Working with the FCC

Lloyd Collier, Attorney Advisor
Cara Voth, CGB Deputy Bureau Chief

Office of Native Affairs and Policy
Consumer and Governmental Affairs Bureau
Federal Communications Commission

Agenda

What is the FCC's Mission?

What is the FCC's Governance and Structure?

How Does the FCC Fulfill its Mission?
- Key FCC Bureaus and Offices

What is Federal Rulemaking?

FCC Rulemaking – Why and How
- How the FCC Seeks Public Comment
- Why Should Tribal Nations File Comments?
- Types of Filings
- What to Include in Comments?
- How to File?

Strategies for Tracking FCC's Work

What is the FCC's Mission?

The Federal Communications Commission is an independent agency overseen by Congress

- Responsible for implementing and enforcing America's communications law and regulations
- Regulates interstate and international communications by wire and radio in all 50 states, the District of Columbia, and U.S. territories
- Covers wireline and wireless communications, broadcast TV and radio, as well as satellite, and cable TV

FCC's Governance and Structure

Five Commissioners

- President selects one Commissioner to be Chair

Divided into Bureaus and Offices

- 7 Bureaus: e.g., Consumer and Governmental Affairs (includes ONAP), Media, Wireless, and Enforcement
- 10 Offices: e.g., General Counsel, Legislative Affairs, Managing Director, Engineering and Technology

How Does the FCC Fulfill its Mission?

The FCC establishes and enforces rules based on the substantive areas outlined in the Communications Act, as amended, to:

- Promote competition, innovation and investment in broadband services and facilities
- Support the nation's economy by ensuring an appropriate competitive framework for the unfolding of the communications revolution
- Encourage the highest and best use of spectrum domestically and internationally
- Revise media regulations so that new technologies flourish alongside diversity and localism
- Provide leadership in strengthening the defense of the nation's communications infrastructure

Key FCC Bureaus and Offices

Consumer and Governmental Affairs Bureau (CGB)

- Office of Native Affairs and Policy (ONAP); Affordable Connectivity Program (ACP) outreach and outreach grant programs

Wireline Competition Bureau (WCB)

- Universal Service Fund (USF); ACP regulatory issues

Wireless Telecommunications Bureau (WTB)

- Spectrum Access; Spectrum Licensing; Historic Preservation issues

Media Bureau, Tribal Radio Priority

Public Safety: FirstNet, Emergency Alert System, 911

Enforcement Bureau - investigates and enforces the provisions of the Communications Act, and the FCC's rules

What is Federal Rulemaking?

Rulemaking is a process for developing and issuing rules. The rulemaking process can lead to the issuance of a new rule, an amendment to an existing rule, or the repeal of an existing rule

In the rulemaking process, all Federal agencies must adhere to the Administrative Procedure Act (APA), which sets forth basic requirements for notice and comment rulemaking, including:

- A minimum length of time agencies must provide for public notice and comment (usually at least 30 days)

FCC also has its own FCC-specific rules for rulemaking procedures.

FCC Rulemaking – Why and How

The FCC follows the Administrative Procedure Act (APA) when developing and issuing rules and makes rules for three main reasons:

- Congress requires the FCC to make a rule
- The FCC identifies a problem (e.g., an industry behavior that adversely affects consumers) or a need to clarify existing rules)
- A person or organization files a Petition for Rulemaking asking the FCC to make or change a rule

How the FCC Seeks Public Comment

The FCC considers policies (and may adopt rules) by asking for public comment through these types of notices:

- Notice of Inquiry (NOI) – asks questions about issues; no rules proposed
- Notice of Proposed Rulemaking (NPRM) – specific questions and proposals for final rules
- Further Notice of Proposed Rulemaking (FNPRM) – specific questions and proposals for modifying or adopting additional rules
- Public Notice (PN) – used to announce certain actions; also used to seek comment or data on more limited issues (more like an NOI; no rules are proposed)

Why Should Tribal Nations File Comments?

FCC's notice and comment rulemaking process

- Rules Must be Based on Record Evidence
- Public Comments Strengthen the Process
- Provides Transparency
- Provides Different Perspectives

Tribal comments are important

- Help shape policies and rules
- Provide Tribal perspectives
- Helps preserve appeal rights

Type of Filings

Public Comments

Two rounds: Initial & Reply

Comment deadlines announced in different ways (e.g., in actual notice, by Fed Reg publication)

- Tip: Sign up for ONAP's email list to stay informed

Letter format or more structured

Ex Parte Letters

"Permit-but-disclose" anytime during open proceeding including after comment period (up until Sunshine Period for open meeting)

- Submit any handouts and/or summary of discussions from meetings with FCC staff
- File within two business days
- Becomes part of decision record

Types of Filings *continued*

Examples:
Structured Comment
Letter Style Comment

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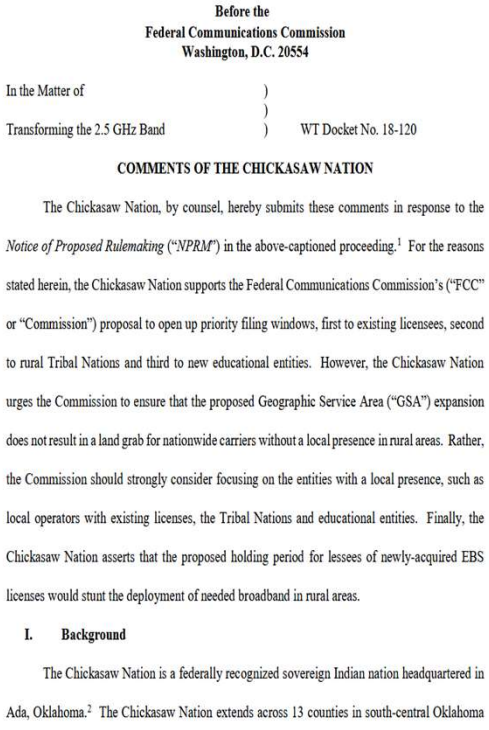


Before the
Federal Communications Commission
Washington, D.C. 20554

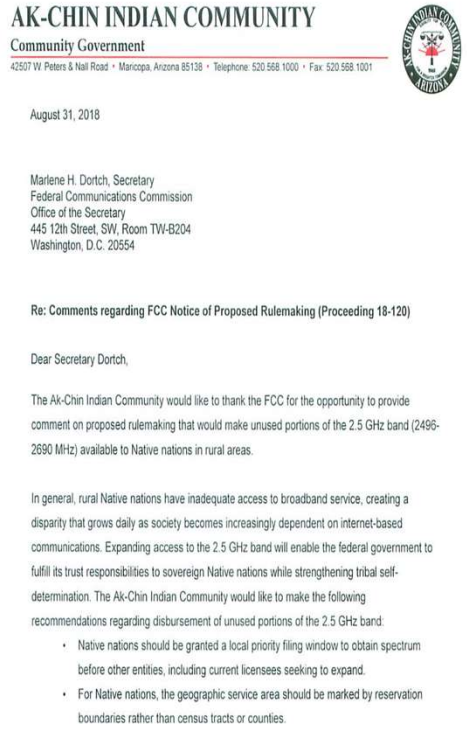
In the Matter of)
)
Transforming the 2.5 GHz Band) WT Docket No. 18-120

COMMENTS OF THE CHICKASAW NATION

The Chickasaw Nation, by counsel, hereby submits these comments in response to the *Notice of Proposed Rulemaking* ("*NPRM*") in the above-captioned proceeding.[1] For the reasons stated herein, the Chickasaw Nation supports the Federal Communications Commission's ("FCC" or "Commission") proposal to open up priority filing windows, first to existing licensees, second to rural Tribal Nations and third to new educational entities. However, the Chickasaw Nation urges the Commission to ensure that the proposed Geographic Service Area ("GSA") expansion does not result in a land grab for nationwide carriers without a local presence in rural areas. Rather, the Commission should strongly consider focusing on the entities with a local presence, such as local operators with existing licenses, the Tribal Nations and educational entities. Finally, the Chickasaw Nation asserts that the proposed holding period for lessees of newly-acquired EBS licenses would stunt the deployment of needed broadband in rural areas.

I. Background

The Chickasaw Nation is a federally recognized sovereign Indian nation headquartered in Ada, Oklahoma.[2] The Chickasaw Nation extends across 13 counties in south-central Oklahoma



AK-CHIN INDIAN COMMUNITY
Community Government
42507 W. Peters & Nall Road • Maricopa, Arizona 85138 • Telephone: 520.568.1000 • Fax: 520.568.1001

August 31, 2018

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW, Room TW-B204
Washington, D.C. 20554

Re: Comments regarding FCC Notice of Proposed Rulemaking (Proceeding 18-120)

Dear Secretary Dortch,

The Ak-Chin Indian Community would like to thank the FCC for the opportunity to provide comment on proposed rulemaking that would make unused portions of the 2.5 GHz band (2496-2690 MHz) available to Native nations in rural areas.

In general, rural Native nations have inadequate access to broadband service, creating a disparity that grows daily as society becomes increasingly dependent on internet-based communications. Expanding access to the 2.5 GHz band will enable the federal government to fulfill its trust responsibilities to sovereign Native nations while strengthening tribal self-determination. The Ak-Chin Indian Community would like to make the following recommendations regarding disbursement of unused portions of the 2.5 GHz band:

- Native nations should be granted a local priority filing window to obtain spectrum before other entities, including current licensees seeking to expand.
- For Native nations, the geographic service area should be marked by reservation boundaries rather than census tracts or counties.

Types of Filings *continued*

Example:
Ex parte letter

HERMAN & WHITEAKER, LLC

DONALD L. HERMAN, JR
GREGORY W. WHITEAKER
ROBIN E. TUTTLE†
CARRIE L. DEVIER††
CLARE C. LIEDQUIST
MOLLY O'CONOR
KENNETH C. JOHNSON†††, of counsel

† Admitted in DC, SC and FL only
†† Admitted in SC only
††† Admitted in DC and VA only

TEL 202-600-7272
FAX 202-706-6056
6720 B Rockledge Drive, Suite 150
Bethesda, MD 20817

October 5, 2018

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, D.C. 20554

Re: Notice of Ex Parte, *Transforming the 2.5 GHz Band,* WT Docket No. 18-120

Dear Ms. Dortch:

On Wednesday, October 3, 2018, Clifford Agee and Josh Snow of Trace Fiber Networks, wholly-owned subsidiary of the Chickasaw Nation, and their counsel, Clare Liedquist, Molly O'Conor and the undersigned with Herman & Whiteaker, LLC, met with John Schauble, Catherine Schroeder,[1] Nancy Zaczek, Nadja Sodos-Wallace, Blaise Scinto and Jonathan Campbell with the Wireless Telecommunications Bureau and Matthew Duchesne, Sayuri Rajapakse, and Janet Sievert with the Office of Native Affairs and Policy of the Federal Communications Commission ("FCC" or "Commission"). During the meeting, the parties discussed the importance of the *Transforming the 2.5 GHz Band* proceeding, particularly for Tribal Nations such as the Chickasaw Nation.

Mr. Agee described the lack of broadband access to many Chickasaw Nation citizens and

What to Include in Comments?

- Include anything you want the FCC to rely on in its decision-making process
  - Specific examples, evidence, and data are helpful
  - Illustrative stories demonstrating the real-world impacts
  - Confidential treatment is possible
- Initial comments respond to the NOI/NPRM/FNPRM
- Reply comments respond to initial comments
- *Ex parte* filings supplement the record OR must detail non-public meetings or presentations

What to Include in Comments? *continued*

List and file in all relevant docket numbers

- From the first page of NOI/NPRM/FNPRM
- Also online at https://www.fcc.gov/ecfs/browse-popular-proceedings
- ONAP can help

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Transforming the 2.5 GHz Band	)	WT Docket No. 18-120

COMMENTS OF THE CHICKASAW NATION

How to File?

