Before the
Federal Communications Commission
Washington, DC 20054

In the Matter of

Improving Communications Services for Native Nations	)))))	CG Docket No. 11-41

NOTICE OF INQUIRY

The American Library Association (ALA), the world's oldest and largest library association representing more than 61,000 members, in consultation with the American Indian Library Association (AILA), an affiliate of ALA that serves native communities from Alaska to Hawaii and across the contiguous United States, is pleased to provide comments on this Notice of Inquiry, *Improving Communications Services for Native Nations*.

Summary and Introduction

ALA commends the Federal Communications Commission (FCC) in its efforts to build its relationship with individual native nations through the development of the Office of Native Affairs and Policy (ONAP). As the Commission is well aware, issues related to the telecommunications landscape facing native nations are many and diverse. ALA supports the concept that individual tribes are best positioned to determine the strategies that will most effectively address barriers to accessible, affordable, robust broadband on their respective lands. ALA encourages the Commission, via ONAP, to continue its government-to-government consultation.

ALA supports efforts to improve access to and utilization of high-capacity broadband across the nation. In the case of broadband and native nations, it is vitally important to aggressively address the vast digital divide that exists between native nations and the rest of the country. In doing so, ALA reminds the Commission that physical access to broadband is but one part of the equation. It is equally important to address specific barriers to adoption, such as the lack of digital literacy skills necessary for individuals to make productive use of the resources made available via a broadband connection.

Barriers to broadband adoption on tribal lands far exceed barriers that non-tribal communities face. ALA encourages the Commission to continue its multi-pronged approach as it develops a strategy to address the problematic telecommunications landscape on tribal lands. ALA believes

that developing a Native Nations Broadband Fund that supports high-capacity broadband build-out and deployment at the same time as it focuses on digital literacy and other broadband adoption initiatives will be the most successful strategy. Finally, collecting data and conducting research will have a positive long-term impact and can be used by the Commission and other stakeholders in developing future initiatives.

As the Commission continues its efforts in the area of native nations' communications, ALA urges the Commission and ONAP to include tribal libraries as vibrant community anchor institutions that are often at the heart of healthy, informed, and engaged communities.

Libraries and access to advanced telecommunications

Libraries are found in virtually every community across the country and serve all people regardless of the age, race, ethnicity, income, or education of the individual needing information services. Libraries also serve vulnerable populations, such as people with disabilities, the elderly, low-income populations, non-English speakers, and others. As information continues its digital migration and more services are network-enabled, the advanced telecommunications capabilities in libraries will be more important than ever in providing critical access to information in all formats – print, digital, and multi-media.

As the Commission, in consultation with tribal governments, leaders, and organizations, addresses the issues that prevent native nations from enjoying the same benefits that result from access to broadband as their non-native counterparts, ALA urges the Commission to work with tribal libraries as an important partner. ALA has commented frequently[1] on the unique role of the public library as an information hub in the community and a trusted resource that provides no-fee access to a wealth of resources, including those found online. At the same time, ALA also has noted the disparity among libraries in the levels of connectivity they are able to provide their patrons – particularly between rural and urban libraries.[2] On tribal lands, which are most often remotely rural, library connectivity is almost certainly less robust than that of libraries in non-tribal areas – even among rural libraries. As stated in the NOI, there is no solid data on broadband deployment on tribal lands, including to community anchor institutions. In the estimated less than 10 percent broadband availability on tribal lands, tribal libraries are likely not much better off than individual households.[3]

[1] See ALA comments http://fjallfoss.fcc.gov/ecfs/document/view?id=7020350516 and http://www.districtdispatch.org/wp-content/uploads/2011/04/ALA-CAF-comments_4-18-11.pdf, for example.
[2] For example, 19 percent of urban libraries report 6.1-10 Mbps as the maximum speed of public access Internet services whereas only about 7 percent of rural libraries report the same speeds as the maximum. About 26 percent of rural libraries report they are at the maximum connection speed available versus about 9 percent of urban libraries. See http://americanlibrariesmagazine.org/archives/digital-supplement/summer-2010-digital-supplement, figures C-11 and C-17.
[3] See National Broadband Plan, Part II- Inclusion, p. 152. Available, http://www.broadband.gov/plan/inclusion.html .

