

**STATEMENT OF
COMMISSIONER MIGNON L. CLYBURN**

Re: *Policies to Promote Rural Radio Service and to Streamline Allotment and Assignment Procedures (MB Docket No.09-52); Improving Communications Services for Native Nations by Promoting Greater Utilization of Spectrum over Tribal Lands (WT Docket No. 11-40); Improving Communications Services for Native Nations (CG Docket No. 11-41)*

I am also pleased to welcome the Native Nation leaders to this morning's meeting. For far too long, we have not engaged in an appropriate examination of the unique challenges on Native Nation lands. We have known, since at least the 2000 decennial census, that only 68 percent of households on Tribal lands in the lower 48 have basic wireline telephone service, while the national rate stands at 98 percent.

I was excited to see how much attention the National Broadband Plan devoted to attempting to address the many issues that contribute to the lack of communications infrastructure and services on Tribal lands. Although the challenges to deployment of communications infrastructure on Tribal lands are difficult, not trying to resolve them, only makes the job harder and the digital divide wider. The available studies show, that less than 10% of residents on Tribal lands, have access to terrestrial broadband networks. The main import of the National Broadband Plan's recommendations for Tribal lands, and the items we adopt today, is that we will be stronger, when all of our communities can leverage broadband, to contribute to our Nation's overall well-being. By adopting these three items, this Commission sends the message, that if we are serious about ensuring, that all Americans have access to emerging services and technologies, we must make the concerns of historically underserved communities, such as Native Nations, a top policy priority.

Furthermore, this Commission has a historic trust relationship with federally recognized Tribes. To properly fulfill our fiduciary responsibility to people living on Tribal lands, we must do more. We must commit to taking new approaches for those lands where past regulatory approaches have not worked.

Geoffrey Blackwell, and the FCC staff members who worked on these three items, have crafted a thoughtful strategy, to find solutions to the most difficult barriers to deployment and adoption on Tribal lands. With regard to those initiatives the Tribes have been seeking for years,

and for which we have developed a sufficient record, such as access to broadcast and wireless spectrum, we should strive to adopt rules as soon as possible.

I truly enjoyed working with Geoff and his team, as well as our Media Bureau, on further improving radio coverage, availability, and ownership in America's Tribal areas. I was startled to learn that 0.3 percent of the 13,000 radio facilities in this country, belong to recognized Tribes, and I applaud the Commission for addressing this disparity head-on and taking significant strides toward improvement.

Our actions, today, will serve to encourage Tribes and individuals to venture into broadcasting in order to inform and entertain their peers and neighbors, and the lack of significant broadcasting experience, will no longer be the imposing brick wall, that it once was. We are well aware of the prohibitive costs that so often keep vital and intelligent voices off the air. The threshold language in this item offers a solution to that omnipresent problem, via our strong steps toward a Tribal priority. This proceeding demonstrates that there is still a paramount and urgent need, for the Commission to ensure that licensees are meeting the needs of their service communities, and I am proud of our Bureaus for taking proactive measures to address this issue.

The wireless spectrum NPRM proposes a number of exciting new initiatives to improve the rate of wireless service coverage on Tribal lands. Notably, the Licensing Priority would allow Tribal entities to acquire valuable spectrum without an auction. Since only 10 percent of people living on Tribal lands have access to broadband networks, I am interested in creative ideas, about how we can ensure that all Tribal entities are properly informed about this opportunity. I am also pleased to see the multi-faceted approach the NPRM takes, to creating incentives for wireless licensees, to do a better job of serving people living on Tribal lands. Hopefully, the proposed Construction Safe Harbor and modifications to the Land Bidding Credit Program will encourage more entities to use their wireless licenses to serve Tribal lands.

Since we have heard that there are some licensees who have been reluctant to enter into secondary market arrangements with Tribes, it is time for the Commission to consider a process that would bring these licensees to the negotiating table. Also creative is the build-or-divest proposal, which should urge more licensees to deploy wireless networks on Tribal lands. Furthermore, it shows that this Commission is committed to allowing Tribal entities to take an

active role in encouraging licensees to help them address their wireless needs. This goes a long way to improve our agency's government-to-government relationship with recognized Tribes.

Our Native Nations NOI sets forth a number of other proposals to allow for a more productive, consultative process, with Native Nations -- something I fully support. First, it is of paramount importance, that the Commission work with Native Nations, to identify successful deployment of communications infrastructure and services. Second, we should do all we can to encourage the replication of those successes on Tribal Lands. We owe all of our citizens, the benefits of a fully connected community, in order to promote public safety, education, and the economic development on Tribal Lands. Access to 9-1-1, and other public safety services, is critical to every American no matter their location. Likewise, broadband service to anchor institutions and residential areas is beneficial to our entire Nation. Thus, we must engage with our Native Nations, to ensure that they too benefit from a fully connected society.

I want to express my sincere gratitude to Commissioner Copps for his relentless efforts in shining the spotlight on the difficulties Native Nations face. Today, thanks to the leadership of Chairman Genachowski, the FCC is giving those difficulties the attention they have long deserved. We must not leave our Native Nations behind.