

**STATEMENT OF
COMMISSIONER MIGNON. L CLYBURN**

Re: *Comment Sought on Draft Program Comment for the Federal Communications Commission's Review of Collocations on Certain Towers Constructed without Documentation of Section 106 Review, Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, WT Docket No. 17-79

Our best estimates show that today, there are just over four thousand "Twilight Towers" across the United States. To those outside the world of the communications bar, these are wireless towers for which the historic preservation review process may or may not have been completed.

I am sure those who worked on the 2001 and 2005 nationwide programmatic agreements could not have imagined that mysterious and frustrating questions about the legality of these towers would remain. Nevertheless, the approach we are taking through today's Public Notice seeks to resolve what has become a confounding issue. Program comments present an alternative, streamlined procedure for a collocation applicant to comply with historic preservation review requirements. In 2013, as Acting Chairwoman, I saw firsthand how effective program comments could be when I directed the staff of the Wireless Telecommunications Bureau to prepare and release one to address towers to deploy positive train control communications.

It is important that we design program comments to ensure that Tribal Nations have a full opportunity to participate in the review of a proposed collocation. In our April 2017 NPRM on Facilitating Wireless Infrastructure Deployment, we discussed how Tribal Nations have expressed concern that some of the twilight towers, which were constructed between 2001 and 2005, may have effects on properties of religious and cultural significance. So, I am glad that this program comment makes clear that a Tribal Nation may request direct government-to-government consultation with the FCC, at any time, with respect to a twilight tower or collocation. I thank the Bureau for their work on this proceeding.