

Broadband penetration and internet access have fast become an important part of tribal economic development.

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TELECOMMUNICATIONS

Major changes are occurring in telecommunications regulation. The Federal Communications Commission (FCC) recently released its Report and Order and Further Notice of Proposed Rulemaking, which overhauls the Universal Service Fund and substantially revises its inter-carrier compensation mechanisms. This recent Order released by the FCC represents the most significant overhaul of telecommunications regulation in nearly a century.

To ensure that American Indian tribes and Alaska Native villages are included in this digital transition, it is essential that programs offering financial assistance are available and adequately funded. As stated in the Public Broadcasting Act of 1967, “It is necessary and appropriate for the Federal Government to complement, assist, and support a national policy that will most effectively make public telecommunications services available to all citizens of the United States.”

Key Recommendations

FEDERAL COMMUNICATIONS COMMISSION (FCC)

Financial Services Appropriations Bill

Office of Native Affairs and Policy

- Provide a permanent fixed budget of \$2 million to fund the Office of Native Affairs and Policy.

The FCC’s Office of Native Affairs and Policy (FCC-ONAP) was created in 2010. However, Congress has not provided dedicated budgetary support for this important office. FCC-ONAP has instead been reliant on a continuing resolution, which has hindered its ability to fully engage with tribal governments through consultations and to adequately staff its office. American Indian and Alaska Native tribes face a persistent and pervasive digital divide in Indian Country. During this critical development phase of 21st century broadband infrastructure, this Office must receive a dedicated annual budget in order to facilitate meaningful and productive consultations with tribal governments and to create economic opportunities.

This Office is responsible for and actively engaged in new rulemaking aimed at closing the digital divide and providing regulatory oversight. Newly-promulgated Universal Service rules and the Connect America Fund require unprecedented levels of consultation and coordination between industry and tribes, which will require guidance coordinated by FCC-ONAP. A newly-created tribal mobility fund targets support for new wireless deployment on tribal lands. As the facilitator and coordinator of such engagement and opportunities, the FCC-ONAP needs a fully-funded budget to implement requirements.

Other work planned by FCC-ONAP includes fieldwork on public/private/tribal project development to deploy broadband and other types of communications platforms such as fiber, radio and television broadcast, satellite services, and traditional telephone services. FCC-ONAP will also facilitate regulation-driven training and guidance on topics such as feasibility planning and participation in the regulatory process and the communications landscape. Meaningful rights and responsibilities have been created in the rulemaking process to bridge the digital divide in Indian Country, but without adequate resources FCC-ONAP will not be able to assist tribes in these efforts.

CORPORATION FOR PUBLIC BROADCASTING *Labor, Health and Human Services, Education Appropriations Bill*

Grant Programs

- *Appropriate \$5 million for funding American Indian and Alaska Native radio stations.*

The Corporation for Public Broadcasting (CPB) provides support to 30 of the 48 tribal radio stations in the country. Additional funding for CPB is essential to ensure that these communities can continue to provide radio services to their constituents. New regulatory opportunities for licensing and broadcast in tribal communities now exist, and tribes receiving CPB funding will need access to these opportunities to expand their community engagement. Native-owned and operated radio stations are a model of local community service radio and are one of the largest and most consistent sole service providers of public safety information and cultural and linguistic preservation, and are an invaluable outlet for local news in tribal communities. Native radio stations typically employ at least 500 broadcasters, engineers, station staff, and consultants. Additionally, the Public Broadcasting Act directs CPB to utilize 6 percent of the appropriation for “projects and activities that will enhance public broadcasting.” This “system support” or “6 percent” fund supports the research, planning, professional development and industry consultations that guide CPB’s decision-making in other budget categories. Native Public Media and Koahnic Broadcast Corporation provide valued services to the Native radio system and are funded from the 6 percent allocation. Native Public Media serves the Native radio system through broadcast compliance, training and education; and Koahnic Broadcast Corporation oversees and produces content for the Native radio system for distribution on the public radio satellite highway. Appropriating the full \$5 million funding level for CPB is critical to the existence of tribal radio services.

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DEPARTMENT OF COMMERCE *Commerce, Justice, Science Appropriations Bill*

Public Telecommunications Facilities Program

- *Reinstate a \$4 million appropriation for construction of American Indian and Alaska Native radio stations through the Public Telecommunications Facilities Program.*

Congress eliminated funding for the Public Telecommunications and Facilities Program (PTFP) for FY 2011, which was the only source of federal support for infrastructure needs for the entire public radio system. This program was vital to Indian Country as PTFP covered costs associated with public radio equipment and construction of new stations to provide services to underserved communities. The program also maintained an emergency fund for the replacement of radio equipment due to natural disasters and terrorist attacks. The now-defunct PTFP program was not just for the digital TV transition; this fund was the only source of funding for communities looking to initiate first-time public broadcasting service. Without PTFP funding, 10 tribal communities with existing construction permits will not go on the air. Congress must reinstate this funding to provide equal access to American Indians and Alaska Natives seeking funds to build radio stations within their communities.