

**NSS Tribal Session – First Session, April 18, 2023
Transcript**

00:00:20.830 --> 00:00:37.159

Adam Geisler: All right. Welcome, everybody. We are just going to give it a couple of minutes. We'll get started at two o'clock, after the top of the hour. I will just let everybody trickle in here for a moment. Thank you for joining us.

00:01:22.880 --> 00:01:29.970

Adam Geisler: Welcome, everybody. We're going to get started at two minutes after the top of the hour, just letting folks make their way in here to the room.

00:01:30.940 --> 00:01:33.429

Adam Geisler: We'll be good to start here in just another minute. Thank you.

00:02:04.460 --> 00:02:23.710

Adam Geisler: Well, I think we have now reached the two minutes after the top of the hour. Looks like we're close to critical mass here, so we're going to go ahead and get things started. My name is Adam Geisler, and I am the division chief for the Tribal Connectivity and nation-to-nation coordination division here at NTIA. I'm here today in partnership with another one of our business units, NTIA, which is working on the National Spectrum Strategy.

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Adam Geisler: So, today we are going to be engaging in a government-to-government tribal consultation, to further the efforts around the National Spectrum Strategy.

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Adam Geisler: So, we're going to go ahead and go to the next slide, and I'm just going to give a couple of disclaimers as we get going.

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Adam Geisler: So, as I had mentioned. This is a government-to-government tribal consultation. So, I am going to ask that if you are not a tribal leader, or if you do not have the designation to speak on behalf of the tribe, then I'm going to ask you to go ahead and leave.

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Adam Geisler: This consultation is meant to be an interaction between the United States Federal Government and federally recognized tribes at a government-to-government level. I do recognize we have some of our federal partners on the line. Obviously, we view you as part of the Federal Government. However, again, if you do not have the authority to speak on behalf of your tribe, then I am going to ask you to leave the consultation at this time.

00:03:46.960 --> 00:04:14.830

Adam Geisler: All right. I think we have our housekeeping in order as to who's supposed to be in the room, so we'll go ahead and get started. We'll go over the agenda quickly for today's consultation: we have a two-hour window today, and we have a two-hour window on [April] 20th. It will be the same topic – same everything. If you're not prepared to provide comments today, you can absolutely come back on Thursday, and then we'll talk at the end about written responses, which we'll also do to close the business on Thursday.

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Adam Geisler: We are really privileged to have a well-respected leader out in Indian country joining us today for the invocation and prayer: Mr. O. J. Semans from the Coalition of Large Tribes. We'll then jump into a welcome from the broader team here at NTIA. We'll provide some background on the National Spectrum Strategy. We'll then get into the questions that were sent out through the "dear tribal leader" letter, and as usual, we'll go through them. We'll give an overview of those questions, and then we're going to go one by one for each of those questions, and then at the end again, we have some additional housekeeping that we'll just make sure everybody's on the same page with as we adjourn the meeting today. So, we'll go ahead and move on to the next slide, please.

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Adam Geisler: All right. Well, without further ado, again, I want to thank Mr. O. J. Stevens, who is the executive director of the Coalition of Large Tribes. He's also a Rosebud Sioux tribal member, as well. Mr. Stevens, thank you again for joining us today and being willing to provide us with the opening invocation and prayer to get us started in a good way, as we do our consultation.

[Invocation not recorded.]

00:05:25.000 --> 00:05:31.409

Adam Geisler: Thank you, Mr. Stevens again for providing us those opening remarks and prayer and getting us started in a good way.

00:05:31.420 --> 00:05:47.289

Adam Geisler: So, as I mentioned at the top, we're doing this in tandem here today within the NTIA family, and as I mentioned, we have a spectrum shop here at NTIA, and so with that I'll go ahead and turn it over to Mr. Scott Harris, who is the director of the National Spectrum Strategy, and Scott, if you don't mind introducing the rest of the team there that you have in the room. Over to you.