FCC's Electronic Comment Filing System (ECFS):

https://www.fcc.gov/ecfs/filings

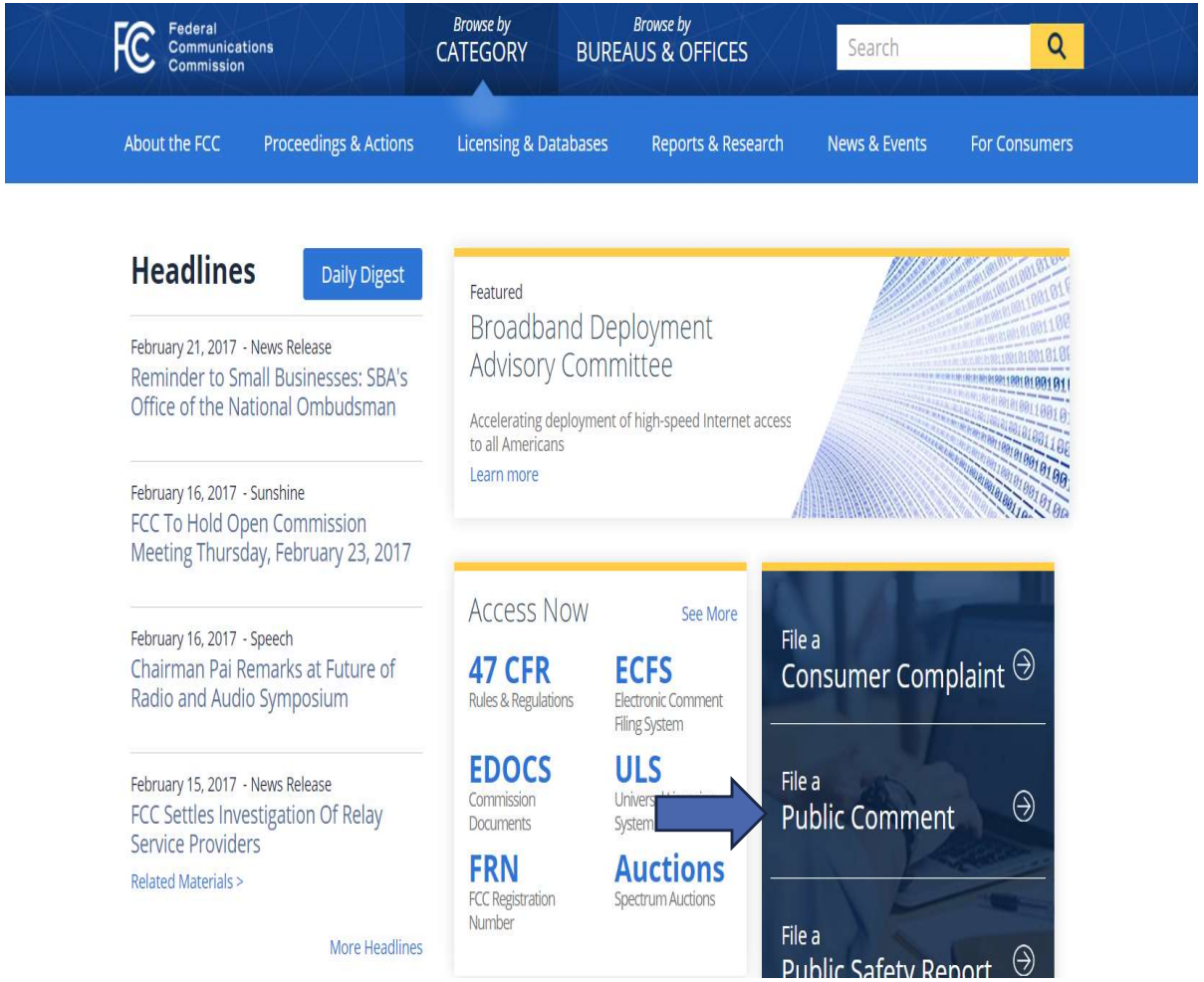
Paper filings are still possible

- Must include signed original comment and four copies
- More details here: https://www.fcc.gov/consumers/guides/how-comment#paper

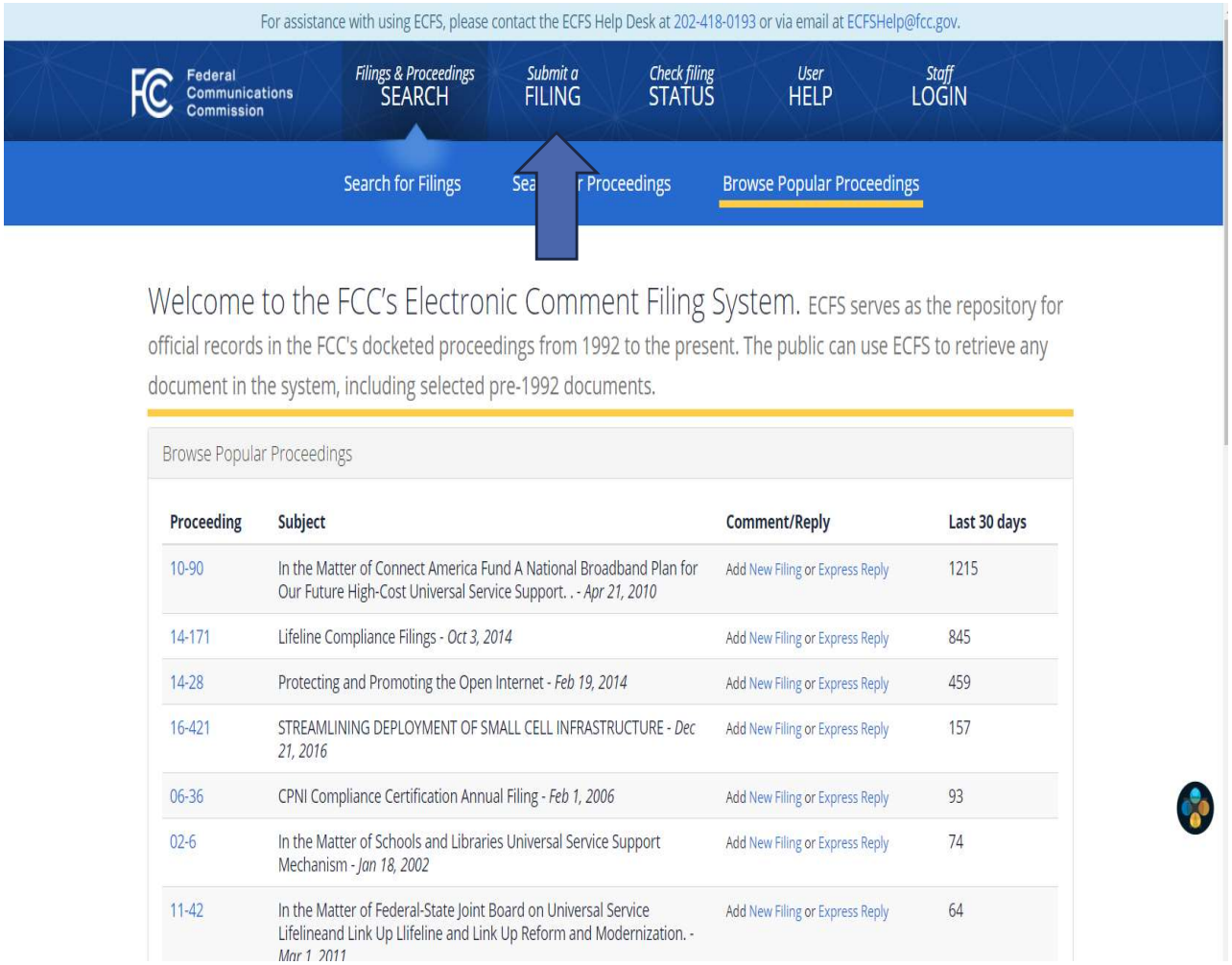
Public access for all filings.

- All public filings are searchable & can be downloaded through ECFS

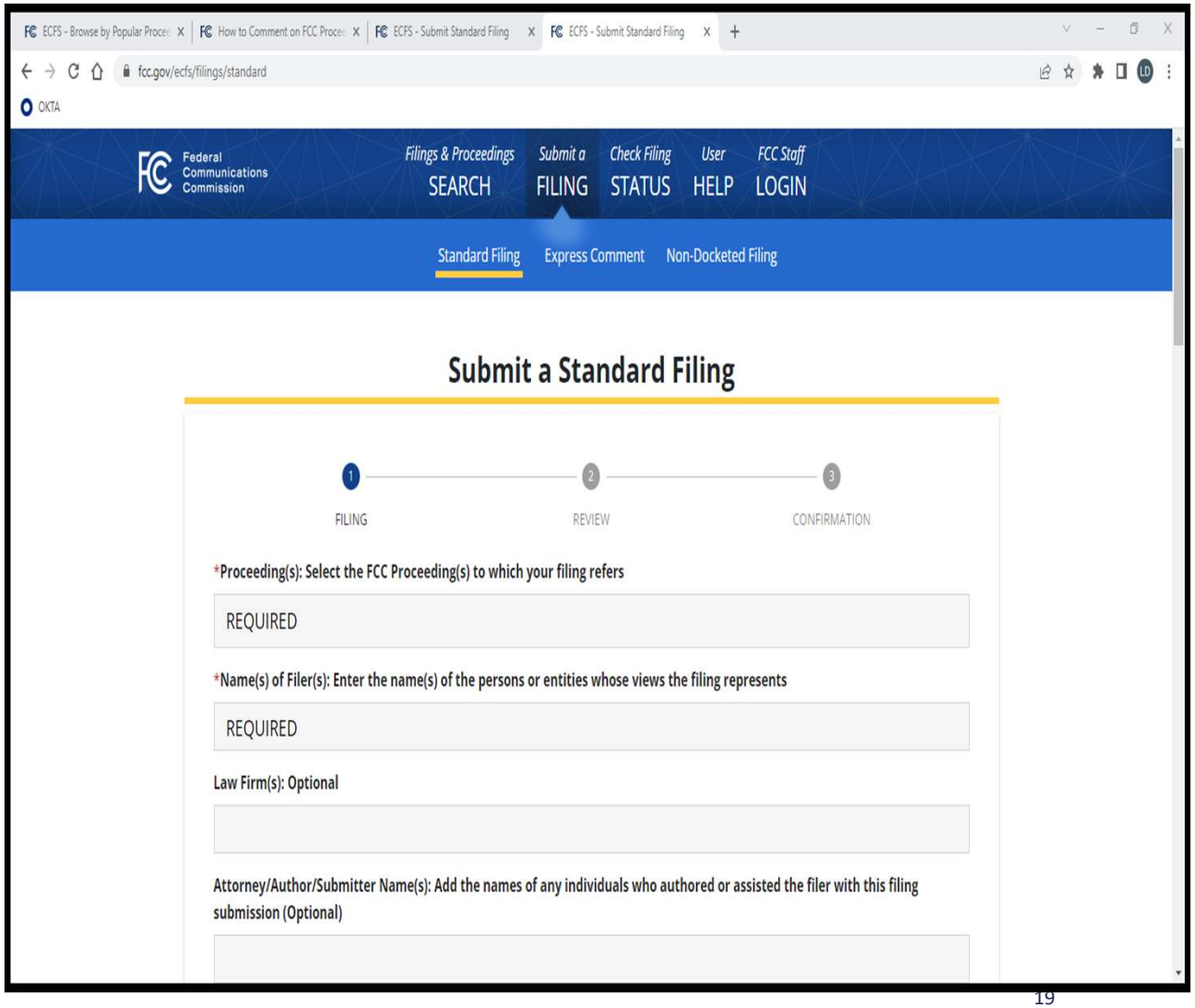
How to File? *continued*



How to File? *continued*



How to File? *continued*



How to File?
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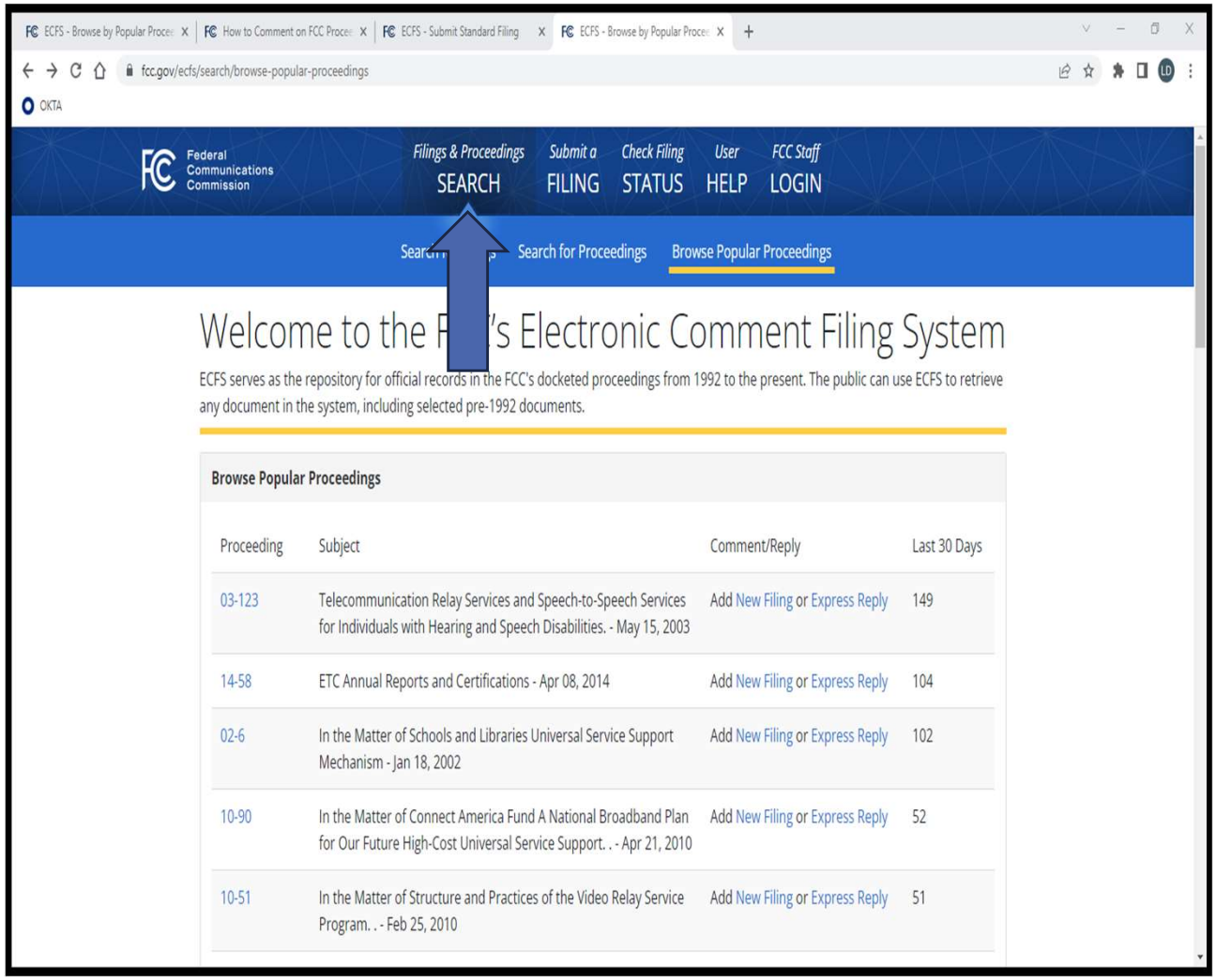


