



COEUR D'ALENE TRIBE

CHIEF J. ALLAN CHAIRMAN
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Scott Blake Harris
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Director, National Spectrum Strategy
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April 21, 2023

RE: National Spectrum Strategy Tribal Consultation

Dear Director Harris,

The Coeur d'Alene Tribe will echo the sentiments of other tribes in calling for improved federal administration of spectrum allocation in Indian Country. As others have correctly pointed out, spectrum is a natural resource present upon Indian Lands that tribes never gave up and the United States should treat it as any other trust resource. Further, the Coeur d'Alene Tribe strongly favors the proven model of tribal self-governance in spectrum allocation and management, just as in any other area of natural resource administration or regulation. Tribes are in the best position to determine how resources should be allocated and managed on their homelands, having occupied them since time immemorial. Time and again, the United States has proven its inability to properly manage resources when it imposes its will upon tribes rather than empowering them to make the best decisions for their communities.

Tribal communities have a long history of being left behind while the United States has exploited their lands and resources. Sadly, the spectrum story echoes the same refrains in Indian Country as the land, water, fish, wildlife and air that big corporate interests conspired to steal from tribes with the help of the United States. The FCC has repeatedly allowed big telecommunications companies to take spectrum in Indian Country, while tribes have been limited to small slices of spectrum and only within reservation boundaries. We would remind the FCC and NTIA that tribes reserved to themselves all rights that were not explicitly taken from them when reservations were formed, including spectrum and request that those rights be recognized and respected.

In this era of increasing dependence on broadband access for economic development, education, healthcare and day-to-day living, spectrum allocation and management become all the more important. For this reason, it is critical to provide tribal communities the best possible regulatory environment for broadband access to thrive—which clearly means empowering their own tribal governments to steward the resource. Tribes should have priority in spectrum allocation! This should be the case not only in allocating the spectrum resource, but also in decisions on tower placement and reallocation of unused or underused spectrum in Indian Country.

In addition, the FCC and NTIA should fund the efforts of tribes to ensure the success of these endeavors—just as the federal government has repeatedly done for the big telecommunications companies that occupy tribal lands without the permission of the tribes. The FCC has a long history of subsidizing big telecom companies to take spectrum from tribes and provide telecom and broadband access in rural areas. Often those efforts have failed because outsiders have not had familiarity with our lands and people, leaving native communities worse off than they were to start. Clearly, the Tribes are in the best position to manage the provision of those services to their communities and it is time the United States recognized that and empowered them to do so.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chief Allan", with a long, sweeping horizontal flourish extending to the right.

Chief Allan, Chairman