00:05:56.500 --> 00:05:58.010

Scott Harris: Adam, Thank you and welcome to everyone. Thank you for joining us today. My name is Scott Harris. I'm a senior spectrum adviser at NTIA, and I am the director of the National Spectrum Strategy, which is why I'm leading the discussion today, and I'll let my colleagues here introduce themselves. Paul, do you want to go first?

00:06:13.670 --> 00:06:29.050

Paul Ransom: Sure, thanks. First of all, good afternoon or good morning to the tribal leaders and the representatives. My name is Paul Ransom, and I'm a senior technical expert here in the Office of Spectrum Management here at NTIA. As a technical lead for the National Spectrum Strategy drafting team, I'm thrilled to participate in this consultation with your respective nations. I look forward to this meeting and your input on the National Spectrum Strategy, which will be instructive and provide valuable insight for our team. Thank you for this opportunity to meet with you guys.

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Scott Harris: Derek.

00:06:52.830 --> 00:07:11.269

Derek Khlopin: Thank you. I'm Derek Khlopin, and I'm the Deputy Associate Administrator for spectrum planning and policy in NTIA's Office of Spectrum Management. I am very thankful for all of you joining us on

both days. We're very excited about the participation level. We're looking forward to your input as we go through this process.

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Scott Harris: We are also joined online by Matt Pearl, who is the director of emerging technology on the staff of the National Security Council at the White House. Matt, if you can hear us, can you give us a couple of words that you'd like to say, or just to say Hello!

00:07:35.580 --> 00:07:42.220

Matt Pearl: Yes, sure can. Can you hear me, Scott? Can folks hear me?

Scott Harris: We can. You're coming through nice and loud and clear.

00:07:42.230 --> 00:08:05.669

Matt Pearl: And I apologize to everyone that the facility I work in does not allow me to turn on my camera, which has been disabled. So, I apologize for that. But I did just want to say, on behalf of the White House, how wonderful this is, and how much we look forward to the conversation.

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This is a priority for President Biden – both the National Spectrum Strategy as well as incorporating tribal equities into the National Spectrum Strategy. This is an opportunity not only to listen and to learn, but also to have this feed into our decision-making and to work with you all on that. So, I really look forward to the conversation, and how excited we are, and the turnout – I really appreciate your participation in this event.

00:08:38.840 --> 00:08:42.950

Scott Harris: Thank you, Matt. Sean, can we go on to the next slide? So, I'm going to begin by talking a little bit about the spectrum strategy – both the process and the substance – then I'll turn to some questions, so that we can get advice and guidance from you. Then we'll open it up to any other suggestions you might have for us (next slide).

00:09:05.240 --> 00:09:10.050

Scott Harris: So, look, access to the radio spectrum is needed for all wireless communications. It's needed for weather forecasting. It's needed for location services. It's needed for space exploration. It's needed for aviation safety and many other critical parts of our lives. The demand for spectrum access is dramatically increasing from both the public sector and the private sector, caused by everything from smart cars to moon missions. So, we need to find ways to increase access to spectrum.

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Scott Harris: With that in mind, the White House has asked us to develop a National Spectrum Strategy, with the goal of finding additional spectrum access for both the public and the private sectors (next slide). So why us? NTIA is the principal adviser to the President on telecommunications and spectrum issues, and we license all Federal Government spectrum use.

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Scott Harris: We will work closely in this endeavor. The development of a National Spectrum Strategy should involve the Federal Communications Commission, all of the other executive branch agencies that use spectrum, and, we believe, tribal nation partners. That is why we're here today and why we'll be holding another consultation on Thursday.

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Scott Harris: (Next slide) So, what is the process? We began with the public request for comments, asking lots of questions. You've all been provided with a copy of that public request we did. We held two public listening sessions, and then we also held one closed listening session with the Federal agencies. And, of course, now we have the tribal consultations.