Strategies for Tracking FCC's Work

- Sign up for ONAP blasts by sending email request to Native@fcc.gov
- Watch for new proceedings on the FCC's main page or Bureau pages
- Sign up for FCC's Daily Digest (https://www.fcc.gov/proceedings-actions/daily-digest)
- Set up an RSS Feed (https://www.fcc.gov/ecfs/help/rss)
- Attend FCC's monthly open meetings, which can be livestreamed, (https://www.fcc.gov/document/fcc-announces-tentative-agenda-november-open-meeting-9)

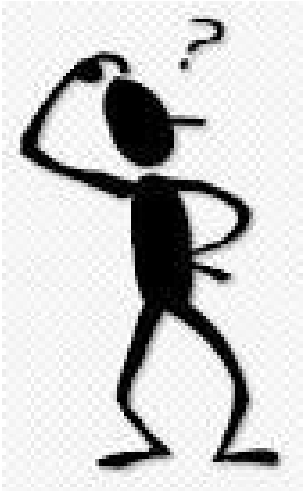
Still Have Questions?

Contact ONAP Staff:

- Bambi Kraus, Chief, Bambi.Kraus@fcc.gov
- Lloyd Collier, Attorney Advisor, Lloyd.Collier@fcc.gov
- Michelle Branigan, Attorney Advisor, Michelle.Branigan@fcc.gov
- Denise Rosado, Attorney Advisor, Denise.Rosado@fcc.gov

Email ONAP's general mailbox: Native@fcc.gov

Questions?



Affordable Connectivity Program
Helping Households Get
Access to Broadband
FCC
Find out if you qualify and how to participate. Visit: fcc.gov/ACP

Office of Native Affairs & Policy Workshop

FCC ACP Affordable Connectivity Program

November 2, 2023

AGENDA

- About the Affordable Connectivity Program
- Enrolling in the Program
- Facts About the Program
- Program Outreach
- Program Resources

Jennifer Best Vickers
Special Counsel
Telecommunications Access Policy Division
Wireline Competition Bureau
Federal Communications Commission

About the Affordable Connectivity Program

FCC has been working to close the digital divide

- Working with providers and stakeholders to improve infrastructure and get more households online
- Programs to broaden internet access like Lifeline, E-rate, High Cost

Internet is not a luxury, but a necessity

FCC is now helping households across the country connect to the internet and save on their monthly bills

Largest broadband affordability effort in U.S. history

Launched on December 31, 2021 under 2021 bipartisan Infrastructure Investment and Jobs Act

Affordable Connectivity Program
Helping Households Connect

ACP Benefits

The Affordable Connectivity Program provides:

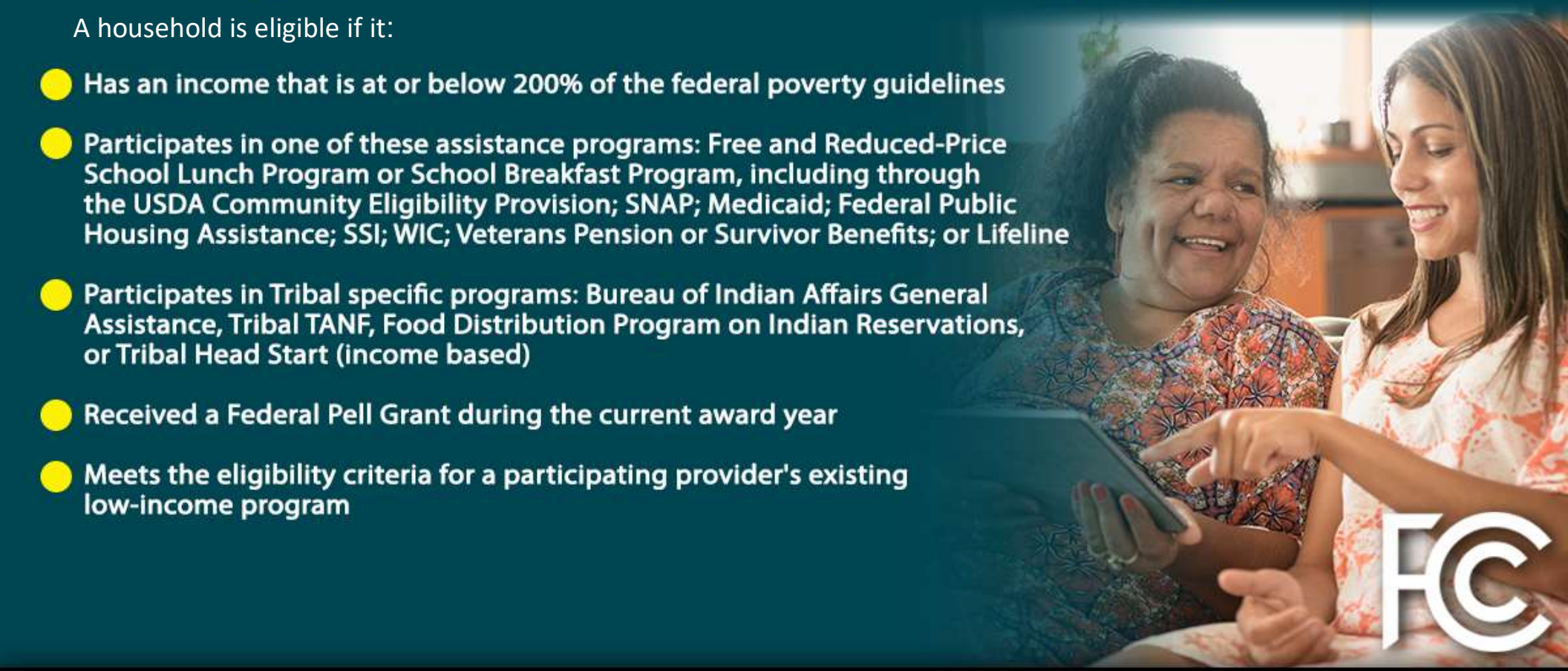
- Up to **$30/month** discount for broadband service;
- Up to **$75/month** discount for households on qualifying Tribal lands; and
- A one-time discount of up to **$100 for a device** laptop, desktop computer, or tablet purchased through a participating provider if the household contributes more than $10 but less than $50 toward the purchase price.

**The Affordable Connectivity Program is limited to one monthly service discount and one device discount per household.

Who Is Eligible for the Affordable Connectivity Program?

A household is eligible if it:

- Has an income that is at or below 200% of the federal poverty guidelines
- Participates in one of these assistance programs: Free and Reduced-Price School Lunch Program or School Breakfast Program, including through the USDA Community Eligibility Provision; SNAP; Medicaid; Federal Public Housing Assistance; SSI; WIC; Veterans Pension or Survivor Benefits; or Lifeline
- Participates in Tribal specific programs: Bureau of Indian Affairs General Assistance, Tribal TANF, Food Distribution Program on Indian Reservations, or Tribal Head Start (income based)
- Received a Federal Pell Grant during the current award year
- Meets the eligibility criteria for a participating provider's existing low-income program



Find out if you qualify and how to participate. Visit: fcc.gov/ACP

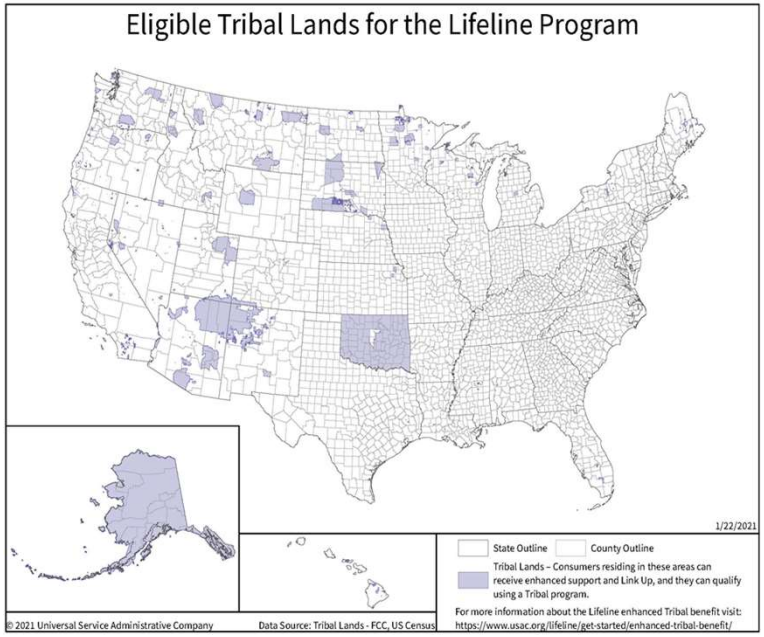


Illustration of Tribal lands on the nationwide map

Eligible Households on Qualifying Tribal Lands

Qualifying Tribal lands include:

- Any federally recognized Indian tribe's reservation, pueblo, or colony;
- Former reservations in Oklahoma;
- Alaska Native regions established pursuant to the Alaska Native Claims Settlement Act;
- Indian allotments;
- Hawaiian Home Lands; and
- Any land approved as Tribal for the purposes of the Lifeline program or the ACP by the FCC's Office of Native Affairs and Policy and Wireline Competition Bureau

FCC ACP Affordable Connectivity Program

Two Steps to Enroll

Eligible households must **APPLY** for the program and **ENROLL** in the program by contacting a participating provider to select a service plan.

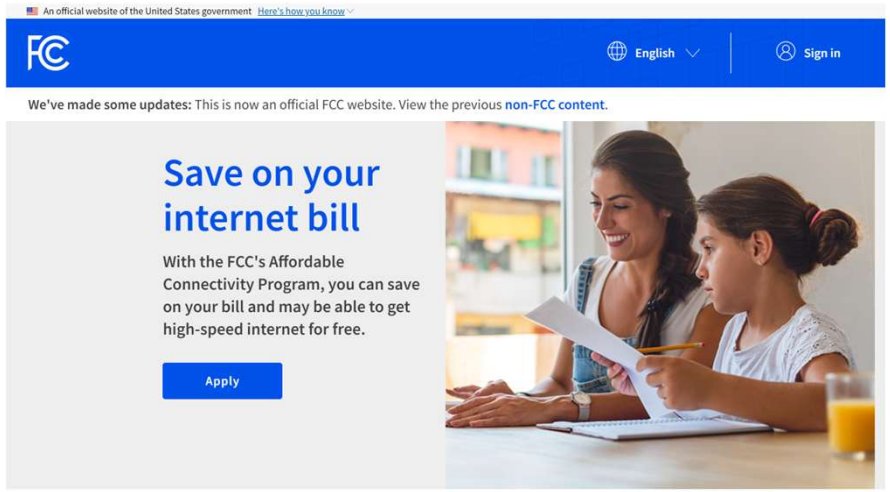
Step One:

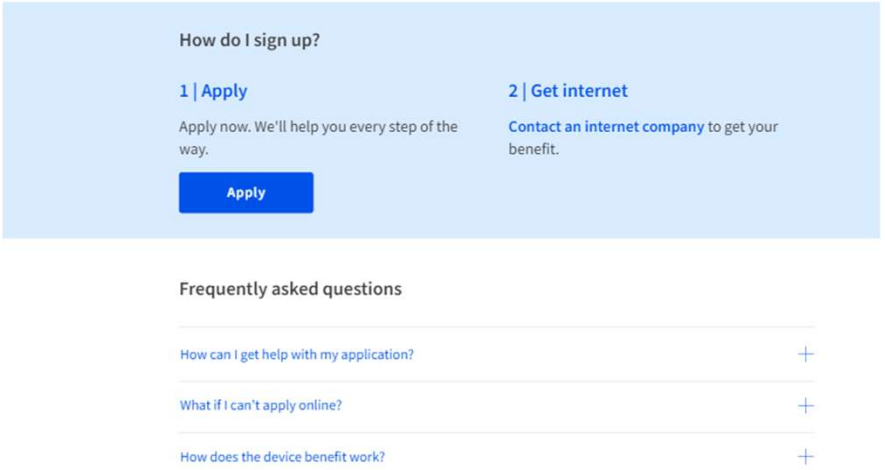
Go to GetInternet.gov to apply online or print out a mail-in application.

