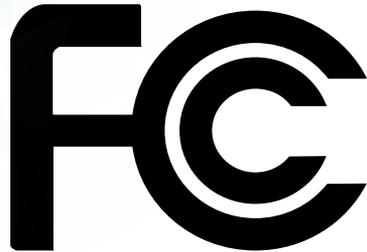




FCC Overview



NTTA Tribal Broadband Summit
Phoenix, AZ

September 20, 2022

Barbara Esbin, Deputy Chief
Consumer and Governmental Affairs
Bureau*

**The views expressed in this presentation are those of the author and may not necessarily represent the views of the Federal Communications Commission*

AGENDA

- Federal Communications Commission (FCC) Organization
 - Agency mission, governance, and structure
 - Office of Native Affairs and Policy (ONAP)
 - Native Nations Communications Task Force
- Rulemaking Authority
 - Substantive areas and enforcement
 - How rules are made
 - Rulemaking terminology and process

FCC ORGANIZATION

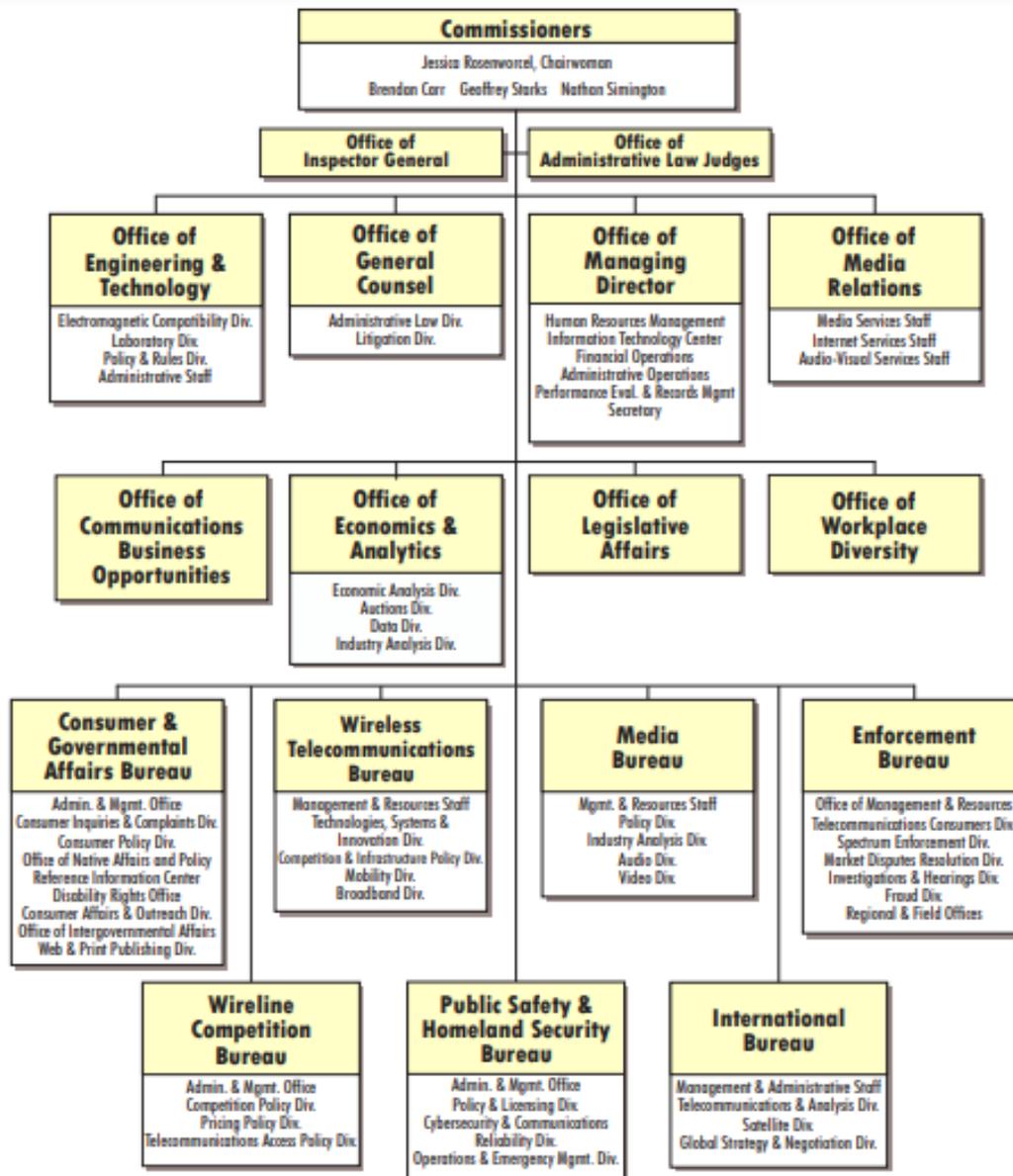
THE FCC'S MISSION

- The Federal Communications Commission is an independent administrative agency overseen by Congress
 - Responsible for implementing and enforcing U.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 telephone, broadcast TV and radio, as well as satellite, and cable TV

FCC GOVERNANCE AND STRUCTURE

- Five Commissioners
 - President nominates; Senate confirms
 - Appointed to fill five-year terms
 - No more than three from the same political party
 - President selects one Commissioner to be Chair
- Divided into Bureaus and Offices
 - 7 Bureaus: Consumer and Governmental Affairs, Enforcement, International, Media, Public Safety, Wireless, Wireline
 - 10 Offices: *e.g.*, General Counsel, Legislative Affairs, Managing Director, Engineering and Technology