There are compelling reasons to include libraries in broadband build-out, utilization, and adoption initiatives. A 2010 study conducted by the University of Washington Information School and funded by the Bill & Melinda Gates Foundation found libraries address a wide range of community needs. Patrons use the library for education, workforce development, personal finance and health information, as well as accessing government programs and information and maintaining or strengthening social connections.[4] Tribal libraries confirm that patrons use their computers and Internet access to look for jobs, apply for government benefits, access tax forms and file taxes, research educational opportunities, and develop entrepreneurial interests, among other uses. In rural areas, including tribal lands, the role of the library in supporting the information needs and activities of their communities is even more essential as they often are the *only* source of no-fee public Internet access.

Libraries also play a fundamental role in supporting high-capacity broadband build-out in their communities. The robust bandwidth libraries and other anchor institutions need to provide their services helps make a business case for building high-capacity broadband networks in communities where it might not otherwise be financially feasible. Once this network is in place, area residences and anchor institutions will both benefit. Additionally, the library can serve as a demonstration point for what is possible once high-capacity broadband is readily available. On tribal lands, this role can be even more pronounced as libraries and other anchors serve as multi-use community resources and reach an even greater percentage of the population than a more traditional single use institution.

Native Nations Broadband Fund

"…many areas of the country are just too expensive to serve without government support."[5]

Commissioner Copps' stated during the open Commission meeting March 3, 2011,

> "Modern telecommunications and ubiquitous media are strangers in much of Indian Country. Even plain old telephone service is at shockingly low levels of penetration – below seventy percent of Native American households, and in some areas far less than that. And we don't even begin to have reliable data on the status of Internet subscribership on Tribal lands. Anecdotally, we know that broadband access on Tribal lands is minimal, and certainly lower than ten percent."[6]

When referring to broadband access and adoption on tribal lands, these communities are not even approaching the scale on which the rest of the country is measured.

[4] Opportunity for All: How the American Public Benefits from Internet Access at U.S. Libraries. Available, http://cis.washington.edu/usimpact/us-public-library-study.html.
[5] National Broadband Plan, Part II- Inclusion. Available, http://www.broadband.gov/plan/inclusion.html.
[6] http://www.fcc.gov/Daily_Releases/Daily_Business/2011/db0303/FCC-11-28A3.pdf.

Commissioner Clyburn stated, "[w]e owe all of our citizens, the benefits of a fully connected community, in order to promote public safety, education, and the economic development on Tribal Lands… Likewise, broadband service to anchor institutions and residential areas is beneficial to our entire Nation."[7] ALA heartily concurs. Access to affordable, high-capacity broadband and the skills with which to use the resources thereby available are no longer an option to participate in today's information-driven economy. Whether or not tribal members personally choose to participate in the general information economy, young people on tribal lands need the educational opportunities brought by broadband in order to make that choice for themselves. It is increasingly difficult to fully participate in American civic society – including being able to receive government services – without Internet access and the skills necessary to use it.

ALA supports efforts to improve the level of broadband connectivity on tribal lands. ALA urges the Commission to consider the development of a Native Nations Broadband Fund as an important beginning, but one that should be future-leaning. As noted during the March 3 meeting by the Chairman, Commissioner Copps, and the participating tribal Elders, tribal lands lag significantly behind the rest of the country. Comments on the National Broadband Plan (NBP) regarding broadband availability on native lands estimated between 5 and 10 percent and repeatedly reiterate that adequate data is simply lacking.[8] The creation of a Native Nations Broadband Fund can assist native nations in coming up to speed, but the fund should be devised such that the forward momentum continues and keeps pace with the increased demand for high-capacity broadband and the services it enables. As other federal initiatives are underway to bring one gigabit of service to anchor institutions and the repositioning of the high-cost fund to focus on broadband, the Commission should include native nations in each and any future initiative. [9]

ALA supports the Commission's intention to consult with tribal leaders through the work of the Native Nations Broadband Task Force in bringing native nations up to the connectivity level of the rest of the nation. Such collaboration will help ensure that the needs of native nations are considered within the unique context of each individual tribe, as well as a collective whole.