(Some providers may have an alternative application process.)

Step Two:

Once the application is approved, contact your preferred participating provider to select a plan and have the discount applied to your bill.

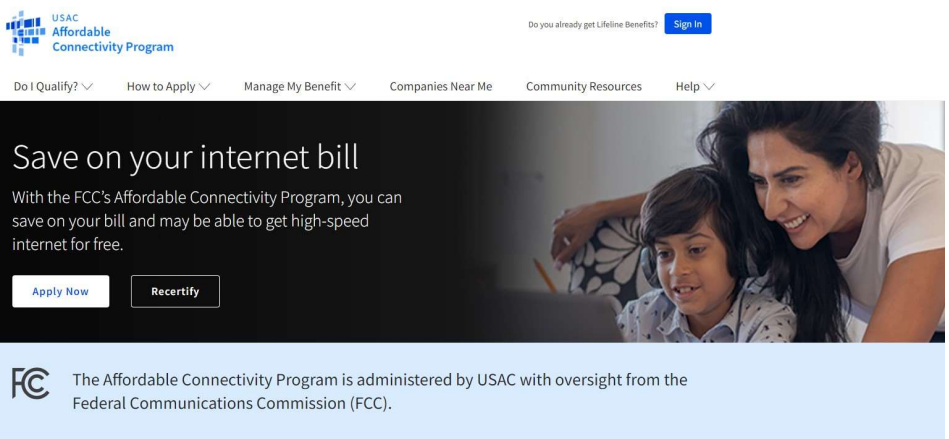




Screenshot of GetInternet.gov

FCC ACP Affordable Connectivity Program

affordableconnectivity.gov



Instructions

Instructions to complete the ACP Application online are available in English and 9 other languages. Instructions to complete the paper ACP Application, Household Worksheet, and Recertification Form are available in English and 9 other languages.

Show All

Online Application Instructions

- Instructions – English
- Instrucciones – Español (Spanish)
- التعليمات – عربي (Arabic)
- 说明 – 简体中文 (Simplified Chinese)
- Instructions – Français (French)
- 지침 – 한국어 (Korean)
- Instruções – Português (Portuguese)
- Инструкции – русский (Russian)
- Mga tagubilin – Tagalog (Tagalog)
- Hướng dẫn – Tiếng Việt (Vietnamese)

Paper Application Instructions

affordableconnectivity.gov

Companies Near Me

Not all internet companies offer the Affordable Connectivity Program.

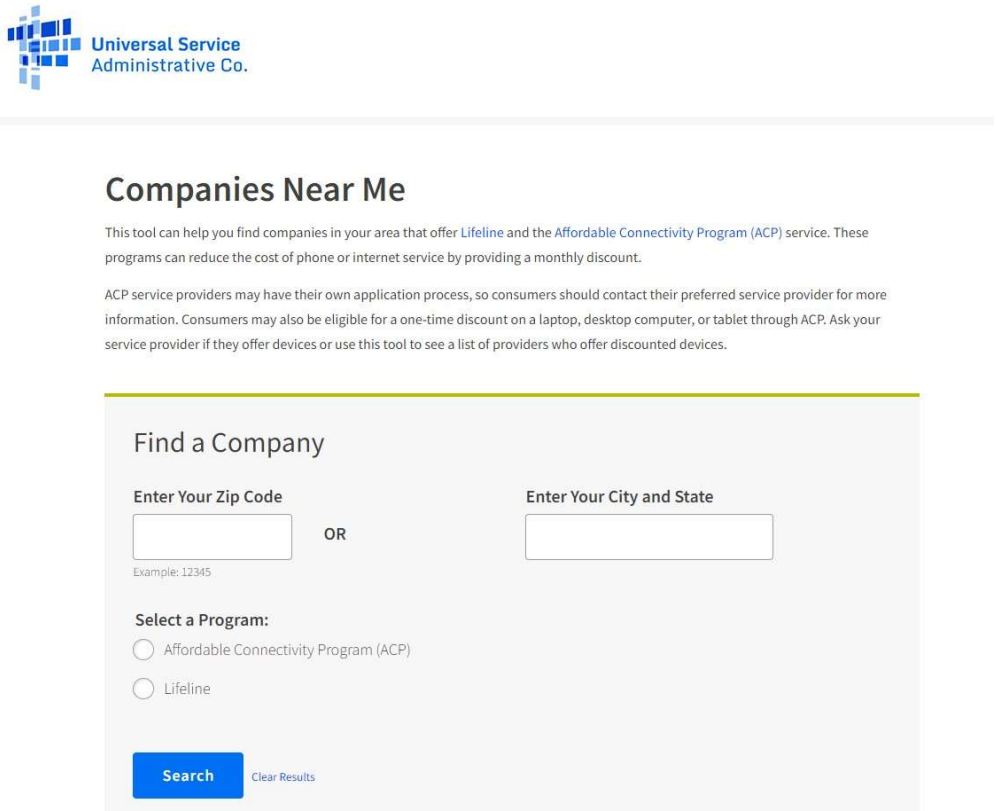
To find an ACP company in your area, use the Companies Near Me tool. You can search using your Zip code or your city and state. If you would like to see the full list of options, click on "see the list of companies in your state" underneath the search results.

Search Providers

More About the Data

The Companies Near Me tool is powered by USAC's Open Data initiative. This initiative allows the public to explore and analyze information submitted by Lifeline and ACP participants.

- Search results are based on program enrollment and information provided by the companies.
- Information on the availability of devices and plans free with the ACP benefit are self-reported by providers and subject to change
- The search results may include a company listed in your area that may not provide service to your address.
- Also, the search results might not show every company that is near you. A company may still offer Lifeline and/or ACP service even if it is not on the list. Please contact the company to confirm if they offer Lifeline or the ACP service for your address.



FCC Outreach & Engagement

Affordability

Bridging the Broadband Affordability Gap

Affordable Connectivity Program (ACP)

21 Million+
Total Households Enrolled

Consumer Benefits

- 8 Million+ Devices Distributed
- 46% of enrolled households use ACP for fixed connections in the home

FCC Outreach & Engagement

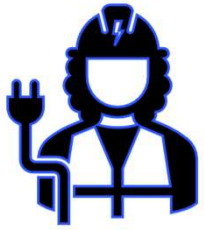
- 240+ ACP Outreach Grants issued to trusted state, local and Tribal governments and community partners with over $77 million invested
- National Paid Media Campaign
- Federal Agency Partnerships
- 1,400+ FCC Supporter Outreach/Enrollment events
- Program Education & Outreach Materials in 10 Languages

Consumer Support

- Multilingual ACP Support Center
- FCC rules to protect consumers participating in the ACP
- Dedicated FCC process for ACP complaints

More information **www.GetInternet.gov**

21.5 Million Participating Households



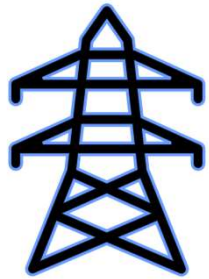
1,647 Participating Providers

3.7 Million Devices Distributed

Affordable Connectivity by the Numbers

54% Mobile Broadband Services

8% Other Services
Fiber
DSL
Fixed Wireless



38% Fixed Cable Services

Affordable Connectivity Program

Participate in ACP

Application and Eligibility Resources

ACP Processes

Learn

ACP Enrollment and Claims Tracker

ACP Enrollment and Claims Tracker

Additional ACP Data

ACP Enrollment and Claims Tracker

Scroll down to see ACP enrollment data, or click on the links below to jump directly to a specific table:

- EBB & ACP Funding Summary
- Total Enrolled Households – Weekly
- Enrollment by State
- Enrollment and Claims by Zip Code and County
- Additional ACP Data

EBB & ACP Funding Summary

Under ACP rules, providers have up to 6 months to file claims for reimbursement of ACP benefits passed through to households. As a result, monthly totals may adjust as new claims are submitted or as past claims are revised.

ACP & EBB Appropriation (Total Program Funding)*	**$17,052,200,000**

Affordable Connectivity Outreach Grant Program Overview

The FCC established the ACP Outreach Grant Program, which provides eligible state, local, and Tribal governmental and non-governmental entities with the funding and resources needed to increase eligible households' awareness of and participation in the ACP.

The ACP Outreach Grant Program includes four sub-programs:

1) National Competitive Outreach Program;
2) Tribal Competitive Outreach Program;
3) Your Home, Your Internet Pilot Outreach Grants; and
4) ACP Navigator Pilot Program Outreach Grants

Affordable Connectivity Pilot Programs

- As part of its outreach, the FCC created two one-year pilot programs designed to increase awareness of and facilitate enrollment in the Affordable Connectivity Program and to provide consumers assistance with ACP applications.
- The period of performance for both Pilot Programs began this summer and Pilot Participants are conducting consumer outreach activities.
- For more information about the Affordable Connectivity Pilot Programs, please visit **fcc.gov/acp-pilots**.

ACP Navigator Pilot Program (NPP) provides a limited number of neutral, trusted third-party entities access to the National Verifier for purposes of assisting consumers with completing and submitting an application for the ACP.

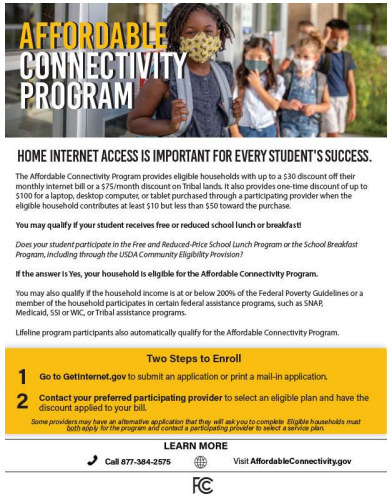
11 entities selected to participate

Your Home, Your Internet Pilot Program (YHYI) increases awareness of the ACP, specifically among recipients of federal housing assistance. This pilot program facilitates enrollment in the ACP by providing targeted assistance with completion of the program application.

23 entities selected to participate

Affordable Connectivity Outreach Grant Sub-Programs

The Affordable Connectivity Outreach Grant Program includes the following sub-grant programs:



National Competitive Outreach Program (NCOP) provides funding for outreach activities to increase awareness of and encourage participation in the ACP for eligible low-income households.

Tribal Competitive Outreach Program (TCOP) provides funding for outreach activities to increase awareness of and encourage participation in the ACP for eligible low-income households on Tribal Lands.