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Scott Harris: So, what do we want to accomplish? We want to identify spectrum bands that can be studied for more intensive use. We want to improve the way Federal agencies work together and the way the private sector and the public sector work together on spectrum planning, including tribal nations. We want to learn how technology can improve access to spectrum.

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Scott Harris: We want to learn anything else, from workforce development to permitting to whatever else we should be thinking about. We can learn about ways to improve access to spectrum for all Americans. And again, we have a particular focus on tribal nations. Okay. Hey, Derek?

00:12:12.670 --> 00:12:17.000

Derek Khlopin: Thank you, Scott. We're really looking forward to jumping right into these. And I know we will get great input. I won't read all these questions. Our plan is to go through each of these one by one, and we'll work through those after we introduce the speakers. Just so you know, we've timed it out, and we're thinking we'll have about twenty minutes for questions. So, we'll try to keep this flowing, and you know, without further ado, let's jump right into it. Unless Adam, you had any more comments you want to make before we jump in?

00:12:46.800 --> 00:13:05.020

Adam Geisler: Just one. Thanks, Derek. I think we're going to go through each of these questions one at a time. So many of you will likely respond to each of these. We'll hear from you more than once, right? Because there's multiple questions here today. And then I wanted to reiterate Derek's point that we have two two-hour windows. We do want to ask you to be respectful of other tribal leaders or folks that are providing comments today. And if you could, please try to respond to each of these in around a two-minute timeframe or less.

00:13:18.230 --> 00:13:26.800

Adam Geisler: We also don't want to limit conversation, either. So, I guess that's the disclaimer. I just want to get that out there, Derek, and I think we're able to jump into it.

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Derek Khlopin: Excellent, great. Thank you, Adam. So, the first question we have teed up here is, how could transparency and communication related to spectrum allocation decisions be improved to increase tribal nations' trust in the process.

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Adam Geisler: So, the way that we're going to do this today, everybody, is to use the raise-hand feature.

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Adam Geisler: We'll go ahead, and if you can raise your hand, we'll put you in the queue. We have a couple of folks helping us: Mr. Matthew Rogotzke and Ms. Maci Morin are helping us out on the back end here. So, if you don't mind raising your hand, we'll put you in the queue, call on you, and then we'll take you off of mute.

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Adam Geisler: So, the first question we have here is, how could transparency and communications related to spectrum allocation decisions be improved to increase tribal nations' trust in the process? It's a trust question.

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Adam Geisler: We'll give it just a moment for folks to go ahead and use the raised-hand feature.

00:14:50.190 --> 00:14:51.489

Adam Geisler: All right, Matt. Looks like you guys. . .

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Adam Geisler: Yeah, we do. Yep, from Mr. O. J. Semans.

00:14:56.280 --> 00:15:10.620

Adam Geisler: Wonderful! All right, Mr. Semans, we're going to go ahead and take you off mute, and if you could — and I know we captured this at the beginning — but for the record, could you just please again stage your name and which tribe you're representing?

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Adam Geisler: And if there's any unique spelling we need to be cognizant of, if you wouldn't mind spelling out anything that we might have a hard time spelling on our own later for the transcript.

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Adam Geisler: Let's go ahead and take OJ off mute if we could.

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Adam Geisler: Okay. . .technology is always fun, it's both a blessing and a curse.

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OJ Semans: Whoa! There's been quite a few agencies that have been dealing with tribes, and some of them are like on grant applications and whatnot. But I really think that in the process of dealing with spectrum, that they be reminded of the areas that they are in actual contact? Or have the individuals apply in the application, certify that they have talked with the tribes, or that the agency itself contacts the tribe and in the spectrum's bad deal around tribal land. Thank you.

00:16:33.040 --> 00:16:50.359

NTIA: Okay, so let me make sure I understand. So, you're suggesting that there are applications for spectrum licenses that might impact tribal lands, or it might be to allow access to the land. The tribes should be informed of such applications at the time they're made, or at the time they're granted.

