



FEDERAL COMMUNICATIONS COMMISSION

January 23, 2013

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Martin Heinrich
U.S. House of Representatives
336 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Heinrich:

Thank you for your letter regarding the FCC's relationship with tribal governments. I appreciate your interest in this matter and am pleased to provide the enclosed letter on this issue from the Chief of the Consumer and Governmental Affairs Bureau's Office of Native Affairs and Policy.

If you have any additional questions or need any further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a long horizontal stroke that curves upwards at the end.

Julius Genachowski

Enclosure



Federal Communications Commission
Washington, D.C. 20554

January 23, 2013

The Honorable Martin Heinrich
United States Senate
B40D Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Heinrich:

Thank you for your letter. I can assure you that the Commission has a deep commitment to the federal trust responsibility and takes very seriously the special government-to-government relationship that it shares with federally recognized American Indian Tribes and Alaska Native Villages, as well as exercising its responsibilities with respect to Hawaiian Home Lands.

In 2010, the Commission established the Office of Native Affairs and Policy to more fully realize the Commission's long-standing commitment to the trust relationship between the federal government and Tribal Nations. The Commission has continued to work closely with Tribal governments and has incorporated policy recommendations from Tribal governments, Tribally-owned telecommunications companies, and regional and national inter-Tribal organizations. In fact, under the leadership of the Office and Native Affairs and Policy, the Commission has breathed new life into its consultation and training seminar initiatives in Indian Country, visiting approximately 200 Tribal Nations in fiscal year 2012.

This commitment to the federal trust relationship is found in a number of specific policies and new opportunities for Tribal Nations, including the adoption in the *USF/ICC Transformation Order* of numerous Tribal-specific provisions in the Connect America Fund, preservation of the Link Up program on Tribal lands in the *Lifeline Reform Order*, and the extension of the established Tribal Priority rules to enable Tribal Nations to more easily obtain full power commercial FM radio licenses.

In the context of the *USF/ICC Transformation Order*, dozens of Tribal specific questions were presented in the proposed rulemaking, and the Commission engaged Tribal governments and associations, Native institutions, and community leaders throughout the country. The Commission established an open and direct dialogue through the Office of Native Affairs and Policy and the various Bureaus and Offices across the agency. As a result, the reforms adopted in the *USF/ICC Transformation Order* recognize the unique circumstances and challenges of providing service on Tribal lands and take numerous steps to directly address these challenges.

With respect to the Mescalero Apache Tribe, Commission staff has met several times with officials of the Tribal government and of Mescalero Apache Telecom, Inc. concerning the *USF/ICC Transformation Order*, with the most recent meeting taking place on December 6, 2012. We will continue to work with both their Tribal Nation and their company. Prior to the adoption of this Order, the Commission granted waiver petitions to facilitate Mescalero Apache Telecom, Inc.'s start-up phase and ongoing access to the Universal Service Fund. The granting of these waivers afforded exceptional relief to allow the company to begin receiving universal service support as quickly as possible and to begin providing quality service to the Mescalero Apache Reservation.

Thank you for the opportunity to highlight the Commission's commitment to the federal government's trust responsibility to Tribal Nations as well as the Commission's ongoing efforts to improve access to communications services for Tribes and on Tribal lands.

Sincerely,

A handwritten signature in black ink, appearing to read "Geoffrey C. Blackwell". The signature is fluid and cursive, written over a white background.

Geoffrey C. Blackwell
Chief, Office of Native Affairs and Policy
Consumer and Governmental Affairs Bureau
Federal Communications Commission