Affordable Connectivity Outreach Important Dates

November 10, 2022 - Released a Notice of Funding Opportunity (NOFO) making:

- $60 million available for NCOP; and
- $10 million available for TCOP

March 10, 2023 - Announced that the Commission selected 197 applicants, as a result of a multi-faceted, objective review, representing 50 states and territories to pursue a broad range of outreach projects, out of 350 grant applications

May 25, 2023 - Issued two NOFOs for up to $10 million, targeting $5 million for the NCOP and $5 million for the TCOP

August 17, 2023 - Announced final funding allocations for NCOP Round 2 of over $4.3 million of targeted funding towards 12 states and territories where funding minimums were not met during Round 1

September 6, 2023 - Announced final funding allocations for TCOP Round 2 of over $1.2 million

Affordable Connectivity Outreach TCOP Grantees

TCOP Grantee	State
Central Council Tlingit & Haida Indian Tribes of Alaska	Alaska
Qizhjeh Heritage Institute	Alaska
Navajo County	Arizona
Lily of the Valley Emmanuel Church of Jesus Christ	California
San Francisco Consumer Action	California
Waimanalo Hawaiian Homes Association	Hawaii
Nez Perce Tribe	Idaho
Shoshone-Bannock Tribes	Idaho
Four Directions Development Corporation	Maine
Leech Lake Reservation Business Committee	Minnesota
Chippewa Tribe-White Earth Band of Chippewa Indians	Minnesota
Pueblo of Jemez	New Mexico
Pueblo of Zuni	New Mexico

TCOP Grantee	State
Choctaw Nation of Oklahoma	Oklahoma
Delaware County Community Partnership, Inc.	Oklahoma
Kickapoo Tribe of Oklahoma	Oklahoma
Pawnee Nation of Oklahoma	Oklahoma
The ARC Foundation: Strengthening Communities	Oklahoma
Bums Paiute Tribe	Oregon
Confederated Tribes of Siletz Indians	Oregon
Cheyenne River Sioux Tribe Radio	South Dakota
Utah State University	Utah
Confederated Tribes and Bands of the Yakama Nation	Washington
Confederated Tribes of the Colville Reservation	Washington
Wisconsin Department of Public Instruction	Wisconsin

Affordable Connectivity Program

10 WAYS TO SPREAD THE WORD

01 Help Your Community Enroll

02 Spread the Word

03 Request Printed Materials

04 Connect with Local Institutions

05 Involve Your Local Government

06 Share ACP Info on Your Websites and Social Media

07 Request a Speaker for an Event

08 Help Connect the Unconnected

09 Find Local Providers

10 Let Everyone Know

For more information about the Affordable Connectivity Program, visit fcc.gov/ACP

Consumer Resources

- **To apply**: GetInternet.gov
- **For more information**: AffordableConnectivity.gov
- **FCC's ACP Consumer Hub**: fcc.gov/ACP
- **Help Line**: Call the ACP Support Center at (877) 384-2575 seven days a week from 9 a.m. – 9 p.m. ET or send an email to ACPSupport@usac.org
- **Consumer FAQ**: www.fcc.gov/affordable-connectivity-program-consumer-faq
- Updated online application instructions are available in English and 9 other languages
- **Accessibility**: FCC504@fcc.gov
- **Contact**: ACPinfo@fcc.gov

FCC ACP Affordable Connectivity Program

Partner Resources

- Video demonstration of the consumer application
- Screenshots of different workflows in the new consumer application
- **Toolkits**: https://www.fcc.gov/acp-consumer-outreach-toolkit and www.affordableconnectivity.gov/community-resources/
- Information on database connections that verify consumer eligibility automatically
- Sign up for ACP email updates and upcoming events
- Find upcoming trainings and other resources on the ACP Learn page
- Visit GetInternet.gov/data for enrollment and claims data

FCC ACP Affordable Connectivity Program

Q & A

FCC ONAP

FCC Seeks Comment On Access To Spectrum And Related Data

JOHN SCHAUBLE

DEPUTY CHIEF, BROADBAND DIVISION, WIRELESS TELECOMMUNICATIONS BUREAU

FCC ONAP

Tribal Broadband Connectivity

- We recognize that Tribal Nations and the Native Hawaiian Community continue to face connectivity challenges, and the Commission remains committed to addressing this digital divide.
- As the Commission looks at ways to increase broadband connectivity in Tribal communities, one of key issues is the extent to which Tribes or Tribally-controlled entities currently have access to wireless spectrum.
- In order to assess current and future policy efforts designed to achieve this goal, we seek additional information about how Tribal Nations and the Native Hawaiian Community are accessing spectrum, whether it be through direct licensing or other means (for example, leasing).

Public Notice

- On August 4, 2023, ONAP and the Wireless Telecommunications Bureau released a Public Notice (Notice) seeking comment on how and the extent to which Tribal Nations and Native Hawaiian Community are able to access wireless spectrum.
- The Commission's current wireless licensing application forms do not collect information to identify Tribal or Native Hawaiian applications, thus, we are seeking comment on the potential addition of legal entity categories or demographic questions to better identify Tribal applicants seeking to obtain or currently holding spectrum licenses.

Current FCC Form 601 Questions

Question 14:

14) Applicant/Licensee Legal Entity Type: (Select One)
( )Individual ( )Unincorporated Association ( )Trust ( )Government Entity ( )Corporation ( )Limited Liability Company

( )General Partnership ( )Limited Partnership ( )Limited Liability Partnership ( )Consortium

( ) Other: _____

Question 27:

27) **Demographics (Optional)**

Race:	Ethnicity:	Gender:
( )American Indian or Alaska Native	( )Hispanic or Latino	( )Male
( )Asian	( )Not Hispanic or Latino	( )Female
( )Black or African-American		
( )Native Hawaiian or Other Pacific Islander		
( )White		

FCC ONAP

FCC Seeks Comment On Access To Spectrum And Related Data

The Public Notice seeks comment on the following issues:

- What are appropriate legal entity categories, demographic questions, and/or terminology that will recognize both the sovereign status of Tribal Nations, as well as the broad diversity of Tribal Nations and the Native Hawaiian Community?
- If legal entity categories or demographic questions are added to the Commission's wireless licensing forms to more readily identify Tribal or Native Hawaiian applicants, should this additional information be mandatory or optional?
- Should the forms collect responses only from Tribal Nations or Tribal government entities, or should they also collect responses from non-governmental Tribal entities, such as businesses, or individual Tribal citizens?

FCC ONAP

FCC Seeks Comment On Access To Spectrum And Related Data (continued)

- To what extent have Tribal Nations and the Native Hawaiian Community been able to successfully access licensed spectrum through secondary market transactions in the recent past (for example, leasing arrangements and the partitioning or disaggregation of licenses held by carriers or other non-Tribal entities)?
- Are there ways in which the Commission can expand awareness among Tribal Nations and the Native Hawaiian Community about how they can access spectrum without applying for a license (for example, General Authorized Access Tier of the Citizen's Broadband Radio Service, unlicensed use in White Spaces, and the 5 GHz band)?

FCC ONAP

Tribal Input is Important

- We encourage Tribal interests to file comments in response to the Public Notice.
- Comments to the Public Notice must be filed by November 30, 2023.
- Submit a Standard Filing through the Commission's Electronic Comment Filing System, enter the docket number "23-265" in the "Proceeding(s)" field.

National Broadband Map

Broadband Data Task Force
Federal Communications Commission

Eduard Bartholme
Senior Outreach Director

November 2, 2023

Broadband Data Collection (BDC): New Approach to Mapping Broadband Availability

- The FCC historically collected broadband deployment data using FCC Form 477.
- More reliable and consistent broadband availability data are critical to efforts to target public funds to connect unserved and underserved communities.
- Congress directed the FCC to develop processes and procedures to collect, verify, and publish more granular data in the Broadband Deployment Accuracy and Technological Availability (DATA) Act.

New Approach to Mapping Broadband Availability

- Fixed broadband: shift from Census Blocks to individual locations, using a newly created locations database (the "Fabric")
- Mobile broadband: standardized parameters, propagation model and link budget info
- Challenge processes, crowdsource data, verifications, audits
- Iterative process – data updated, corrected on a continuing basis

WHAT'S ON THE NATIONAL BROADBAND MAP?

The National Broadband Map consists of 2 datasets, both of which can be challenged:

FABRIC LOCATIONS

- **What is it?**
  - The Fabric is a dataset of all locations in the United States and Territories where fixed broadband internet access service is or could be installed.
- **Who creates it?**
  - The Fabric is developed by CostQuest in consultation with the FCC and in accordance with FCC rules.
- **Challenges and updates timeline?**
  - The Fabric is updated twice per year.
  - For the best opportunity for challenges to be included in version 4 of the Fabric, challenges should be submitted by September 8, 2023.
- **What's on the current map?**
  - Version 2 of the Fabric is the base of the current map. Version 3 of the Fabric is available to license holders to submit challenges, and for ISPs to submit their updated availability data.

BROADBAND AVAILABILITY

- **What is it?**
  - Broadband availability data shows what broadband services, if any, are available at locations included in the Fabric, as reported by internet service providers every 6 months.
- **Who creates it?**
  - Internet service providers report their availability data to the FCC every 6 months.
- **Challenges and updates timeline?**
  - Broadband availability data is updated consistently over time as challenges are resolved.
  - Challenges are accepted and resolved on a rolling and ongoing basis.
- **What's on the current map?**
  - The map shows availability data as-of December 31, 2022 and reflects resolved availability challenges. The map will be updated regularly as additional challenges are resolved.

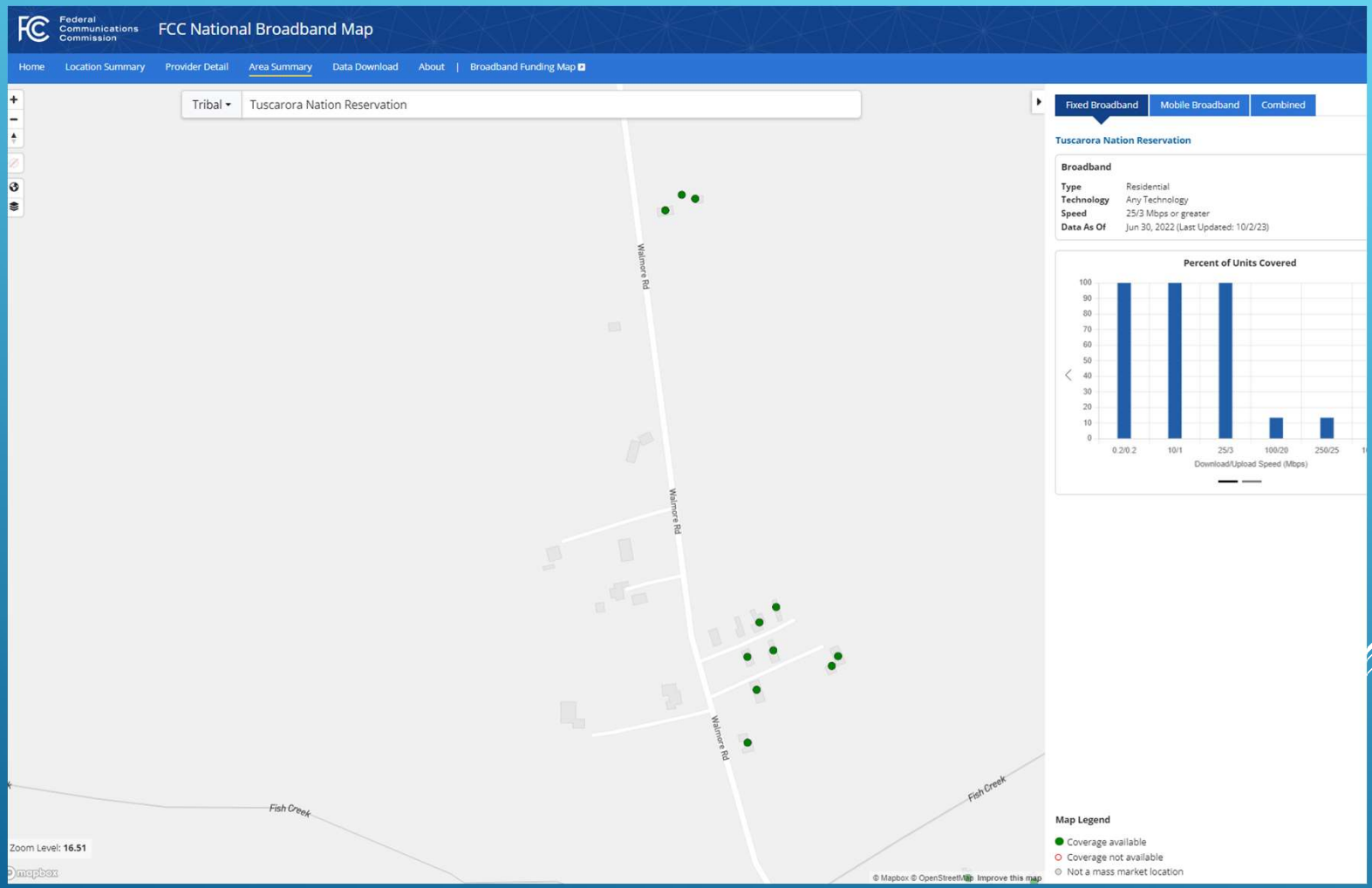
National Broadband Map: Today

- The second iteration of the map was released on May 30, 2023.
  - This version of the map shows locations from version 2 of the Fabric, and availability data as-of December 31, 2022.

- What is different on this map?
  - Includes over 1 million more broadband-serviceable locations throughout the United States than the initial version.
    - Every state and territory had some number of BSLs added in v.2.
    - Every state and territory also had BSLs removed in v.2.
  - The availability data also continues to be improved.