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OJ Semans: Yes, and they should actually allow for comment just to give you an idea what we pay. Sometimes a spectrum is actually given, and the tribes really have no access to it, or they are not provided any type of information how it could be a positive impact or adverse impact on him. So, there are real issues out there where tribes actually should be notified in at least being allowed to comment.

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Scott Harris: That's very helpful. Thank you. We will certainly take note of that.

00:17:37.560 --> 00:17:50.330

Adam Geisler: Great. I think, for clarification purposes, I think we read you. Thanks, Scott, for reiterating to make sure we heard things correctly. And it's O. J. And then Semans: S. E. M. A. N. S. Senior. Correct.

00:17:51.400 --> 00:18:00.510

OJ Semans: I'm sorry about that. Yeah. This is OJ Semans. I am the executive director of the Coalition of Large Tribes, which consists of 51 tribes that have a land mass of 100,000 acres. Of the 574 tribes, only 51 tribes meet those criteria. And those 51 tribes control approximately 95 percent of all tribal lands in the lower 48 – and my apologies for forgetting that.

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Adam Geisler: Appreciate the clarification there, Mr. Semans, and who do we have in the queue. Next, Matt?

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Matthew Rogotzke: Yes, we have three hands up. Next will be Brodie Ford, followed by Reggie Tupponce.

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Adam Geisler: Do you guys mind leaving Question One up? I know we're balancing an audio-visual here. But just so folks can see the questions as we are responding to it. Thanks, guys.

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Matthew Rogotzke: So, Brodie, you can come off mute for your question. And O. J. If you wouldn't mind putting your hand down that'd be great.

00:19:10.460 --> 00:19:27.399

Brodie Ford: Hello, everybody! I'm Brodie Ford. I'm here representing the Spokane Tribe of Indians today. Thank you for having me and thank you for having this meeting. I think it'll be super-beneficial moving forward. So, to begin, I think it's almost essential to ensure the accuracy that we'll see with who owns what spectrum. I think the lack of awareness, not only to tribal leaders, but to other organizations, caused a lot of issues, especially at least on our side. . .It's caused a lot of issues, not only getting our own Internet service, but also just for future growth. I like what OJ said. I would love to have the ability to look through applications and provide comment, because what I would like to see from the applicants is a plan, you know, not just owning the spectrum just to own it, because they know that the tribal leaders or the tribal nations themselves are trying to build out their Internet service through that spectrum, so they can lease it to them, but for them to be able to build it out if they're going to buy. I think there should be a plan attached to each application and then give them a timeline of, okay, you have X amount of years to do this.

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Brodie Ford: Otherwise, it goes to the tribe itself. I really like the idea, too. This is my final point. I really like the idea of giving the opportunity to the tribes first, because, like I said, most tribes to us, you know, it's just to most tribal leaders. It's just air, you know, like it just makes sense that since it's our tribal land as a sovereign nation, we get the rights to that first, and then we can delineate whether or not to build out through that spectrum or move on to a different project.

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Brodie Ford: But it can be nice to have the opportunity first, and to have that open transparency between us and the government obviously always helps, so that way, no one on either side feels undermined about what either side is trying to do, whether it's through spectrum or any other projects coming up. So, I thank you for your time.

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Scott Harris: Brodie. Thank you. I think I hear you expanding, then, on the point that O. J. made. Number one, in addition to knowing in advance about applications for spectrum that's impacting tribal lands, you also would like to have access to a database or a list of those who already have licenses. And you're also saying, I think, that in addition now, when the FCC is auctioning off or otherwise giving off licenses, tribal nations should have an opportunity to get those licenses. Do I have that right?

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Brodie Ford: Correct. And then the last piece that the tribe has, essentially, like the first right of refusal on tribal land.

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Scott Harris: Got it. Thank you.