FCC ORGANIZATIONAL CHART



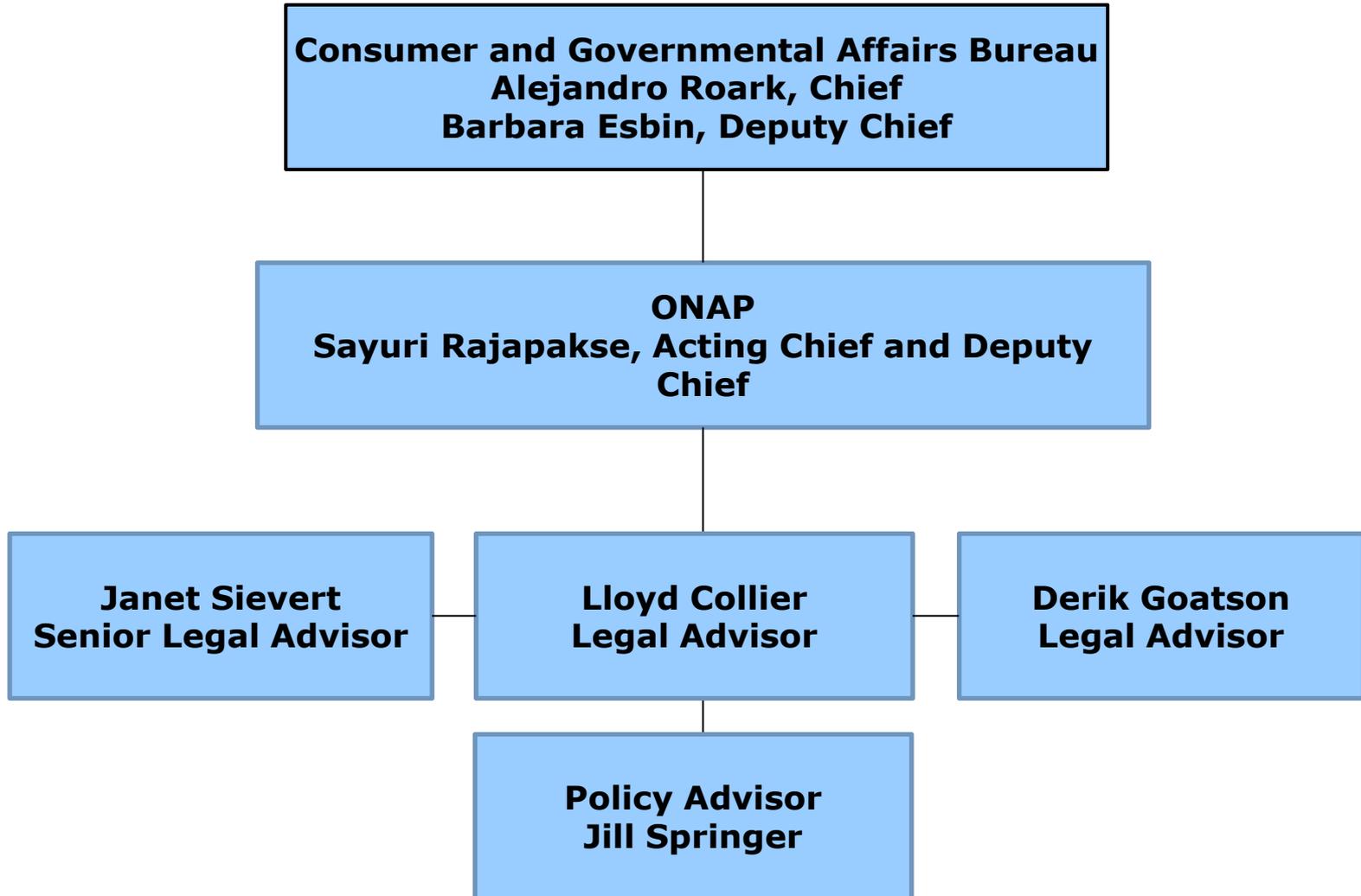
OFFICE OF NATIVE AFFAIRS AND POLICY

- ONAP created by Commission in 2010
- Part of Consumer and Governmental Affairs Bureau's oversight of inter-governmental affairs
- Created to serve as the official Commission liaison for ongoing consultation, coordination, and outreach to the American Indian, Alaska Native Village, and other Native communities
- Charged with bringing the benefits of modern communications infrastructure to all Native communities

ONAP'S MISSION

- Ensuring robust government-to-government consultation with federally recognized Tribal governments
- Working within the Commission, as well as with other government agencies, to develop and implement policies for assisting Native communities
- Ensuring Native concerns and voices are considered in all relevant Commission proceedings and initiatives
- Representing the Commission's positions on matters of interest to Tribal entities

ONAP ORGANIZATIONAL CHART



NATIVE NATIONS COMMUNICATIONS TASK FORCE

- Originally created in 2011 as the Native Nations Broadband Task Force
- In 2018 the Task Force was renewed and renamed to reflect its involvement in a broader set of issues
- Latest version formed in November 2018
 - Operations governed by FCC Public Notice
 - Three-year term with two in-person meetings annually – once in DC and once in Indian Country – supplemented with regular virtual meetings; current term extended through October 2022
 - Up to 25 Tribal and eight FCC members appointed to represent a diversity of views and expertise