National Broadband Map: Improvements in Tribal Areas

- Tribal lands within the continental United States have seen significant increases in the number of Broadband Serviceable Locations (BSLs) since the initial release of the Fabric.
- Nationally a net increase of nearly 75,000 locations
- Most location changes between versions of the Map come from the vendor, rather than challenges.
  - The Fabric is developed using over 200 data inputs and the work is ongoing.
  - Focusing on Tribal areas where Census data indicates the BSL counts are still too low
- The Commission is not seeking underlying data from challengers (e.g. tax records), just latitude/longitude information.


Federal Communications Commission
FCC National Broadband Map
Home
Location Summary
Provider Detail
Area Summary
Data Download
About
Broadband Funding Map
Tribal
Tuscarora Nation Reservation
Walmore Rd
Walmore Rd
Walmore Rd
Fish Creek
Fish Creek
Zoom Level: 16.51
mapbox
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Fixed Broadband
Mobile Broadband
Combined
Tuscarora Nation Reservation
Broadband
Type Residential
Technology Any Technology
Speed 25/3 Mbps or greater
Data As Of Jun 30, 2022 (Last Updated: 10/2/23)
Percent of Units Covered
100
90
80
70
60
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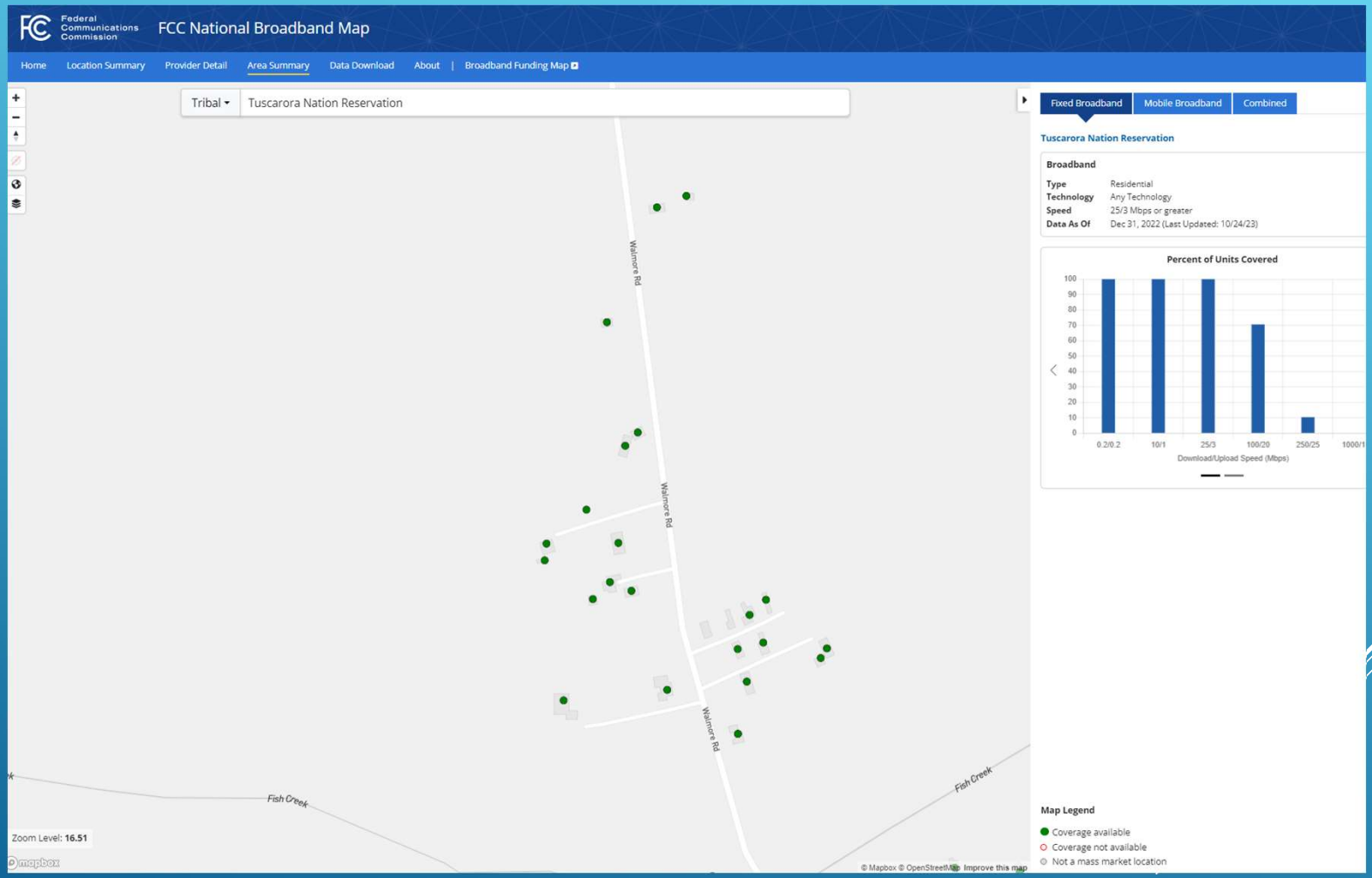
Download/Upload Speed (Mbps)
Map Legend
Coverage available
Coverage not available
Not a mass market location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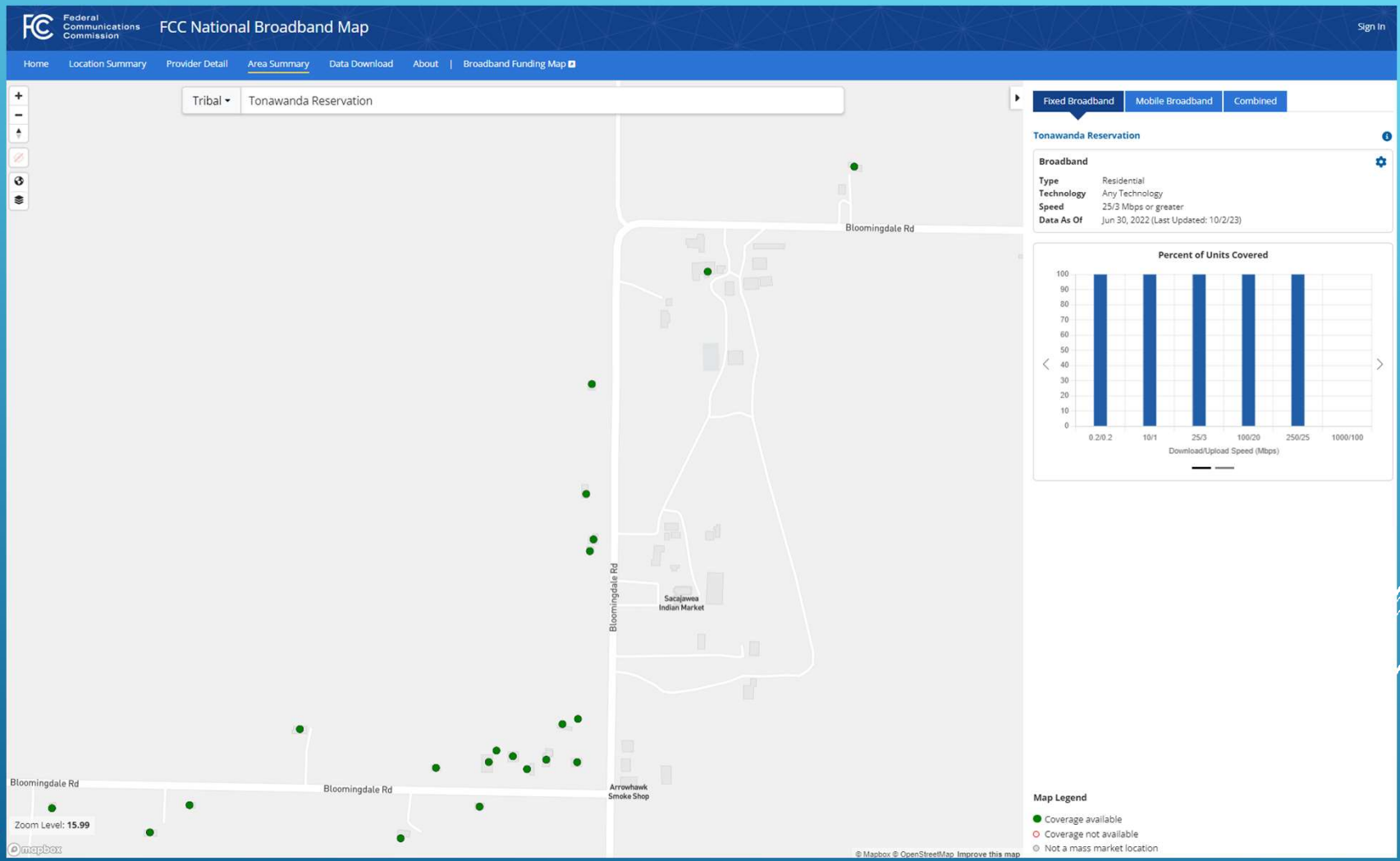
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Sign In
Home
Location Summary
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Bloomingdale Rd
Sacajawea Indian Market
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Bloomingdale Rd
Arrowhawk Smoke Shop
Zoom Level: 15.99
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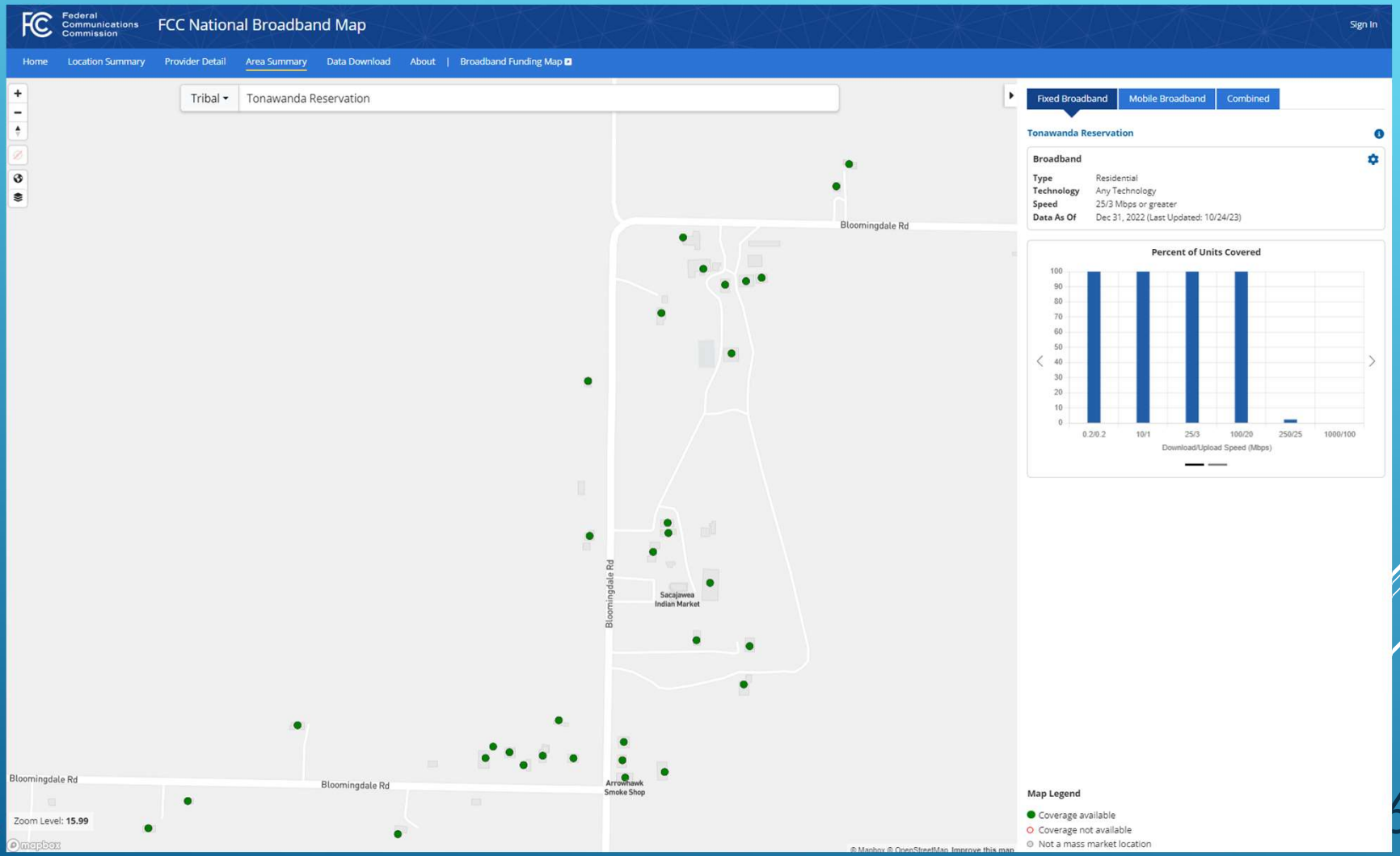
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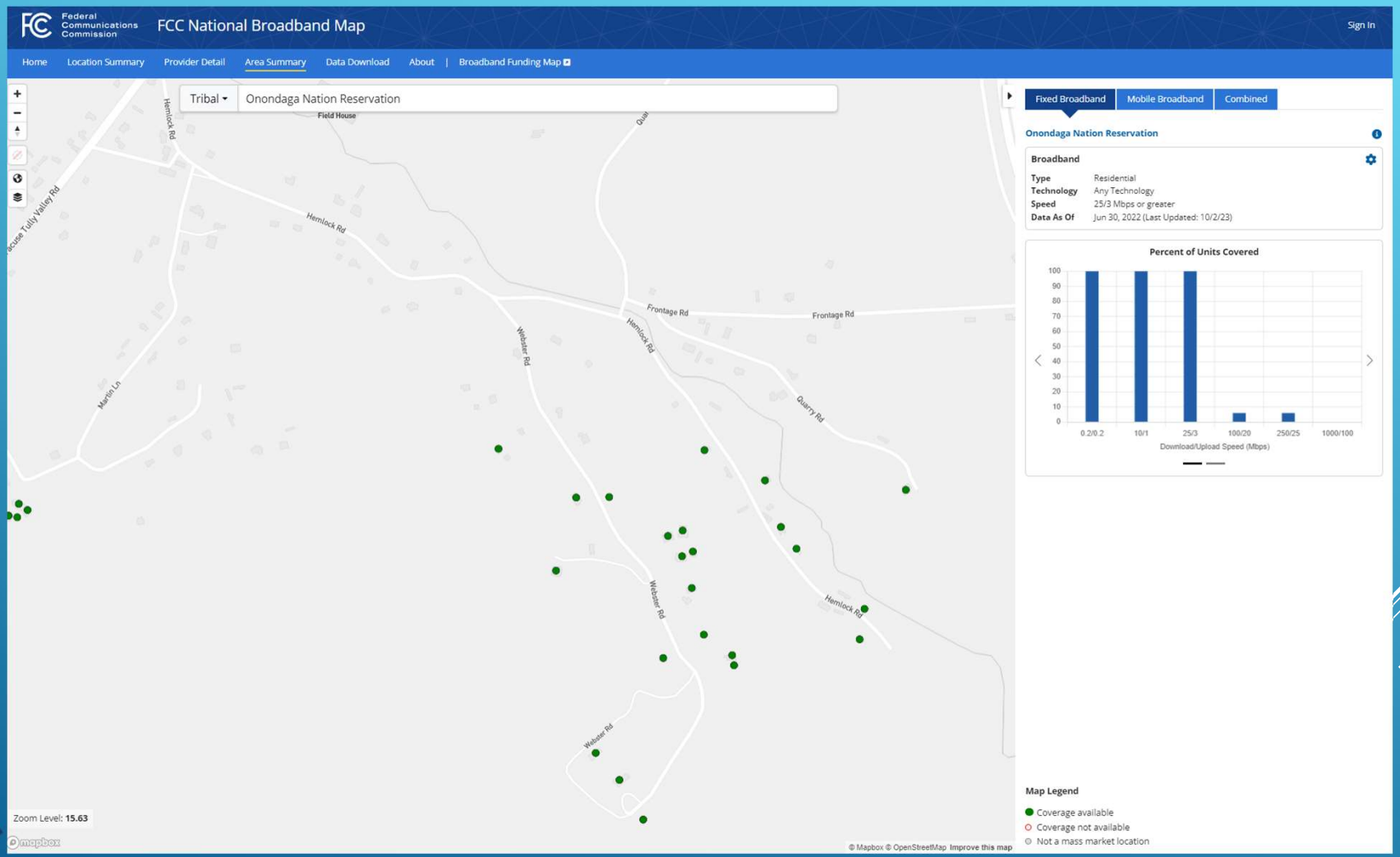
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Frontage Rd
Webster Rd
Quarry Rd
Martin Ln
Tully Valley Rd
Field House
Map Legend
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Coverage not available
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Zoom Level: 15.63
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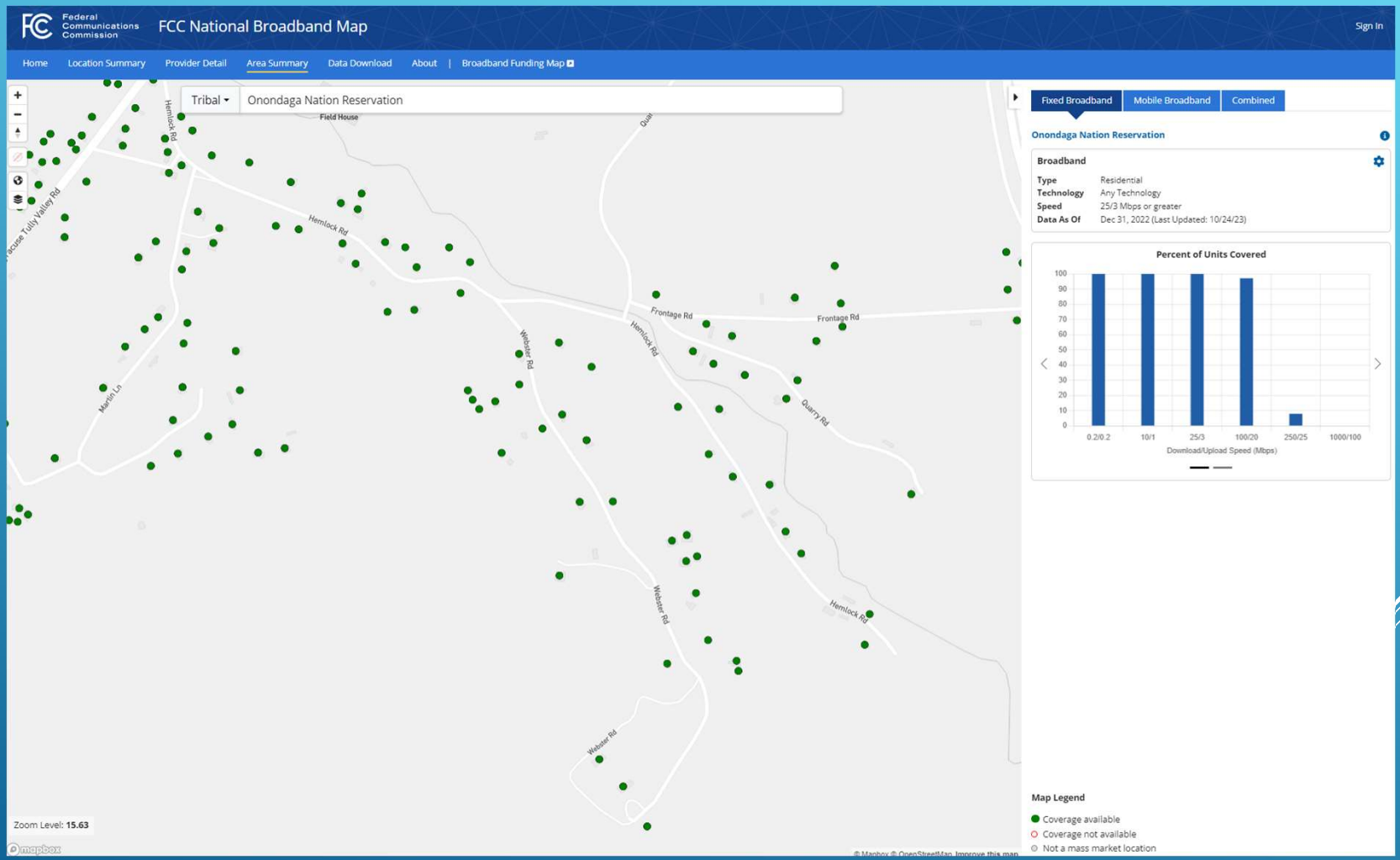
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Field House

