

**STATEMENT OF ROANNE ROBINSON SHADDOX  
MANAGING DIRECTOR AND VICE PRESIDENT, PRIVACY COUNCIL INC.  
BEFORE THE  
SENATE COMMITTEE ON INDIAN AFFAIRS  
ON THE  
STATUS OF TELECOMMUNICATIONS IN INDIAN COUNTRY**

**Thursday, May 22, 2003**

**Vice Chairman Inouye and members of the Committee, my name is Roanne Robinson Shaddox. I am Managing Director and Vice President of Privacy Council Inc. and the former Chief of Staff of the National Telecommunications and Information Administration, U.S. Department of Commerce. I also am a founding board member of the newly formed Native Networking Policy Center. Thank you for the opportunity to provide my observations on the role of the Federal government in addressing the telecommunications needs in Indian Country.**

**During my six years at NTIA, I primarily worked on the agency's initiatives to promote universal service and to close the digital divide in underserved communities. As the most senior Native American involved in telecommunications policy development for the Clinton Administration, I worked to ensure that Indian Country was included in these efforts to connect all Americans.**

**A key first step in this effort was to educate Federal officials about the critical communications needs in Indian Country and to get tribal representatives more involved in the debate. Toward that end, NTIA held its first of a series of public field hearings on universal service issues in Albuquerque, New Mexico, so that senior NTIA, Commerce Department and Federal Communications Commission officials could specifically learn about Native issues. Following the hearing, the delegation of Federal officials visited the Institute for American Indian Arts to see how Native students were using computers in their graphics design work and visited San Juan Pueblo to learn about the tribe's need for computers and Internet, particularly in their small library.**

**Working with tribes, tribal organizations and a handful of Native American telecommunications advocates, we also ensured that a Native American was appointed to the White House National Information Infrastructure Advisory Council; increased tribal participation in the Technology Opportunities Program, which has funded dozens of tribal projects across the country to date; and, ensured that Bureau of Indian Affairs education officials were aware of the E-rate program, which, today, is credited for playing a major role in getting all BIA schools connected to the Internet.**

**Most notable, however, was NTIA's efforts to include Native Americans in its landmark "Falling Through the Net" report. Based on Census Population Survey data, the report was the first Federal study of household telephone, computer and**

**Internet access in America. Although, we struggled to obtain statistically valid data on reservation household access due to the small sample size, we had enough anecdotal and other information to highlight the alarming need in Indian Country. As a result of the report and related conference work, NTIA ensured that the digital divide in Indian Country was brought to the nation's attention. With the President's leadership, these reports helped to spur a wide range of private sector, philanthropic, Executive Branch and FCC efforts aimed at addressing this issue.**

**It is clear that we've come a long way with respect to closing the digital divide in Indian Country since I joined NTIA ten years ago. When I left the agency in late 1999, it was with the knowledge that NTIA had played an important role in bringing this issue to the forefront as well as providing a critical funding solution through the TOP program. And, it was through this process that I learned the important role that the Federal government can and should play in highlighting and addressing issues of national importance and to make sure that debate is not just dominated by the needs of industry and the states, but also addresses the needs of tribes.**

**Therefore, it is imperative that the Federal government continues to play an active role in this effort in close consultation with tribes. Some areas in which I believe the Federal government has a significant responsibility include:**

***Policy Development and Advocacy for Tribes:* With the rapidly changing telecommunications policy landscape, now more than ever tribes need an advocate within the Executive Branch to ensure that their voice is heard. For example, an office could be created within NTIA to monitor and advocate for tribal interests in the wide-range of telecommunications policymaking activities that occur every day at the agency on behalf of the President. Also, such an office could ensure that relevant NTIA filings at the FCC on behalf of the Executive Branch reflect tribal views. It is critical that tribes not be left out of important national debates on subjects such as universal service, broadband deployment, unlicensed wireless technologies, and the future of radio spectrum management.**