 - Tribal Co-Chair is Sam Cohen, Santa Ynez Band of Chumash Indians and Tribal Vice-Chair is Allyson Mitchell, St. Regis Mohawk Tribe; FCC Co-Chair is Sayuri Rajapakse

NATIVE NATIONS COMMUNICATIONS TASK FORCE

- Tasked at first meeting with providing guidance, expertise, and recommendations on specific communications issues affecting Tribal governments and communities
- Input intended to inform and advance the Commission's efforts to ensure the availability of communications services and broadband deployment to all Americans by closing the digital divide with Indian country
- Tribal members have produced three reports available on the [NNCTF webpage](#)

NATIVE NATIONS COMMUNICATIONS TASK FORCE REPORTS

- The first, [Improving and Increasing Broadband Deployment on Tribal Lands](#), identified and offered recommendations to overcome obstacles to greater broadband deployment and adoption on Tribal lands.
- The second, [Recommendations for Improving Required Tribal Engagement Between Covered Providers and Tribal Governments](#), made recommendations for improving engagement between high-cost recipients and the Tribal governments they serve.
- The third is a [Handbook on Infrastructure Deployment on Tribal Lands](#), intended to inform Tribes considering self-provisioning broadband and third-party providers considering or serving Tribal lands about the various steps involved in broadband deployment including developing networks, forming partnerships, establishing sound regulatory policies and practices, and creating sustainable business models.