Validating Provider Reported Data

- Challenges
  - Over 4 million sent to providers for response
  - The map is updated on a rolling basis every two weeks as challenges are resolved
- Verifications and Audits
  - FCC has contacted nearly 900 filers
  - Often results in corrections to reported availability

Update

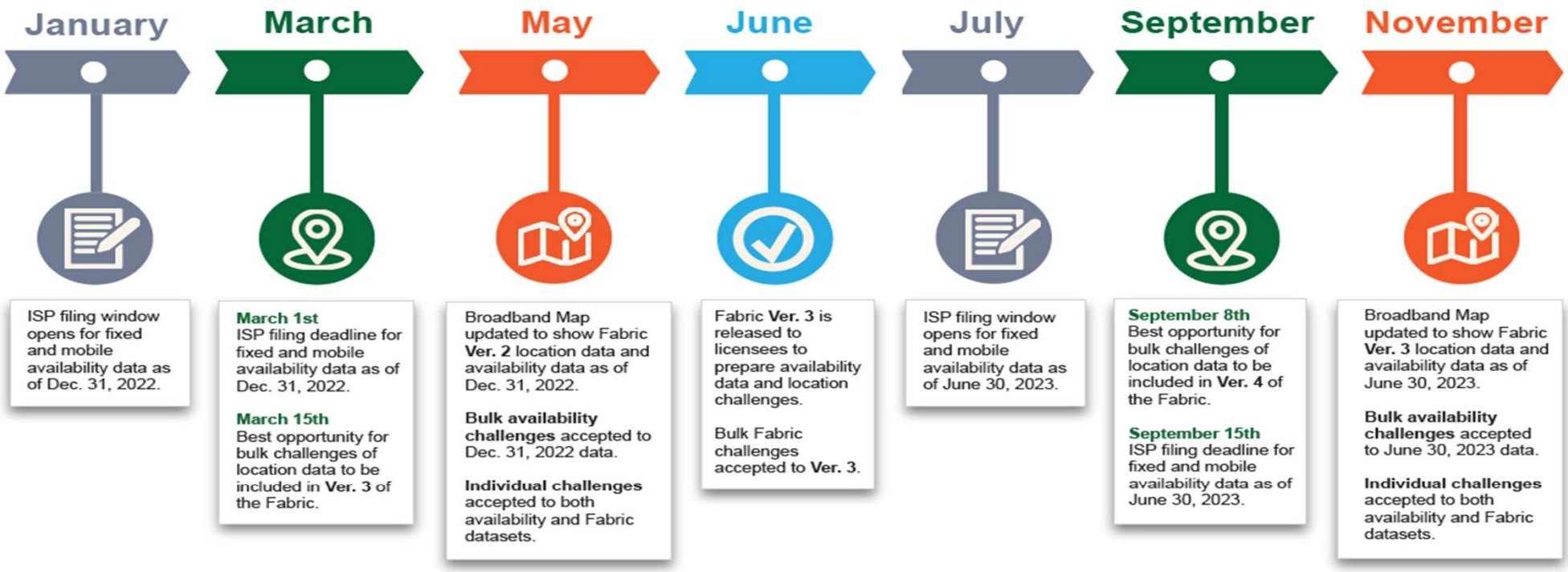
Version 3 of the Fabric was made available to licensees last Summer.

- This version incorporates challenges made to version 2 (largely submitted by March 15, 2023)
- Version 3 of the Fabric will display on the National Broadband Map later this year.

The filing window for availability data as-of June 30, 2023 opened on July 3. ISPs were required to submit data by September 15, 2023.

- 2.5 GHz license holders that had at least one mass market broadband service end user connection as of June 30, 2023 were also required to file their verified broadband availability data in the BDC by September 15, 2023.
- Tribal governmental entities primarily responsible for mapping or tracking broadband internet access service coverage in their areas may also file availability data.

