



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

November 5, 2018

The Honorable Frank Pallone
Ranking Member
Committee on Energy and Commerce
U.S. House of Representatives
2322A Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Pallone:

On September 7, 2018, the Government Accountability Office publicly released a report entitled *FCC's Data Overstate Access on Tribal Lands* (Report). The Report examines the extent to which (1) the FCC's approach to collecting broadband data accurately captures broadband access on Tribal lands and (2) the FCC obtains Tribal input on the data.

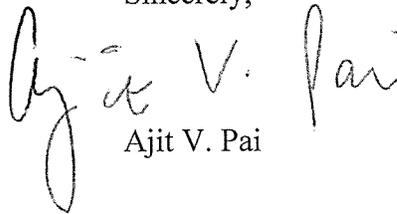
The Report makes three recommendations for executive action. First, the Report recommends that I, as Chairman, develop and implement methods, such as a targeted data collection, for collecting and reporting accurate and complete data on broadband access specific to Tribal lands. Second, the Report recommends that I develop a formal process to obtain Tribal input on the accuracy of provider-submitted broadband data that includes outreach and technical assistance to help Tribes participate in the process. Finally, the Report recommends that I obtain feedback from Tribal stakeholders and providers on the effectiveness of the FCC's 2012 Public Notice to providers on how to fulfill their Tribal engagement requirements to determine whether the Public Notice requires clarification. In their August 22, 2018 response to the draft report, the Chiefs of the FCC's Wireline Competition Bureau and Consumer and Governmental Affairs Bureau agreed with the Report's goals and highlighted numerous efforts already underway at the Commission that are accomplishing the Report's goals and developing better data on broadband service on Tribal lands.

I share your view that quality data on broadband service in Tribal areas is an essential tool in achieving my top goal of closing the digital divide, including on Tribal lands. As described in the Bureaus' August 22, 2018 response, the Commission is already undertaking a number of efforts to enhance our data and better understand where Tribal areas remain unserved. Central to these efforts is the Commission's ongoing rulemaking proceeding in which we are examining whether and how to revise the Form 477 collection of broadband deployment data to increase the usefulness of collected data. Recognizing the potential benefits of increased granularity, we solicited comments on myriad issues associated with revising our methodology. We are currently analyzing the potential efficiencies, usefulness, and burdens associated with various options and are committed to making changes that will improve our understanding of broadband deployment across America, including in Tribal areas. We have also begun the process of assessing the availability of broadband services in Indian Country to culminate in a report and a subsequent rulemaking, as required by RAY BAUM'S Act of 2018.

As we move forward with these efforts, I have asked staff to expand their ongoing engagement with Tribal stakeholders so that their views and insights more fully inform our efforts to identify and develop measures to address, unserved Tribal areas. For example, Tribal governments can participate directly in the Mobility Fund Phase II challenge process—a process that is helping map availability of mobile broadband with unprecedented granularity. And our Office of Native Affairs and Policy is working directly with Tribes to facilitate this process. This will inform additional efforts to formalize Tribal participation in our existing processes, through technical and other outreach, while we continue to look for additional avenues and methods for receiving Tribal input on deployment issues. As part of our ongoing engagement with Tribes, we plan to seek comment from Tribes and service providers on the Commission's 2012 statement on Tribal engagement, consistent with the Report's recommendation.

I appreciate the opportunity to comment on the GAO Report and would be happy to discuss further if you have any questions.

Sincerely,

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Ajit V. Pai

cc: The Honorable John Hoeven, Chairman
Committee on India Affairs

The Honorable Tom Udall, Ranking Member
Committee on Indian Affairs

The Honorable John Barrasso
The Honorable Maria Cantwell
The Honorable Steve Daines
The Honorable Martin Heinrich
The Honorable Heidi Heitkamp
The Honorable Brian Schatz
The Honorable Jon Tester



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

November 5, 2018

The Honorable Greg Walden
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
2322A Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Walden:

On September 7, 2018, the Government Accountability Office publicly released a report entitled *FCC's Data Overstate Access on Tribal Lands* (Report). The Report examines the extent to which (1) the FCC's approach to collecting broadband data accurately captures broadband access on Tribal lands and (2) the FCC obtains Tribal input on the data.