RULEMAKING AUTHORITY

FCC RULES

- The FCC establishes and enforces rules based on the substantive areas outlined in the Communications Act
 - The agency's organization broadly mirrors the structure of the Act
 - Different bureaus for different services & technologies regulated under separate Titles of the Act – *e.g.* wireline/wireless/media
 - The Enforcement Bureau ensures the compliance of licensees, permittees, and other regulated entities
- The FCC also adopts rules and policies administered by outside entities such as the Universal Service Administrative Company (USAC)
 - For example, the FCC adopts the policies and rules governing the Universal Service Fund (USF), as authorized by Congress
 - USAC administers USF programs and funding on behalf of the FCC

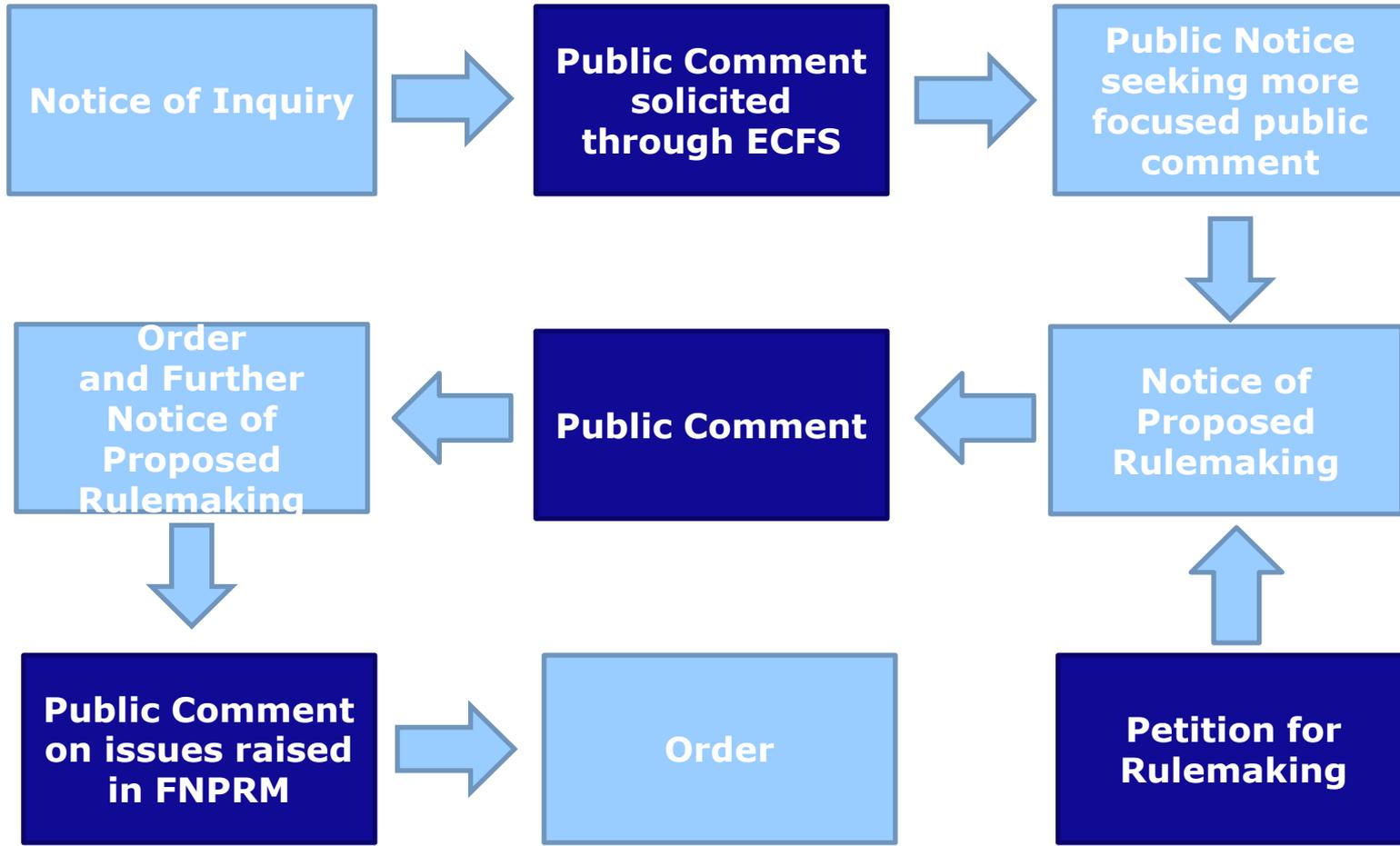
HOW THE FCC MAKES RULES

- Rulemaking is a process for developing and issuing rules and regulations that can lead to:
 - The issuance of a new rule
 - An amendment to an existing rule, or
 - The repeal of an existing rule
- The FCC makes rules for three main reasons:
 - Congress requires the FCC to make a rule
 - The FCC identifies a problem within its delegated authority the rule is intended to fix
 - The public petitions the FCC to make or change a rule

FCC RULEMAKING TERMINOLOGY

- Notice of Inquiry (NOI)
- Petition for Rulemaking
- Notice of Proposed Rulemaking (NPRM)
- Further Notice of Proposed Rulemaking (FNPRM)
- Public Notice (PN)
- Order

THE RULEMAKING PROCESS



FCC HOMEPAGE



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CATEGORY

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[About the FCC](#)

[Proceedings & Actions](#)

[Licensing & Databases](#)

[Reports & Research](#)

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Headlines

Daily Digest

August 3, 2022 - R&O/NPRM

FCC Updates 17 GHz Rules to Support Spectrum for Satellite Broadband

August 3, 2022 - Sunshine

Deletion of Item From August 5, 2022 Open Meeting

August 2, 2022 - News Release