National Broadband Map: 2023 Key Dates



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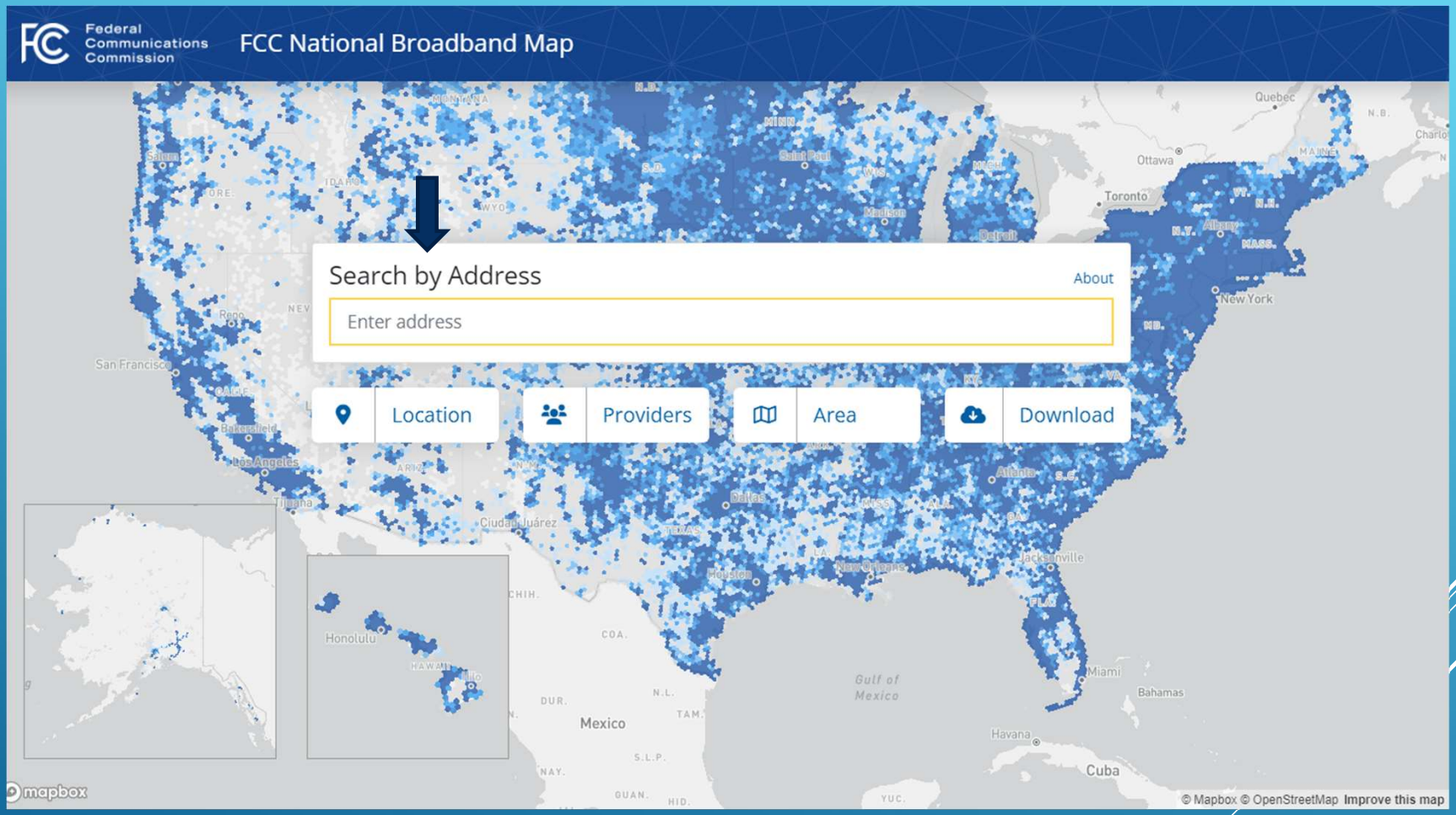
fcc.gov/broadbanddata



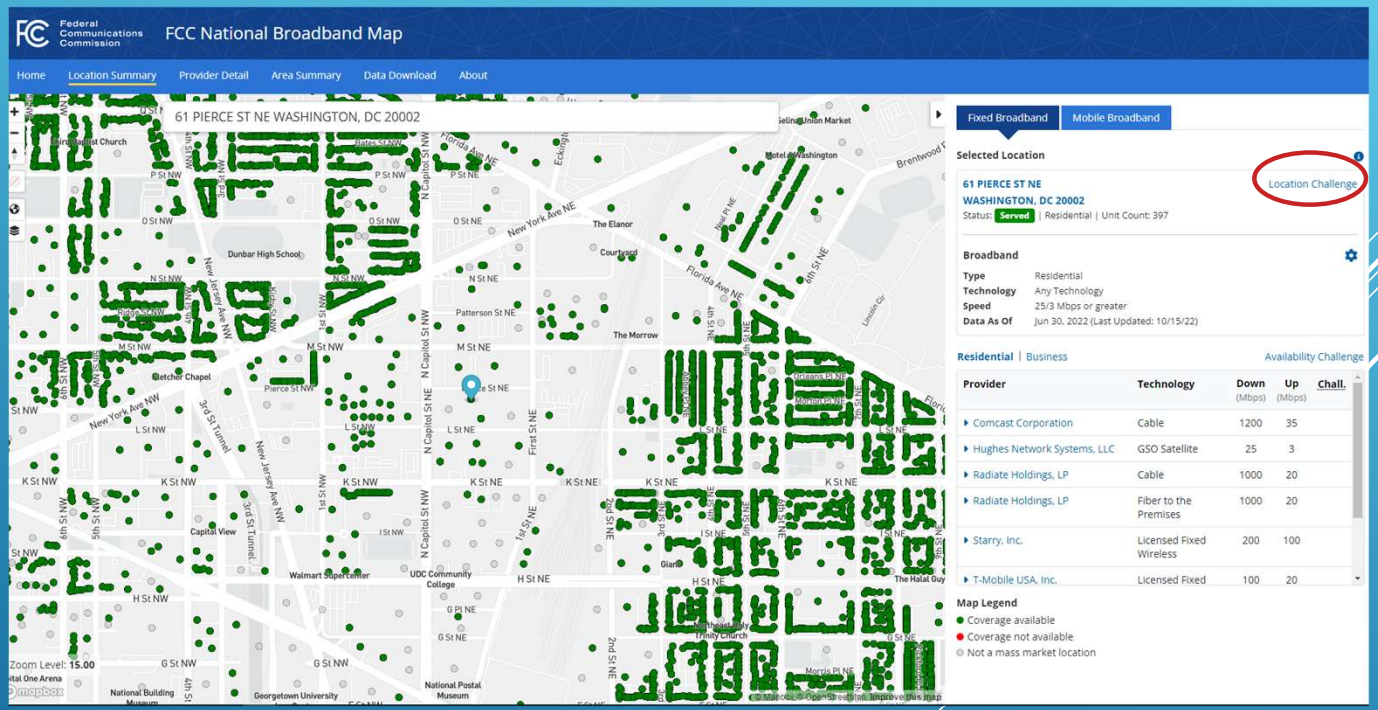
BroadbandMap.gov

National Broadband Map: Location Challenges

Location points are part of a dataset called the Broadband Serviceable Location Fabric.

What can be challenged?

- Wrong address
- Wrong unit count
- Wrong placement on the map
- Misidentified as non-Broadband-Serviceable
- Missing location



Broadband Data Collection: Working with the Fabric

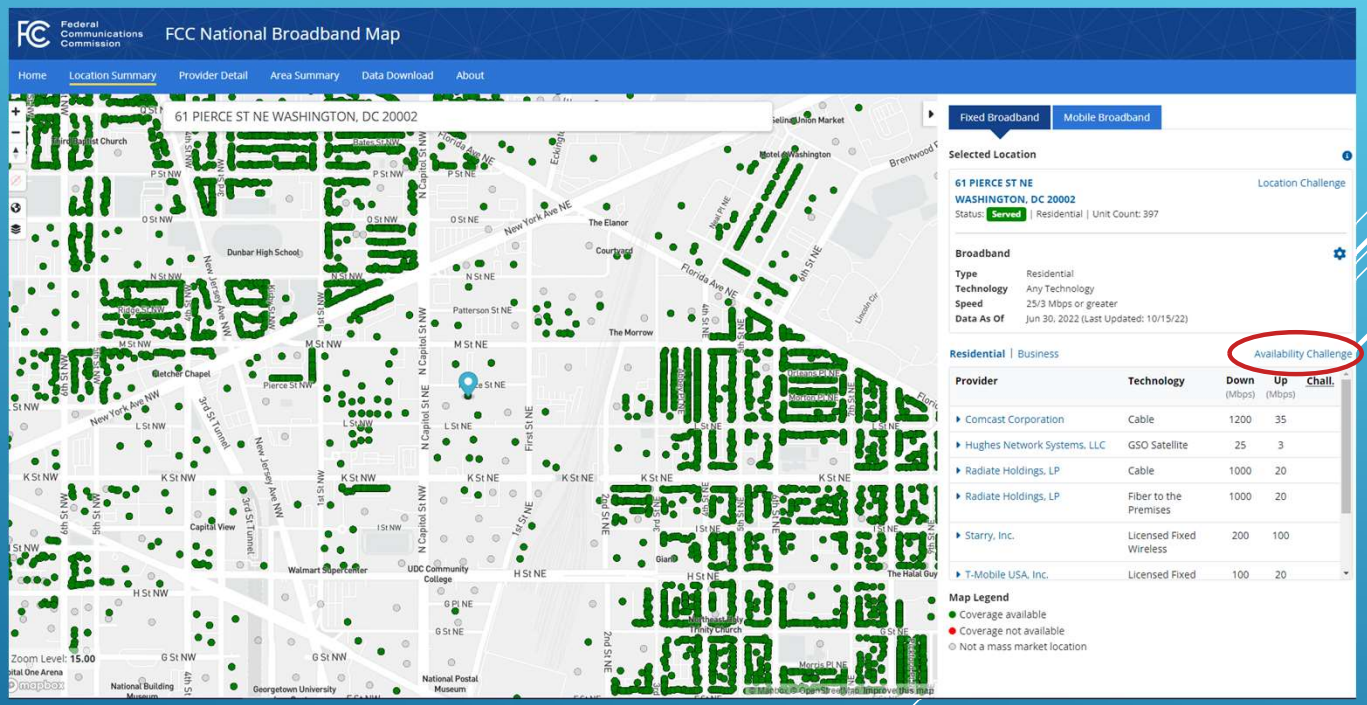
- First, you should execute a licensing agreement to access the Fabric dataset.
- Review the tutorial videos on what the Fabric is and how to open and work with the file.
- Develop a strategy for analyzing and validating the Fabric data for your jurisdiction to determine whether a challenge is warranted.
- If you discover that there are locations not included in the Fabric, confirm that these locations align with FCC's definition of a BSL, or broadband serviceable location, before including in a challenge.
- Prepare to submit your challenge data into the BDC system by formatting the data according to the requirements laid out in the Fabric bulk challenge data specification.

- www.fcc.gov/broadbanddata/fabrichelp

National Broadband Map: Availability Challenges

Service is "available" if the:

- provider has, or previously had, a connection in service to the location.
- provider could initiate service through a routine installation within 10 business days of a request with no extraordinary charges or delays attributable to the extension of the provider's network.



National Broadband Map: Fixed Availability Challenges

Codes identifying the category of or reason for a bulk fixed availability challenge:

1 – Provider Failure to Schedule Install Within 10 Days of Request for Service

2 – Provider Failure to Perform Install Within 10 Days of Request for Service

3 – Provider Demand for Connection Charges That Exceed Its Standard Installation Charge

4 – Provider Denial of Request for Service

5 – Reported Service Type Not Offered

6 – Reported Speed Not Available for Purchase

7 – Subscribed Speed Not Achievable [Individuals only can select this option (on the map), but it won't create a challenge]

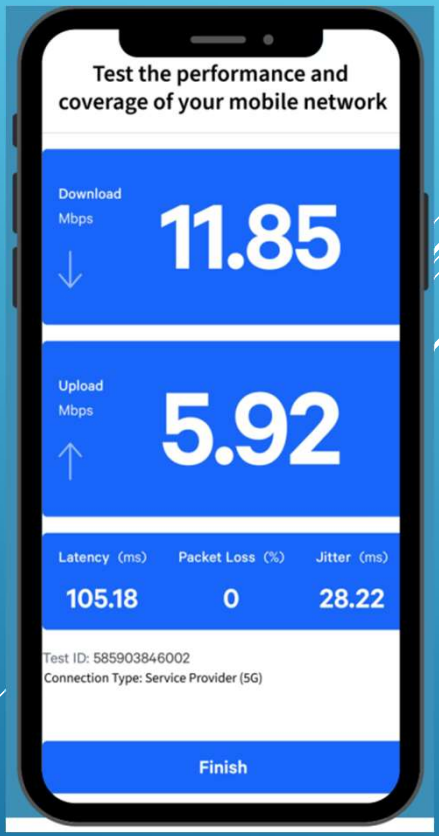
8 – Signal Not Available (Satellite / Fixed Wireless only)

9 – Provider Demand for Additional Construction (Satellite / Fixed Wireless only)

10 – Missing Provider [this will not create a challenge, but will be considered as crowdsource data]

National Broadband Map: Mobile Availability Challenges

- Challengers may dispute the availability of mobile broadband service using on-the-ground speed test data.
- Speed test data may be submitted using the FCC's Speed Test app (or another third-party speed test app approved by the FCC's Office of Engineering and Technology).
- Alternatively, bulk availability challengers may submit speed test data collected using their own hardware and software provided it meets the requirements set forth in the FCC's mobile speed test data specification and they disclose.



BroadbandMap.gov

For More Information:
www.fcc.gov/BroadbandData