

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

In the Matter of)	
)	
Lifeline and Link Up Reform and Modernization)	WC Docket No. 11-42
)	
Lifeline and Link Up)	WC Docket No. 03-109
)	
Federal-State Joint Board on Universal Service)	CC Docket No. 96-45
)	
Advancing Broadband Availability Through Digital Literacy Training)	WC Docket No. 12-23
)	

**OPPOSITION OF
THE GILA RIVER INDIAN COMMUNITY AND
GILA RIVER TELECOMMUNICATIONS, INC. TO THE PETITION FOR
RECONSIDERATION FILED BY THE UNITED STATES TELECOM ASSOCIATION**

The Gila River Indian Community (“GRIC”) and Gila River Telecommunications, Inc. (“GRTI”), by its attorneys, hereby submit this opposition in the above-referenced proceeding in which the Federal Communications Commission (“FCC” or “Commission”) seeks comment¹ on the eight petitions for reconsideration of its order to reform the Lifeline and Link Up programs.²

Specifically, GRTI and GRIC oppose the request of the United States Telecom Association (“USTA”) for reconsideration of the rules requiring eligible telecommunications

¹ *Petitions for Reconsideration of Action in Rulemaking Proceeding*, WC Docket Nos. 12-23, 11-42, 03-109, CC Docket No. 96-45; Public Notice, Report No. 2948 (CGB rel. Apr. 5, 2012).

² *Lifeline and Link Up Reform and Modernization, et al.*, Report and Order and Further Notice of Proposed Rulemaking, WC Docket Nos. 11-42, 03-109, 12-23, CC Docket No. 96-45 ¶ 1 (rel. Feb. 6, 2012).

carriers (“ETCs”) to “provide various reports to tribal governments.”³ According to USTA, these rules will be problematic because “ETCs do not have contact information for each particular tribe,” and “[e]ven where they have such information, it may not be clear to an ETC which tribal representative should receive the information.”⁴ GRTI and GRIC disagree with USTA’s assessment.

As an initial matter, it is very easy to obtain contact information for a particular tribe. Almost all tribes have a head administrator (i.e., governor, president, chief, etc.) and/or council to which an ETC may provide information. For example, the GRIC has both a Governor and a Council. Moreover, the overwhelming majority of tribes have a website⁵ or can be located, and in some instances contacted, through social media sites.⁶ In addition, each ETC serving a tribal land should hold a business license issued by the tribe served by such ETC.⁷ In almost all such circumstances, the business license will provide a point of contact. Consequently, obtaining contact information for a particular tribe is not difficult.

Further, identifying the appropriate tribal representative to receive the required information is not difficult. By reaching out to tribal governments in advance of reporting deadlines, ETCs will be available to identify the appropriate representative to provide the relevant information.

³ Petition for Reconsideration and Clarification of the United States Telecom Association, WC Docket Nos. 12-23, 11-42, 03-109, CC Docket No. 96-45, at 16 (filed Apr. 2, 2012) (“USTA Petition”) (citing 47 C.F.R. §54.420(a)(4), 54.416(b), 54.410, and 54.422).

⁴ *Id.* at 17.

⁵ See, e.g., Gila River Indian Community Homepage, www.gilariver.org.

⁶ See, e.g., Facebook: Gila River Indian Community, www.facebook.com/gilariver

⁷ See *Connect America Fund, A National Broadband Plan for Our Future, et al.*, WC Docket Nos. 10-90, 07-135, 05-337, 03-109; CC Docket Nos. 01-92, 96-45; GN Docket No. 09-51; Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663, at ¶ 637 (2011) (requiring communications providers to comply with tribal business and licensing requirements).

The Lifeline program serves a vital function on tribal lands.⁸ As is well documented, residents of tribal lands are the least connected group in the United States. By requiring ETCs to engage tribal governments, the Commission will ensure that the Lifeline program better meets the needs of this group.⁹

Unfortunately, the USTA Petition requests that the Commission reduce tribal engagement rules, as opposed to strengthen them. Because USTA's reasoning for such a reduction is not supported by the facts as demonstrated herein, the Commission should reject USTA's request for reduced tribal engagement.

Respectfully Submitted,

The Gila River Indian Community and Gila River Telecommunications, Inc.

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⁸ Comments of the National Congress of American Indians, WC Dockets Nos. 12-23, 11-42, 03-109, and CC Docket 96-45, at 5 (filed Apr. 2, 2012) (“NCAI Comments”) (discussing the importance of Lifeline in Indian Country).

⁹ *See id.* at 3-4 (recommending that the FCC strengthen the tribal engagement provisions to ensure ETCs meaningfully engage with tribes to ensure tribal citizens are eligible to participate in the Lifeline program).

