

**STATEMENT OF  
COMMISSIONER JESSICA ROSENWORCEL,  
CONCURRING**

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

For too long, towers built during the Twilight Period have been caught in a regulatory quagmire. During this four-year period—from 2001 to 2005—both the Commission and the Advisory Council on Historic Preservation were adjusting their rules to accommodate the need to facilitate the nationwide building of wireless infrastructure. But before any new policies were put in place, towers were put in the ground and ever since these facilities have been stuck in regulatory limbo. Today's proposal seeks to bring an end to this ambiguity and make these towers available for collocation without sacrificing the ability to entertain meaningful objections or engage in tower-specific mitigation. This approach can benefit the First Responder Network Authority and other broadband providers seeking to swiftly deploy new infrastructure. It also can further historic preservation goals by limiting the need for additional towers.

But we still have a long way to go to honor our federal trust responsibility to Tribal communities impacted by towers constructed during the Twilight Period. I concur today because I believe that our effort here is well-intended but falls short of what is required. If we proceed with this draft proposal we need to simultaneously update the Commission Statement of Policy on establishing a government-to-government relationship between the agency and federally-recognized Tribes. This document has not been revisited since it was adopted more than a decade and a half ago. It is time to take on this task and do it in conjunction with resolving these longstanding issues of tower construction. In doing so, we can set a clear and updated course for Commission policy while also giving substance to Tribal self-determination. And that, I believe, is worth the effort.