FCC, NTIA Sign New MOU on Spectrum Coordination

[Related Materials >](#)

August 1, 2022 - News Release

FCC Fines Electronics Marketer for Selling Noncompliant Wireless Mics

[Related Materials >](#)

[More Headlines](#)

Featured

988 Suicide & Crisis Lifeline

988 is now available nationwide to connect to mental health professionals via the 988 Suicide and Crisis Lifeline.

[Learn more](#)



Access Now

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PSIX-ESIX

Interference Complaints

ECFS

Electronic Comment Filing System

EDOCS

Commission Documents

ULS

Universal Licensing System

FRN

FCC Registration Number

Auctions

Spectrum Auctions

File a Consumer Complaint

File a Public Comment

File a Public Safety Report

NPRM EXAMPLE

Federal Communications Commission

FCC 21-107

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

In the Matter of)
)
Schools and Libraries Universal Support) CC Docket No. 02-6
Mechanism)
)
)
)

NOTICE OF PROPOSED RULEMAKING

Adopted: September 30, 2021

Released: October 1, 2021

Comment Date: (30 days after date of publication in the Federal Register)

Reply Comment Date: (45 days after date of publication in the Federal Register)

By the Commission: Acting Chairwoman Rosenworcel and Commissioners Carr and Starks issuing separate statements.

I. INTRODUCTION

1. The E-Rate Program¹ provides support to ensure that schools and libraries can obtain affordable, high-speed broadband services and internal connections to connect today's students and library patrons with next-generation learning opportunities and services. Today, we propose to update the definition of library in the Commission's rules to provide clarity regarding the eligibility of Tribal libraries and promote increased participation of underrepresented Tribal libraries in the E-Rate Program. In doing so, we seek to address a longstanding issue that has impeded Tribal libraries in seeking E-Rate support.²



QUESTIONS?

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