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Adam Geisler: Mr. Ford, just again for our record keeping You're with the Spokane tribe of Indians, and I didn't catch your title. You don't mind just one more time.

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Brodie Ford: So, I'm essentially the network engineer for the tribe. But unfortunately, a lot of our tribal leaders were out today, and so they're on travel. So, they gave me the blessing to be here and speak for them.

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Adam Geisler: It's always great to have a network engineer in these discussions. Just say it, there you go.

00:22:36.620 --> 00:22:49.529

Adam Geisler: All right. Well, thank you, Mr. Ford. Matt, who do we have next in the queue?

Matthew Rogotzke: Sure, we have two in the queue right now: Reggie Tupponce and after that Mr. Will Micklin. Reggie, you can come off mute.

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Reggie Tupponce: Can you hear me?

00:22:56.920 --> 00:22:58.570

Adam Geisler: We can.

00:22:58.780 --> 00:23:28.530

Reggie Tupponce: Okay. Apparently, my camera is not coming up, so I don't know whether you can see me or not. My name is Reggie Tupponce. It's T as in Tom, U. P as in Paul. P as in Paul, O. N. C. E., and I'm with the Upper Mattaponi tribe in Virginia, and I serve as the tribal administrator here. I'm also the Vice President for the southeast region for NCAI, and I serve on the USET as one of our Board members, although I'm speaking on behalf of my tribe today. What I wanted to address is under communications, and specifically with the 2.5 gigahertz application process priority window for tribes.

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Reggie Tupponce: In September, September 1st of 2020, my tribe, as well as Pamunkey and Rappahannock tribe, formed a consortium to apply for the spectrum in our territory [where] we have overlapping areas. So, we came together to work on that. We also applied for a waiver.

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Because FCC deemed that we didn't have tribal area because we didn't have trust land, although the legislation that we were recognized under said that we received all the benefits of a federally recognized tribe, notwithstanding, not having trust land through the next day, they did the red light review offline for Waiver Review. On October first the red-light review was completed. The Vr. Ed. Review same day. Offline again for waiver review, and then, on April 8th of '21 was accepted for filing, and then the Pm. was generated.

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Reggie Tupponce: Since that time, our legal counsel has reached out to FCC multiple times. Our senators have reached out multiple times, as well as our congressman, and we've received no response. So, the communication is an issue, and we're talking about how we can facilitate use of the spectrum and all, and we've been sitting in this process for almost three years now with no updates, no action taken. So that's a great concern to me. One, the time that it's taking to go through this process, but also the lack of communication. There's just nothing coming out. Is there a deficiency? Do we need to do something else? There's just no communication whatsoever.

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Reggie Tupponce: So that was my major point, right? There is, you know, your second one: transparency. There's a lack of transparency, as well. But the communications problem is a huge issue for us, and when even our senators can't get an answer, then I think there's a problem there.

00:25:50.560 --> 00:26:13.289

Scott Harris: Thank you so much for bringing that problem to our attention. Obviously, we do not know about the specifics of your application, but I do hear that whatever is going on with that application, you all need to know about it.

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Reggie Tupponce: Thank you.

00:26:14.700 --> 00:26:37.389

Adam Geisler: Hey, Scott, if you don't mind – and before we lose Reggie here – just as a follow up, Reggie, is there anything that you would suggest that could improve the process? So, I think you did a good job of highlighting some of the challenges that you've encountered. But do you have some suggested or constructive [thoughts] for us to think about as a way to improve things?

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Reggie Tupponce: Yeah, definitely. And I know that there are tons of applications. There is [lots of] work out there, so I don't know whether it's possible to send out update emails. But even if you could update the page periodically or every other day. Then, if it's still under review, there could be something to show that there's some action being taken, because, from our perspective, it could be that just nothing is being done. We don't know. So some type of communication, whether it's just, you know, something within a system that triggers an email to go out that it's still under review, or if any other action has been taken, or even on the system where you know, I'm sitting on the FCC site right now, looking at it because I check it periodically to see if there's any updates on it.

