ require Eligible Telecommunications Carriers (ETCs) to:

(1) conduct a needs assessment and deployment planning with a focus on Tribal community anchor institutions; (2) conduct feasibility and sustainability planning; (3) develop marketing services in a culturally sensitive manner; (4) follow rights of way processes, land use permitting, facilities siting, environmental and cultural preservation review processes; and (5) comply with Tribal business and licensing requirements.

CSI and RBPG firmly believe ‘Tribal Engagement Provisions’ are essential in closing the digital divide because they engage communities that have been left at the margins of technology and ensure their meaningful inclusion in shaping our nation’s digital future.

Broadband today is as necessary to commerce, education, health care and civic life, as transportation has been. The "information super highway" can only spur opportunities in communities it reaches. Rural, Tribal, and urban communities of color remain the most underserved. Despite efforts to bridge digital divide gaps, the FCC reported in 2012 that 19 million nationally, 14.5 million in rural and 33% of Tribal communities, still lack basic access. Our country needs policies that acknowledge high-speed Internet as a necessity. A report commissioned by the Center for Rural Strategies and led by renowned broadband scholar, Sharon Strover, found that “regions that lack broadband will be crippled...Having access to broadband, therefore, is simply treading water or keeping up. Not having it means sinking.”² In order to succeed, all communities must fully and meaningfully participate in our digital future, and this is precisely the goal of the ‘Tribal Engagement Provisions.’

TRIBAL ENGAGEMENT PROVISIONS ENSURE COMMUNITIES’ RIGHT TO DETERMINE THEIR TELECOMMUNICATIONS FUTURE.

America is diverse. There is no one-size-fits-all broadband solution for all rural, urban, or Tribal communities. Therefore, broadband policies that respect and account for the unique characteristics of each community are more likely to succeed. CSI and RBPG believe that the ‘Tribal Engagement Provisions’ are vital to meet deployment goals in a meaningful way. Our research and continued work with communities of color reinforces that federal policy needs to allow for the specific needs and barriers communities of color experience.

To garner the most positive impact, policies should support self-determination and permit communities choose their own telecommunications solutions. The comprehensive needs assessment requirement paired with the feasibility and sustainability planning requirement outlined by the ‘Tribal Engagement Provisions,’ will ensure ETCs collaborate meaningfully with Tribal communities in order to address these needs of each

² *Scholar’s Roundtable: The Effects of Expanding Broadband to Rural Areas*, Sharon Strover et. al. April 2011

community and draft plans that overcome barriers to sustainability. The aforementioned requirements ensure federal dollars are invested in ways that advance greater access. Additionally, ETCs will be required to market in ways that respect local culture, which will likely encourage greater use among community members. Furthermore, requiring land use permitting and environmental and cultural review processes ensures Tribal communities' quality of life is protected and established Tribal law is followed.

TRIBAL ENGAGEMENT PROVISIONS SUPPORT COMMUNITY-BASED AND LOCALLY ACCOUNTABLE EFFORTS.

RBPG holds “local ownership” and “investment in community” as core principles in broadband deployment. RBPG firmly believes that local ownership of broadband infrastructure and meaningful community engagement in broadband deployment projects can address typical problems such as lack of service, limited provider choice, affordability, and slow speeds. Policies that encourage local ownership of broadband projects invest in community. For example, local broadband networks employ IT professionals who live and work in the local community. When communities own their communications infrastructure and are actively involved in its development, not only do they boost their local economies and create jobs, but they are also held accountable to ensure that reliable, affordable broadband is accessible to every resident. CSI and RBPG strongly believe the ‘Tribal Engagement Provisions’ are great measures that engage a community meaningfully and support the type of local accountability that creates successful broadband deployment.

We commend the FCC in adopting ‘Tribal Engagement Provisions’ and strongly encourage their implementation across every Universal Service Fund program. The goal of ‘Universal Service’ is to ensure that *all* Americans have access to telecommunications technologies, and the ‘Tribal Engagement Provisions’ help our nation truly achieve universal service. We respectfully urge the Office of Management and Budget to approve the ‘Tribal Engagement Provisions’ of the *USF/ICC Transformation Order* so the Commission will have full regulatory authority to enforce these requirements on ETCs serving tribal lands.

Respectfully submitted,

/s/ Simran Noor

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