The definition of anchor institution

ALA supports the idea that each tribal community is in the best position to determine which anchor institutions are important to communications services deployment and community broadband adoption and usage. ALA respectfully suggests that ONAP work with tribal leaders

[7] http://www.fcc.gov/Daily_Releases/Daily_Business/2011/db0303/FCC-11-28A5.pdf.
[8] National Broadband Plan, Part II- Inclusion, footnote 132. Available, http://www.broadband.gov/plan/inclusion.html.
[9] See National Broadband Plan, Goal no. 4. Available, http://www.broadband.gov/plan/2-goals-for-a-high-performance-america/; FCC NPRM regarding the high-cost program and Connect America Fund, available, http://www.fcc.gov/Daily_Releases/Daily_Business/2011/db0209/FCC-11-13A1.pdf.

to make such determinations but that it encourages tribal leadership to carefully consider the role of the tribal library where appropriate.

Anchor institutions and high-capacity broadband

As the Commission, ONAP and tribal libraries consider the role of anchor institutions in broadband deployment and adoption, ALA urges them also to take into account the difference in use between residential broadband and broadband connectivity necessary for the multi-user environments of anchor institutions. In libraries, for example, a patron may be searching for health information while another is streaming a news report, while another is filling out a job application, or chatting with a family member online. All of these simultaneous activities require robust bandwidth likely to be beyond the scope of the needs of individual residences. ALA firmly believes that access to high-capacity broadband should be such that it "is no longer perceived as the limiting constraint on what can be done over the Internet."[10]

Additionally, ALA respectfully reiterates a point made in the Schools, Health, and Libraries Broadband Coalition (SHLB) comments in the recent FCC proceeding on the reform of the Universal Service high-cost program and the creation of the Connect America Fund (CAF). The Commission is in a similar position in establishing a Native Nations Broadband Fund to serve tribal lands as it is in creating the CAF to serve rural and remote areas. In both instances, the proposed programs "may establish the framework for the distribution of support for high-cost areas [as well as in the instance of tribal lands] for much of the next century. It is thus extremely important for the Commission to incorporate the broadband needs of community anchor institutions at the front end of designing this framework. Once the framework is established, it may be much harder to add additional provisions to address anchor institutions' broadband needs later."[11] Regardless of how the fund is established community anchor institutions, including tribal libraries, should be included in build-out.

ALA's own comments in the FCC proceeding, *A National Broadband Plan for Our Future*, reiterate the value that serving libraries as one of many anchor institutions can bring to a community.[12] High-capacity broadband connections to anchor institutions ensure broadband availability for *all* area residents. In the case of tribal communities, where some estimate that more than 14 percent of native households on tribal lands have no access to electricity, anchor institutions, such as libraries, can provide the critical access these families are lacking.[13] In addition to providing no-fee physical access to computers and the Internet, libraries broker access to subscription electronic resources and fill a vital niche in supporting job searches, online

[10] Gillett, S., Lehr, W., and Osorio, C., *Local Government Broadband Initiatives.* http://www.broadbandcity.gr/content/modules/downloads/Local_Government_Broadband_Initiatives_(Gillett).pdf.
[11] *See*, Notice of Proposed Rulemaking and Further Notice of Proposed Rulemaking, FCC 11-13, released February 9, 2011. SHLB comments available, http://fjallfoss.fcc.gov/ecfs/document/view?id=7021239979.
[12] http://fjallfoss.fcc.gov/ecfs/document/view?id=6520219852.
[13] http://teeic.anl.gov/documents/docs/03-23-10_NWF_TribalLands_LoRes.pdf.

professional training and continuing education, access to government services, as well as providing the skills training to ensure people can utilize the available resources.