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Reggie Tupponce: So, something, some mechanism for communication in that, even if it's not the approval, but just a communication that it's still in line – It's still being worked on – or something of that nature.

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Scott Harris: Following on what Adam said, it is fabulous that, if you have concerns that you can bring to our attention – and we're noting them all down, and we'll follow up on them – but if you also have suggestions how to fix the problems and concerns, that is the A-plus. It's good to know about the problem. It's an A-plus If you have an answer that we can follow up on. We'll follow up regardless, but the more you can teach us, the better. Thank you.

00:28:20.480 --> 00:28:21.790

Adam Geisler: All right. Well, I think we're ready to move on to the next speaker.

00:28:27.130 --> 00:28:40.070

Matthew Rogotzke: Yep. Looks like Will Micklin, followed by Valerie Fast Horse. So, we'll please come off mute. Please tell us who you're working with, your name, title, and your comment, thanks.

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Will Micklin: My Tlingit name is John Yanish. My English name is Will Micklin, M. I. C. K. L. I. N.

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Will Micklin: I'm Vice President for the Central Council of Tlingit and Haida Indian tribes of Alaska for the regional tribe in Southeast Alaska, 35,000 square miles, plus with 35,000-plus tribal citizens.

00:29:11.430 --> 00:29:22.229

Will Micklin: And I'm also CEO (my day job) for the Ewiiapaayp Band of Kumeyaay Indians, a federally recognized tribe in East San Diego County, California. Through both tribes we're involved in broadband deployment and the tribal priority window licensing of the 2.5 gigahertz [band].

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Will Micklin: So, I thank you for the opportunity to speak today. On the question of trust, I suggest anyone who has stared at the U.S. frequency allocations map of the radio spectrum has their trust challenged, not by incredulity, just by the complexity of the whole question of spectrum, its allocation and utilization.

00:30:14.070 --> 00:30:16.140

Scott Harris: I know what that feels like.

00:30:17.400 --> 00:30:50.500

Will Micklin: Yeah, it's a chart that anyone must fail. The complexity and engagement with the FCC and NTIA are also challenging. It can be a very formalized process, not friendly to many or a substantial majority of the tribes that lack the administrative capacity or expertise in these areas. So, we have to engage subject matter experts.

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Will Micklin: Is there a financial burden? Of course, there is, with the funding opportunities the last several years and the emphasis on broadband deployment. Many tribes recognize the importance of the radio spectrum to their telecommunications plans.

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Will Micklin: It is, I think, part of the educational process that can further be tacked on the whole trust issue. We become familiar with the issues with allocation and the 2.5 MHz spectrum. It's fortunate that in southeast Alaska we have access to the full breadth of the spectrum in the lower 48. Often, it is leased in areas to license holders that have subleased those to mobile wireless companies. And much of the spectrum not sub- leased is licensed but unused. But [it's] still unavailable to try it except through extraordinary effort. The sub-leases to mobile wireless companies, I think, illustrate the conundrum we have in high-speed communications as a national asset and spectrum as a national asset. Broadband deployment is a national asset.

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Will Micklin: If we have service, it can often be 3G or 4G. The promise of 5G is really not there. I don't see many plans except in urban areas, and a lot of that has to do with the dependence of radio spectrum on fiber to get the high-speed signal to the towers that, depending on the speed and complexity of the signal and its ability to modulate, need a lot more towers or a lot greater density to provide the higher speeds that mobile wireless through 3G, 4G, 5G can provide. So, it really depends on fiber.

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Will Micklin: So, although there's a great deal of funding available, it's just not sufficient, and certainly it's not being deployed sufficiently into rural areas, where most tribes are, to really fulfill the promise where we can use radio spectrum to deploy the high speeds that we need to be competitive or to be an essential infrastructure for us. Many of us that have traveled for meetings like in the UN System to Geneva, have found other countries to have much higher-speed networks with greater bandwidth, with greater deployment and at much lower cost.

