

Statement of Loris Taylor  
Native Public Media and  
NCAI Telecommunications Subcommittee

Before the  
The United States Senate  
Committee on Commerce, Science and Transportation

Hearing on

**Closing the Digital Divide: Connecting Native Nations and  
Communities to the 21<sup>st</sup> Century**

Chairman Rockefeller, Ranking Member Hutchison, Members of the Committee, on behalf of the National Congress of American Indians (“NCAI”) and Native Public Media (“NPM”), I am honored to provide testimony on how to close the digital divide for our country’s Native Nations.

In the United States, there are 565 federally recognized American Indian Tribes and approximately 4.1 million American Indians and Alaska Natives. Thirty-two percent of this population still is without basic telephone service. Twenty-five percent live at or below the poverty line. Twenty-two percent are unemployed. Ninety percent of Native Americans have no access to high speed Internet. Less than 0.3 percent of the broadcast stations in this country are licensed to Native Americans.

The absence of adequate communications services in Indian Country is no accident. Decades of failed federal policy, market forces, and the socioeconomic conditions of Native American populations located in some of the most remote areas of the country result in high build-out costs for all media. Because of these factors, wireline carriers frequently end their deployments at the borders of Tribal land or serve the populated fringes, not the entire reservation.

- **The Tribal Priority**

In February 2010, the Federal Communications Commission (FCC) adopted a proposal that promotes the sovereign rights of Tribes by giving them a priority in the allocation of spectrum that serves Tribal lands. The Native Nations Priority is currently limited to broadcast spectrum and to Tribes with reservations. Two hundred fifty-three Tribes, almost half of the 565 federally recognized Tribes, are “landless.” For the Native Nations Priority to be truly meaningful, it must be extended to all Tribes and to all forms of spectrum. We applaud recent FCC proceedings that explore that potential.

- **The Office of Native Affairs and Policy**

Last year, the FCC established the Office of Native Affairs and Policy to coordinate federal communications policy and redress years of policy neglect of Native Nations. Within months of its creation, the Commission launched three proceedings. Those proceedings seek to extend the broadcast “tribal priority”; to improve access to mobile wireless communications; and to inquire into ways of improving broadband deployment to Indian Country and strengthening the FCC’s nation-to-nation consultation process. Collectively, these proceedings focus more attention on the communications needs of Native Americans than has been the case for the preceding history of the Communications Act.

It is critical that this attention not be fleeting or symbolic. Without a budget sufficient for its mission, the Office of Native Affairs and Policy cannot carry out its mission of consultation with Tribes on a government-to-government basis. There is currently no line item in the FCC’s budget for the Office of Native Affairs and Policy and its consultation with Tribes. We ask that you take this Office and its functions as seriously as we do by assuring that it is adequately funded. NCAI has proposed a budget of \$1.5 million for the Office of Native Affairs and Policy.

- **BIP and BTOP Programs.**

Only a handful of tribes and tribal organizations received grants from the Broadband Initiatives Program (BIP) and the Broadband Technology Opportunities Program (BTOP) administered by the Department of Commerce and Department of Agriculture. It is not too late to assure that funds intended to stimulate service to unserved and underserved areas can achieve that goal by bringing broadband service to Tribal Lands. We recommend that funds returned to those programs be reserved for the deployment of broadband services to Tribal Lands.

- **The Native Broadband Fund**

We support the establishment of a Native Nations Broadband Fund targeted to the needs of Indian Country. We also believe that grants should not be limited to deployment costs. Access is part, but only part of the problem. Unlike telephone and broadcast services, which are instantaneously available, broadband technologies cannot effectively be used without training. Programs that teach digital literacy are needed, and Native Americans are eager to learn. A study conducted by Native Public Media and New America foundation shows that where Native Americans had Internet access, their rates of use tended to be higher than the national average. We therefore support the creation of a Native Nations Broadband Fund, with the ability to award grants for the advancement of digital literacy, as well as for providing service to Tribal headquarters and other tribal anchor institutions

- **Traditional Forms of Communications**

In reforming the Universal Service Fund to make broadband services more available, it is important not to destroy the traditional High Cost, Lifeline and Link-up programs that make basic analog phone service affordable to many in Indian Country. Existing programs are equally essential for traditional broadcast services, which remain the simplest, cheapest, and most

effective form of mass communications. For the first time in 7 years, the FCC, in 2007, accepted applications for new noncommercial FM stations. It has awarded construction permits that would double the number of Native stations. Because of the economic recession, and threatened cut-backs in federal funding to NTIA's Public Telecommunications Facilities Program, many of those permits are now at risk of expiring. If these permits expire, the opportunity for reapplying is not likely to arise for many years to come. We urge action on two fronts: first, to give holders of these permits a chance to extend fundraising efforts, a 1-year tolling of the construction period for these permits; and second, the preservation of funding to PTFP and CPB. Without continued support for station operations from CPB, all Native stations are in jeopardy.

Some day Indian Country will have access to high speed Internet services, wireless communications on multiple platforms, and all the wonders of new technology. But that day has not yet arrived and will not arrive for some time to come. For the foreseeable future, we need your help in preserving and expanding the public broadcast system in Indian Country.

On behalf of the National Congress of American Indians and Native Public Media, I again thank you for the opportunity to share this testimony with you.