



*Nez Perce*

**TRIBAL EXECUTIVE COMMITTEE**  
**Office of Legal Counsel**

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June 15, 2012

National Telecommunications and Information Administration  
United States Department of Commerce  
HCHB Room 4812  
1401 Constitution Avenue NW  
Washington DC 20230

Transmitted via email: [SLIGP@ntia.doc.gov](mailto:SLIGP@ntia.doc.gov)

Re: RIN 0660-XC001  
Development of the State and Local Implementation Grant Program for the Nationwide  
Public Safety Broadband Network

Dear Ms. Pettus:

The Nez Perce Tribe has the following comments regarding the Department of Commerce's development of the state and local implementation grant program for the Nationwide Public Safety Broadband Network.

**Leveraging existing Infrastructure**

With regard to the questions about leveraging existing infrastructure the Tribe believes Section 6206(b)(1)(B) of the act directs FirstNet to issue RFPs to private operators; the Tribe would comment that it could also include Tribal networks that are operated across the Reservation as eligible respondents. If present, First Net should require the use of existing infrastructure. States can 'plan' for this integration by utilizing the national broadband mapping data, the FAA Tower database, FCC tower registration and licensing system to identify where the infrastructure exists in addition to basic outreach to tribes.

States have not been good to date at being clearinghouses for infrastructure and in addition management and maintenance staff support is unlikely to be consistent under this scenario. Setting up a clearinghouse should not be a part of the grant without long term commitments to maintain the database.

#### State & Local Grant Activities

The PTFP program under NTIA has a great streamlined reporting mechanism that is much better than that BTOP PAMS system for reporting, the Tribe recommends Dept of Commerce consider using this mechanism (construction schedule; equipment list and narrative reporting is very smooth there).

When examining eligible activities the focus should be on implementation and not so much planning for grant funds; planning could be a match eligible expense. However, NEPA work for construction would be a wise use of funds to keep implementation projects from being delayed; so, equipment purchase (on tower as well as in vehicle and relevant back end support servers); lease for collocation and power development (particularly in rural/remote regions) to towers

Funding data gathering on existing infrastructure would also be a wise use of monies as well as funding positions to manage. For example, funding to help cover costs during construction and implementation would be useful

#### Factors to consider to help ensure rural coverage

The final analysis should not have points based on persons per sq mile or crime rates per capita (rural areas would lose out to cities) Also it is not recommended to have points be based on current mobile availability unless it can be demonstrated that interoperability agreements have been established with providers. In addition, do not limit eligible areas to census incorporated communities – rural/remote areas are where our people live and patrol and these are the places without consistent connectivity

State Broadband Initiative (BTOP/BIP) recipients should be included in the process. These recipients are required to offer middle mile bandwidth at reasonable costs and for the wireless infrastructure project the SBI funds constructed towers that should have room for public safety equipment.

Also, SBI state designated coordinators could act as facilitators to bring together statewide but they are facilitators and not to be considered experts in the technology or capable of delivering a service.

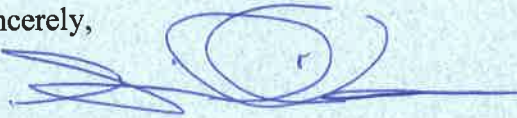


## Funding distribution

NTIA First Net could allocate a set portion for tribal, rural and urban applicants. This should prioritize areas with no current public safety mobility access. Also, phased distribution would enable projects that could utilize existing infrastructure to move fast and then phase in expansion to more rural remote areas where perhaps towers would need to be constructed. It is also recommended to allow in kind matching for activities such as planning/NEPA clearance for construction, collocation fees, site access fees, backhaul connection fees and network management.

Thank you for the opportunity to provide comments on the development grant program. The Nez Perce Tribe has worked hard to improve broadband availability on the Nez Perce Rerervation and work in this area is a priority for the Tribe.

Sincerely,

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke at the end.

Silas Whitman  
Chairman