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Will Micklin: So, tribes have an interest in this, just as our nation does in deploying the highest possible speeds, to be competitive in the global environment and in the digital economy.

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Will Micklin: And too often, tribes are on the back end of the process where we are the last to be deployed. Certainly, the ability to disaggregate spectrum where it's being unused, or licensed but not effectively used, is certainly worth a national conversation. That would include tribes at the table as a decision-maker, particularly and uniquely for our tribal lands. We need to have the conversation about fiber deployments that support spectrum and support the allocations for tribes, and the availability of spectrum in bandwidths that are allocated but could be deployed or redeployed for effective use. There are many radar spectrum allocations that are dedicated to uses that may be redelegated. But this really goes to a national conversation where we break down the barriers between those who have interests in spectrum assigned, and those that could make a better use for the national interest – and certainly as part of that, the tribal interest.

00:36:39.340 --> 00:37:31.700

Will Micklin: [unintelligible]. . . just reflects that the national interest is not just in pushing entertainment to households in cable companies, or that the broadband conversation should be entirely around mobile broadband, the mobile broadband without the fiber backbone and fiber backbone in rural areas and tribal on tribal lands.

00:37:31.700 --> 00:37:45.110

Will Micklin: It is essential if we are going to get the 5G speeds for deployment – and I keep referencing some spectrum on tribal lands – because much of our topology and geography and climate means that fiber to the home can be a great challenge, both in cost deployment and sustainability.

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Scott Harris: Will, can we cut you off because we are going to run out of time on this question, and Valerie has had her hand up for a while?

00:38:05.600 --> 00:38:07.290

Will Micklin: So, I apologize. But that was the substance of my remarks. So, if I might. . .

00:38:10.820 --> 00:38:24.419

Scott Harris: Well, I think you certainly spoke expertly and eloquently about a lot of challenges, and we really appreciate what you said. Certainly, the idea of the complexity of the relationship between you know FCC and NTIA. Given the bifurcated nature, we've heard that before, and you know that's something that I think is it just something that would be helpful if we were able to kind of make it more clear? Certainly, the idea of having the next generation of services, and you know also, they currently are the highest, the state-of-the-art services that are available, having that available to the tribal nations, you know, obviously something that is important, that allows you to interact and engage with the digital economy, which is very obviously very important. You know the strategy intended to look at all the stakeholders, including the tribal nations, and try to develop processes and ways to ensure all those stakeholder needs are considered when decisions about allocations are made. So, your input has been very helpful, and I encourage you to write written comments to expand on the things that you said.

00:39:31.080 --> 00:39:32.590

Adam Geisler: If I could just add real quick, I think the only other point I want to make sure we heard, I heard from you, Will, was in relationship to covered spectrum that might not necessarily be being deployed. I think that probably correlates to the comment we heard earlier from, I believe the Spokane Tribe of Indians, where it sounds like there's, what I'm hearing some amount of spectrum that may be encumbered, but not necessarily being deployed, or with no intention of its deployment. So, it sounds like you're raising in this, in your comments, the ability to take a look at spectrum that may be licensed, but not being used for the purposes in a timely fashion as consideration. So, I just want to make sure we reiterated that we heard that before we move on to the next speaker.

00:40:26.750 --> 00:40:36.990

Adam Geisler: All right, so, we have up next, Matt, it looks like, and thank you, Mr. Micklin, for your feedback. It's Valerie Fast Horse we have next.

00:40:37.000 --> 00:40:42.229

Matthew Rogotzke: Yes, looks like that's the last question or last comment for this section.

00:40:42.240 --> 00:40:47.170

Adam Geisler: All right. Ms. Fast Horse. Good to see you again. Thank you.