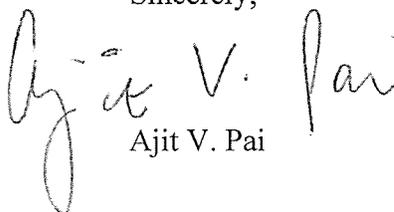
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I appreciate the opportunity to comment on the GAO Report and would be happy to discuss further if you have any questions.

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cc: The Honorable John Hoeven, Chairman
Committee on India Affairs

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Committee on Indian Affairs

The Honorable John Barrasso
The Honorable Maria Cantwell
The Honorable Steve Daines
The Honorable Martin Heinrich
The Honorable Heidi Heitkamp
The Honorable Brian Schatz
The Honorable Jon Tester



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

November 5, 2018

The Honorable Mike Quigley
Ranking Member
Subcommittee on Financial Services and General Government
Committee on Appropriations
U.S. House of Representatives
1016 Longworth Office Building
Washington, D.C. 20515

Dear Congressman Quigley:

On September 7, 2018, the Government Accountability Office publicly released a report entitled *FCC's Data Overstate Access on Tribal Lands* (Report). The Report examines the extent to which (1) the FCC's approach to collecting broadband data accurately captures broadband access on Tribal lands and (2) the FCC obtains Tribal input on the data.

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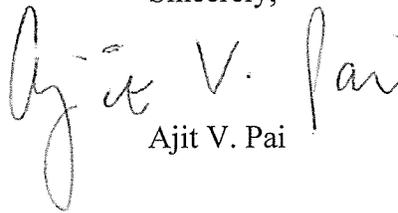
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Ajit V. Pai

cc: The Honorable John Hoeven, Chairman
Committee on India Affairs

The Honorable Tom Udall, Ranking Member
Committee on Indian Affairs

The Honorable John Barrasso
The Honorable Maria Cantwell
The Honorable Steve Daines
The Honorable Martin Heinrich
The Honorable Heidi Heitkamp
The Honorable Brian Schatz
The Honorable Jon Tester



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

November 5, 2018

The Honorable James Lankford
Chairman
Subcommittee on Financial Services and General Government
Committee on Appropriations
United States Senate
131 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Lankford:

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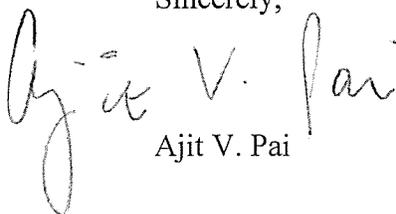
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Ajit V. Pai

cc: The Honorable John Hoeven, Chairman
Committee on India Affairs

The Honorable Tom Udall, Ranking Member
Committee on Indian Affairs

The Honorable John Barrasso
The Honorable Maria Cantwell
The Honorable Steve Daines
The Honorable Martin Heinrich
The Honorable Heidi Heitkamp
The Honorable Brian Schatz
The Honorable Jon Tester



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

November 5, 2018

The Honorable Claire McCaskill
Ranking Member
Committee on Homeland Security and Governmental Affairs
United States Senate
442 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator McCaskill:

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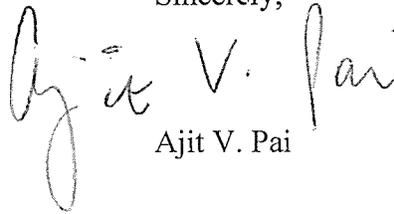
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The Honorable John Barrasso
The Honorable Maria Cantwell
The Honorable Steve Daines
The Honorable Martin Heinrich
The Honorable Heidi Heitkamp
The Honorable Brian Schatz
The Honorable Jon Tester



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

November 5, 2018

The Honorable Elijah E. Cummings
Ranking Member
Committee on Oversight and Government Reform
U.S. House of Representatives
2471 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Cummings:

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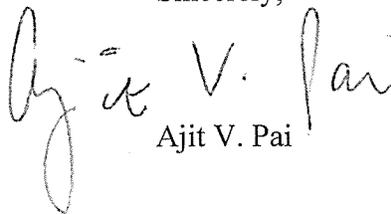
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Ajit V. Pai

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Committee on Indian Affairs

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The Honorable Heidi Heitkamp
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The Honorable Jon Tester



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

November 5, 2018

The Honorable Chris Coons
Ranking Member
Subcommittee on Financial Services and General Government
Committee on Appropriations
United States Senate
125 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Coons:

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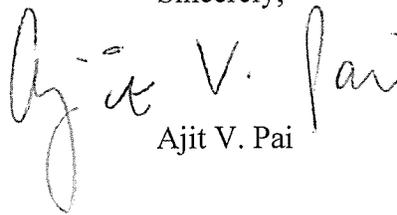
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The Honorable Jon Tester



FEDERAL COMMUNICATIONS COMMISSION
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OFFICE OF
THE CHAIRMAN

November 5, 2018

The Honorable Bill Nelson
Ranking Member
Committee on Commerce, Science, and Transportation
United States Senate
425 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Nelson:

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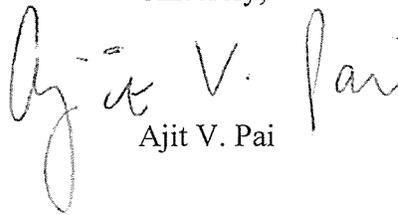
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November 5, 2018

The Honorable Trey Gowdy
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Dear Chairman Gowdy:

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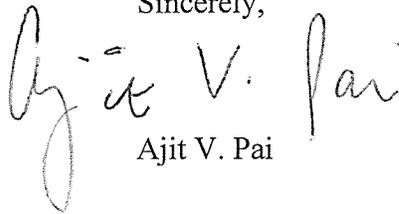
The Report makes three recommendations for executive action. First, the Report recommends that I, as Chairman, develop and implement methods, such as a targeted data collection, for collecting and reporting accurate and complete data on broadband access specific to Tribal lands. Second, the Report recommends that I develop a formal process to obtain Tribal input on the accuracy of provider-submitted broadband data that includes outreach and technical assistance to help Tribes participate in the process. Finally, the Report recommends that I obtain feedback from Tribal stakeholders and providers on the effectiveness of the FCC's 2012 Public Notice to providers on how to fulfill their Tribal engagement requirements to determine whether the Public Notice requires clarification. In their August 22, 2018 response to the draft report, the Chiefs of the FCC's Wireline Competition Bureau and Consumer and Governmental Affairs Bureau agreed with the Report's goals and highlighted numerous efforts already underway at the Commission that are accomplishing the Report's goals and developing better data on broadband service on Tribal lands.

I share your view that quality data on broadband service in Tribal areas is an essential tool in achieving my top goal of closing the digital divide, including on Tribal lands. As described in the Bureaus' August 22, 2018 response, the Commission is already undertaking a number of efforts to enhance our data and better understand where Tribal areas remain unserved. Central to these efforts is the Commission's ongoing rulemaking proceeding in which we are examining whether and how to revise the Form 477 collection of broadband deployment data to increase the usefulness of collected data. Recognizing the potential benefits of increased granularity, we solicited comments on myriad issues associated with revising our methodology. We are currently analyzing the potential efficiencies, usefulness, and burdens associated with various options and are committed to making changes that will improve our understanding of broadband deployment across America, including in Tribal areas. We have also begun the process of assessing the availability of broadband services in Indian Country to culminate in a report and a subsequent rulemaking, as required by RAY BAUM'S Act of 2018.

As we move forward with these efforts, I have asked staff to expand their ongoing engagement with Tribal stakeholders so that their views and insights more fully inform our efforts to identify and develop measures to address, unserved Tribal areas. For example, Tribal governments can participate directly in the Mobility Fund Phase II challenge process—a process that is helping map availability of mobile broadband with unprecedented granularity. And our Office of Native Affairs and Policy is working directly with Tribes to facilitate this process. This will inform additional efforts to formalize Tribal participation in our existing processes, through technical and other outreach, while we continue to look for additional avenues and methods for receiving Tribal input on deployment issues. As part of our ongoing engagement with Tribes, we plan to seek comment from Tribes and service providers on the Commission's 2012 statement on Tribal engagement, consistent with the Report's recommendation.

I appreciate the opportunity to comment on the GAO Report and would be happy to discuss further if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Ajit V. Pai". The signature is written in a cursive style with a large initial "A".

Ajit V. Pai

cc: The Honorable John Hoeven, Chairman
Committee on India Affairs

The Honorable Tom Udall, Ranking Member
Committee on Indian Affairs

The Honorable John Barrasso
The Honorable Maria Cantwell
The Honorable Steve Daines
The Honorable Martin Heinrich
The Honorable Heidi Heitkamp
The Honorable Brian Schatz
The Honorable Jon Tester



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

November 5, 2018

The Honorable John Thune
Chairman
Committee on Commerce, Science, and Transportation
United States Senate
512 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Thune:

On September 7, 2018, the Government Accountability Office publicly released a report entitled *FCC's Data Overstate Access on Tribal Lands* (Report). The Report examines the extent to which (1) the FCC's approach to collecting broadband data accurately captures broadband access on Tribal lands and (2) the FCC obtains Tribal input on the data.