The state of broadband in tribal libraries

Unfortunately, tribal libraries are hampered in their abilities to serve their communities because of inadequate bandwidth. Many of the services other public libraries offer – including interactive homework help, digitized content, online reading groups and social networking – are stymied. Low bandwidth also is a limiting factor in the type of professional development opportunities library staff and other community members may pursue. In some cases, people cannot even receive attachments in email, making distance learning virtually impossible. Professionals also cannot meet online using now-common videoconferencing.

One library reports they cannot use the Internet on the days when the payroll checks are distributed because of insufficient bandwidth. Another library has four computers, but not enough bandwidth to support patron Internet use on all of them at the same time. Other tribal libraries may not even have their own website because there is simply not Internet available in the area. Inadequate bandwidth has led to real opportunity loss in many tribal areas.

A Native Nations Broadband Fund that includes anchor institutions such as tribal libraries would begin to address the gap in services library staff wish to offer and the reality of what they are limited to because of inadequate broadband connections.

Lessons learned from the Broadband Technology Opportunities Program (BTOP) and Broadband Initiatives Program (BIP)

Throughout the BTOP and BIP application process, in both Round One and Round Two, ALA worked with state library agencies, as well as submitting its own application in Round One. Now that the award period is over and grantees are implementing their projects, ALA continues to hear experiences from the field. Through this experience, ALA is well equipped to offer insight into the challenges library applicants faced as well as identify programmatic changes that improved the ability for libraries to participate in the second round. Such insight could be applied in the development of a targeted grant program that would be within the Native Nations Broadband Fund as recommended in the NBP.

Encouraging library and other anchor institution applications in any infrastructure grant program developed as part of the Native Nations Broadband Fund will result in bringing the benefits of access to high-capacity broadband to the greatest number of people – including the most vulnerable populations that need the extra support provided by libraries.

Challenges for applicants

Often libraries, especially small rural libraries, do not have direct experience with applying for federal grants, nor do they have dedicated staff that could oversee the application process. ALA heard from the field that many libraries considered applying but were overwhelmed by the requirements and short timeframe and simply chose not to apply in the first round or at all. Libraries reported that the time involved in developing a project, including establishing partners, seeking letters of support, and submitting the application in the online system was more than understaffed libraries could commit to in spite of the potential for receiving sorely needed funding.

ALA respectfully makes the following suggestions to consider in the development of a grant program for specific projects targeted at broadband deployment and adoption:

- Develop a clear and streamlined application process.
- Allow for sufficient beta testing of an online application process.
- Provide significant lead time between announcement of the call for proposals, the opening of the application process, and the final deadline.
- Recommend an adequate budget so that administrative and oversight costs of the grants are accounted for.
- Establish clear reporting requirements.
- Coordinate with other federal agencies that applicants may already have grants with to ensure respective program requirements do not conflict.
- Consider the practicality of a match requirement for libraries and other anchor institutions that have very limited ability to raise such funding.
- Consider weighing in-kind contributions on par with a cash match.
- Focus a sufficient percentage of the grant funds on a program that increases the capacity of anchor institutions that serve as Internet and computer access points similar to BTOP's Public Computing Center Program.
- Encourage applications that include a significant digital literacy and training component.

There were a number of successful support activities used by both NTIA and RUS during the application process. NTIA created and hosted an FAQ on the BTOP website, and both NTIA and RUS developed a number of program guidelines explaining the programs in detail. These documents were very helpful to applicants. Also helpful were the several in-person workshops that brought program officials into the field and allowed interested parties to ask questions and hear application tips. In-person workshops may be even more significant to applicants on tribal lands given that access to online resources is likely limited. Support activities such as these could be replicated in a grant program within a Native Nations Broadband Fund.