***Improving Coordination Among Federal Agencies:* There is a critical need for improved coordination among Federal agencies when it comes to investing in telecommunications on tribal lands. Federal agencies must be encouraged to work together to ensure that Federal investments are leveraged for the widest possible benefit in tribal communities. There should be an examination of existing projects and investments on tribal lands and information about these projects should be shared as widely as possible so that agencies don't launch new initiatives that re-invent the wheel. For example, I recently learned that the Department of Health and Human Services plans to make Internet access a priority in its public health clinics. How will this initiative affect existing tribal connectivity efforts by other Federal agencies? The proposed aforementioned office could help to ensure that Federal agencies are aware of existing efforts and promote collaboration so that Federal funds are used efficiently and effectively in addressing the need.**

*Supporting Local Tribal Connectivity Efforts:* Fortunately, for those tribes seeking to build their own telephone networks, they can turn to a significant loan program at the U.S. Department of Agriculture's Rural Utility Service. Unfortunately, for those tribes seeking to build community networks, the Federal funding outlook is not so bright. One of the key programs for tribal connectivity efforts – NTIA's Technology Opportunities Program -- is threatened. TOP plays an important role in bringing critical telecommunications and information technologies to our nation's communities for improving healthcare, education, public safety and the delivery of government services. Unfortunately, the demand from tribes, states, universities and other non-profits for TOP funding always far exceeds the actual funds provided for this program. It is critical that this program be retained, as it provides an important funding source for tribal networking projects. Moreover, I believe the need for TOP funding will only increase as tribes and other communities look to the program for help with improving their emergency communication networks in support of the war on terrorism.

There are other Federal programs that have played an important role in assisting tribes with their communications needs that should be noted. NTIA's Public Telecommunications Facilities Program supports the planning and construction of public radio and television stations on tribal lands. The Economic Development Administration provides technical assistance funds for feasibility studies and the construction of telecommunications projects. The Department of Education's Community Technology Centers program can help tribal communities develop centers to provide children and adults the computer literacy and high tech skills needed for today's information economy. With the FCC's likely adoption of rules that will lead to further concentration of mainstream media outlets, these programs, along with TOP, provide the resources necessary to ensure that Native communities have alternative ways to access critical local news and information.

With all such programs, the application guidelines and matching requirements should be looked at carefully to make sure that they do not provide an impediment to tribal participation. Also, these programs should be encouraged to provide timely reports on tribal projects that can serve as models for other communities.

*Improving Data Collection on Tribal Connectivity:* A major priority of the Federal government should be improved collection of baseline data on telephone, computer, Internet and broadband access for reservation households. Only through good baseline data will we know as a nation how to best target policies and funding sources to meet the need on tribal lands. Toward that end, increased funding may be required for NTIA's next "A Nation Online" survey to ensure that reservation households are adequately reported. Or, perhaps the Federal agencies with a strong interest in this issue should be encouraged to pool their resources to support the collection of reservation household data in this area.

***Strengthening Tribal Interests at the FCC:* With unprecedented access, tribes are on their way toward building a solid dialogue with the FCC comparable to that enjoyed by major telecommunications industries and the states. However, despite the FCC's outreach efforts, many tribes and tribal organizations do not have the time, resources or expertise to participate in Commission proceedings. One concern is that this lack of participation may be wrongly interpreted that tribes do not care about or are not affected by the many issues pending before the FCC. Rather, the FCC should be encouraged to continue its dialogue with tribes and to find new ways to ensure that tribal views are heard and addressed at all levels of the Commission. I am encouraged by Chairman Powell's and the FCC staff's recent efforts to engage and assist the Indian community, including the release of telephone subscribership numbers for reservations households. Also, the Commission should be commended for elevating and expanding the responsibilities of the Indian Desk. Overall, the Commission has taken important steps to building awareness inside the agency about the needs of tribal communities and to consulting with tribes before major decisions are made that impact their lands. The Commission should be encouraged to provide greater resources to effectively conduct consultation with tribes; to enforce the universal service and build-out requirements of telecommunications providers that serve tribal lands; and to perform outreach to Native American consumers about the Lifeline and LinkUp programs, among other things.**

**In conclusion, during this time of transition for tribes into the digital age, the Federal government must continue to play a strong role. I urge the Committee to take the steps necessary to protect, support, create and promote Federal programs and policies that best address the basic and advanced communications needs in Indian Country. With your leadership, Native communities will soon realize true universal service and enjoy the wide range of economic and societal benefits associated with the deployment of these critical technologies.**

**Thank you again for allowing me to share my observations and I look forward to your questions.**

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