

To tribal leaders, emergency managers, and friends,

Re: *Telecommunications, FCC, and First Net*

The President has presented requests for the reclassification of the internet as a utility service under Title II of the Telecommunications Act. The plan proposes that the Federal Communications Commission enforce robust regulations to protect net neutrality and preserve an open internet.

This proposed change would clearly place the internet under the FCC's authority. This decision is ultimately up to the FCC, which is an independent regulatory agency that is insulated from White House pressure and is not bound by the President's requests.

This issue could have an impact on tribal public safety communications and tribal access to telecommunications and emergency management resources via the internet.

Key Questions:

How do we ensure continued tribal input and input from other tribal organizations?

- How does this apply to tribal emergency telecommunication needs via the FirstNet project? (See link below for information on the FirstNet project.)
- Would a legal opinion on the current Stafford Act Law, section 308 (see link below), in support of equal tribal access to emergency disaster services, aid, or benefits, *to include telecommunications needs*, be helpful?
- Would a comparison of the FirstNet broadband proposals and the Telecommunications Act under the recently proposed White House plan be helpful for tribal leaders to consider comments on?

Background Links:

Listen to a discussion of the issues that aired on the Diane Rehm Show on November 12, 2014: http://thedianerehmshow.org/audio/#/shows/2014-11-12/the_ongoing_debate_over_net_neutrality

President's position on this issue: <http://www.whitehouse.gov/net-neutrality>

FCC Press Release: FCC Chairman Tom Wheeler's Statement on President Obama's Statement Regarding Open Internet: <http://www.fcc.gov/document/chairman-wheeler-stmt-president-obamas-stmt-open-internet>:

Robert T. Stafford Act Amended April 2013: http://www.fema.gov/media-library-data/1383153669955-21f970b19e8eaa67087b7da9f4af706e/stafford_act_booklet_042213_508e.pdf

FirstNet: <http://www.ntia.doc.gov/page/about-firstnet>

I look forward to hearing your thoughts.

Respectfully,

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