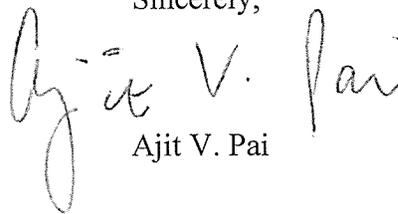
The Report makes three recommendations for executive action. First, the Report recommends that I, as Chairman, develop and implement methods, such as a targeted data collection, for collecting and reporting accurate and complete data on broadband access specific to Tribal lands. Second, the Report recommends that I develop a formal process to obtain Tribal input on the accuracy of provider-submitted broadband data that includes outreach and technical assistance to help Tribes participate in the process. Finally, the Report recommends that I obtain feedback from Tribal stakeholders and providers on the effectiveness of the FCC's 2012 Public Notice to providers on how to fulfill their Tribal engagement requirements to determine whether the Public Notice requires clarification. In their August 22, 2018 response to the draft report, the Chiefs of the FCC's Wireline Competition Bureau and Consumer and Governmental Affairs Bureau agreed with the Report's goals and highlighted numerous efforts already underway at the Commission that are accomplishing the Report's goals and developing better data on broadband service on Tribal lands.

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As we move forward with these efforts, I have asked staff to expand their ongoing engagement with Tribal stakeholders so that their views and insights more fully inform our efforts to identify and develop measures to address, unserved Tribal areas. For example, Tribal governments can participate directly in the Mobility Fund Phase II challenge process—a process that is helping map availability of mobile broadband with unprecedented granularity. And our Office of Native Affairs and Policy is working directly with Tribes to facilitate this process. This will inform additional efforts to formalize Tribal participation in our existing processes, through technical and other outreach, while we continue to look for additional avenues and methods for receiving Tribal input on deployment issues. As part of our ongoing engagement with Tribes, we plan to seek comment from Tribes and service providers on the Commission's 2012 statement on Tribal engagement, consistent with the Report's recommendation.

I appreciate the opportunity to comment on the GAO Report and would be happy to discuss further if you have any questions.

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Ajit V. Pai

cc: The Honorable John Hoeven, Chairman
Committee on India Affairs

The Honorable Tom Udall, Ranking Member
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The Honorable John Barrasso
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The Honorable Brian Schatz
The Honorable Jon Tester



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

November 5, 2018

The Honorable Ron Johnson
Chairman
Committee on Homeland Security and Governmental Affairs
United States Senate
340 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Johnson:

On September 7, 2018, the Government Accountability Office publicly released a report entitled *FCC's Data Overstate Access on Tribal Lands* (Report). The Report examines the extent to which (1) the FCC's approach to collecting broadband data accurately captures broadband access on Tribal lands and (2) the FCC obtains Tribal input on the data.

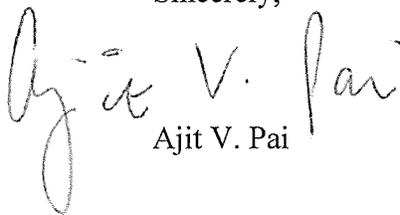
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I appreciate the opportunity to comment on the GAO Report and would be happy to discuss further if you have any questions.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

November 5, 2018

The Honorable Tom Graves
Chairman
Subcommittee on Financial Services and General Government
Committee on Appropriations
U.S. House of Representatives
2000 Rayburn House Office Building (G Floor)
Washington, D.C. 20515

Dear Chairman Graves:

On September 7, 2018, the Government Accountability Office publicly released a report entitled *FCC's Data Overstate Access on Tribal Lands* (Report). The Report examines the extent to which (1) the FCC's approach to collecting broadband data accurately captures broadband access on Tribal lands and (2) the FCC obtains Tribal input on the data.

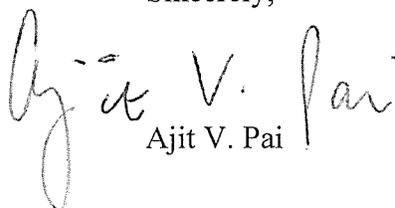
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