While there is always room for improvement, ALA commends NTIA for implementing a program that has enabled numerous libraries and other anchor institutions to improve access to

broadband facilities, increase the number of public access computers within their facilities, and/or initiate new and innovative digital literacy and broadband adoption projects. Such activities will make significant headway toward improving broadband access and usage across much of the country. ALA encourages the Commission to leverage the lessons learned by NTIA and its grantees during the stimulus program so that a Native Nations Broadband Fund can improve upon the solid start of BTOP.

Native Nations Adoption and Utilization

"Absent action, broadband adoption rates will continue to be uneven. Even if broadband reaches saturation in coming years, the aggregate adoption number may mask troubling differences along socioeconomic and racial and ethnic lines."[14]

Where do tribal lands fall on the broadband adoption continuum? As noted in the NBP, broadband adoption estimates, even when focused on particular demographics, do not provide reliable estimates for "certain population subgroups" in which category Native Americans fall.[15] As the Commission acts to correct the telecommunications inequity found across native nations, ALA supports the variety of paths the Commission has undertaken. Specifically, ALA is pleased that the Commission included an opportunity to comment on barriers to broadband adoption and utilization.

Access to broadband infrastructure – the network, hardware, and software – is only one side of the broadband equation. The Commission rightfully recognized in the NBP that broadband adoption requires a set of skills and competencies for individuals to derive the benefits touted by broadband advocates. The NBP states 22 percent of individuals who have not adopted broadband at home cite digital literacy-related issues as the primary barrier to going online. The implicit goal of the NBP is not to have the infrastructure in place to provide access to the Internet but rather to ensure that every individual can benefit from the resources made available by that infrastructure.

Historically, libraries have supported the development of the skills patrons require in searching for and retrieving information. In the digital information setting, libraries are no less active with 89 percent of libraries providing informal or formal technology training to patrons. Training ranges from formal classes to one-on-one sessions by appointment to informal, point-of use technology training assistance.[16] Necessary skills range from basic mouse and keyboard skills to establishing an email account to being able to evaluate websites for quality and authoritative information. With trained staff, free public Internet access and relevant electronic content,

[14] National Broadband Plan, Chapter 9- Adoption and Utilization. Available, http://www.broadband.gov/plan/9-adoption-and-utilization/.
[15] Ibid.
[16] Public Library Technology Landscape, p. 36. Available, http://www.ala.org/ala/research/initiatives/plftas/2009_2010/al_techlandscape.pdf.

libraries are uniquely situated to provide support for new and/or reluctant broadband users and are an invaluable community resource for adopters and non-adopters alike.

Libraries are also well situated to work with other tribal organizations as appropriate to develop digital literacy materials most relevant to each community. Community needs vary such that digital literacy training that focuses on job skills development might be most appropriate for one community, while in another the emphasis should be on developing materials in native languages or teaching Internet basics. ALA, in collaboration with AILA, encourages ONAP to engage with tribal libraries as a partner in supporting broadband adoption among tribal communities. Libraries know that to fully utilize the online resources available via a robust Internet connection, individual users must be equipped with 21st century literacy skills.

Unfortunately, tribal communities face social and economic challenges that exacerbate barriers to broadband adoption. Language barriers, high poverty, and low education levels all are factors that negatively correlate to broadband adoption – even when the service is readily available. Twenty-one percent of the native population speaks a language other than English at home, about 24 percent of the native population lived in poverty in 2009, and 16 percent of the native population obtained a bachelor's degree compared to 28 percent of the overall population.

Scammon Bay, Alaska – one tribal library's experience[17]

Scammon Bay Library serves a community of about 475 – including about 250 children – in southwestern Alaska, some 500 miles from Anchorage.[18] The village of Scammon Bay averages 65 inches of snowfall annually and severe winds limit accessibility during the fall and winter. The sea is often frozen over November through May. It is accessible by air and sea with snow machines or skiffs being the primary means of transportation. [19]

The Scammon Bay Library is open Monday through Friday and sees regular traffic from all ages of residents. Patrons use the library's two computers that currently have Internet access for a variety of activities – from looking for snow machines and outboard motors, searching for jobs and applying for public assistance, socializing with friends and family far away, to pursuing a college degree online.

Library Director Homer Hunter is one of the people taking classes to complete his degree. He hopes that by doing so he will inspire other people in the community to consider taking advantage of the library's computers and Internet access to further their education as well.

[17] Information from personal email and phone conversations with Homer Hunter, Director, Scammon Bay Library. May 2011.
[18] 2010 Census Redistricting Data (Public Law (P.L.) 94-171) Summary File—Scammon Bay city/prepared by the U.S. Census Bureau, 2011.
[19] http://www.commerce.state.ak.us/dca/commdb/CIS.cfm?comm_boro_name=Scammon%20Bay.

Mr. Hunter estimates that there might be 20 families who have a computer at home and the school has a computer lab with about 20 computers open to students, but many community members live below the poverty line and have come to depend on the library for use of the computers and access to the Internet. The library has two satellite dishes that provide the Internet access. Mr. Hunter reports that satellite service varies depending on which of two available providers is used. Satellite service is also weather dependent and Internet access slows or is adversely affected with cloudy or stormy skies. Mr. Hunter reports that there is often a waiting list for computer use, and he has sometimes limited use to half-hour sessions. Given the two computers, there are often three to five people waiting, and Mr. Hunter would like to add up to six more computers to accommodate his patrons but is unable to do so because of the additional costs involved.

Some of the people who come to the library need help with basic computer skills including how to boot the computer and use the keyboard. Mr. Hunter is hoping to start a program for adults that would increase their comfort with and ability to use the computer. He also hopes to help his patrons learn how to search online more effectively so that they can find the best resources to meet their needs. Mr. Hunter noticed that most people go online with a specific need in mind – looking for work or communicating with people in distant places, for example. Whatever the motivation, he would like to be able to provide both the physical resources, the computer and the Internet connection, and the support the development of the digital literacy skills his patrons need to accomplish their goals.

In addition to using the computers, the library serves as a meeting space for the community including the Environmental Committee that used the library for its monthly meetings. The library also serves as a resource center for the local Head Start program. Mr. Hunter borrowed tubs of books from the Anchorage Public Library and in turn loaned them to Head Start Parents. Scammon Bay Library plays an important role in this remote community – providing a social gathering place, educational resources for families, and access to computers and the Internet, including the support some patrons need in developing necessary digital literacy skills. Mr. Hunter provides his community with these resources and also serves as a role model, encouraging his patrons to take advantage of the many resources made available through broadband enabled Internet access.

Research and data Native Nations

ALA respectfully suggests that ONAP use the opportunity presented by the NOI to develop a clear and concise matrix for tracking broadband use and adoption on tribal lands. ONAP should make the results of information collected publically available. Finally, ONAP also should consider overseeing research that details the best practices of both native and non-native telecommunications providers that either already deliver services to tribal communities or that begin as a result of a Native Nations Broadband Fund or other such initiative by the

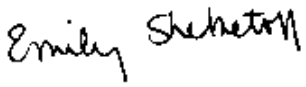
Commission. Broadband usage and availability data would benefit many tribal and non-tribal organizations but is sorely lacking for native nations.

Conclusion

ALA recognizes the role of the library in its community varies, as do the programs libraries offer their communities. Library services are patron driven in that libraries respond to the needs of their patrons and develop programs and services to support these needs. At the core of library service, however, is providing the community with equitable access to information – in all formats.

As the Commission investigates the myriad of issues regarding the telecommunications landscape for native nations, ALA suggests that the tribal library can be a partner in digital literacy efforts, as well as serving as a trusted anchor institution to be included in broadband build-out initiatives.

Respectfully submitted in consultation with the American Indian Library Association,



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