00:40:47.310 --> 00:40:55.290

Adam Geisler: Thank you. And if you don't mind, oh, sorry about it if you don't mind your name, your tribe, and your title.

00:40:55.300 --> 00:41:07.480

Valerie Fast Horse: Ok. My name is Valerie Fast Horse. I'm with the Coeur d'Alene Tribe. I've been the IT director for the Tribe for 21 or 22 years, or something like that.

00:41:07.490 --> 00:41:26.289

Valerie Fast Horse: This has been a conversation in the last 21 or 22 years that I have been in this position. I remember going to ITI sponsored by the FCC back in 2000, and this was a conversation, so I appreciate the time that you are allowing us to weigh in on it, you know, on a very serious level.

00:41:31.330 --> 00:42:37.570

Valerie Fast Horse: The Coeur d'Alene Tribe plans on submitting written comments to address the future spectrum strategy that you are currently working on. However, as Brodie stated, and the previous speaker stated, we have immediate needs that need to be addressed right now to use the spectrum, um, that you have stated, and everyone has noted that has been encumbered and not used. Now, I can't say that that's explicitly true that it's not used all the way. What we're stating is like, for instance, there's a spectrum that's being held by Gonzaga, and some churches and other places that are off the reservation in the town of Spokane, Washington, and their antennas are only facing downtown. They don't even face the rest. So, spectrum was partially used in some ways, but over here it's quiet. We've identified that it's available. We can use it – if it wasn't encumbered. And so, I think that's an immediate need that I'm hoping we can address without before the National Spectrum Strategy is actually fleshed out.

00:42:37.570 --> 00:42:47.529

Valerie Fast Horse: One of the things that we have is we're using a lot of unlicensed frequencies, the 5 GHz for instance, but it's broken up, and it's not continuous.

00:42:49.100 --> 00:43:07.790

Valerie Fast Horse: It's like there's space in between the channels, and we can't use the entire wide channel. We would like to put it all together to provide more bandwidth. During the pandemic we saw that people had a need. Families had a need to have more than 25 megabits per second. But yet that's all we can do with those current unlicensed frequencies because of the channels being broken up like that. So, we had families that had to get in line with each other to be able to do their meetings, their schooling.

00:43:20.450 --> 00:43:38.500

Valerie Fast Horse: And it was just, you know, it was a horrible situation for us to be in, to not provide the bandwidth they needed when they were so desperately needed, and while they were sheltering at home. Um, so you know, we'd like to see Wi-fi seven. It seems like wi-fi seven is being, you know, really the big deal today, but it's um primarily for indoor use, and we would like to have outdoor usage of it, meaning that we can put it up on our tower spots and then shoot it down and have more channels available to the people that are out in our rural areas.

00:43:57.690 --> 00:44:12.909

Valerie Fast Horse: We would like NTIA, ah, FCC, whoever to work with us, to reallocate spectrums that we have identified through spectrum analysis on our reservations as being available and useful for our purposes today.

00:44:13.130 --> 00:44:27.460

Valerie Fast Horse: Perhaps NTIA or FCC would like to conduct audits, spectrum audits on tribal lands just to see, or have that service available for a tribe so we can see, you know, what's available. Or maybe some tribes don't have that time, or that luxury of time to do that themselves, and maybe they need someone else to do it.

00:44:34.950 --> 00:44:42.859

Valerie Fast Horse: But again, we're going to submit comments. I just wanted to address our immediate needs right now and today. Thank you.

00:44:45.610 --> 00:45:01.570

Scott Harris: Okay, excellent comments. We look forward to your written comments. I hear that theme of the real press of frustration on spectrum that may be licensed or accounted for; but it's not actually being used to serve the tribes, but also that you don't have access to. I had a follow-up question. I was wondering if you – and others may think about this as we go through – have utilized the CBRS spectrum at 3.5 GHz, and I know it's probably to get this something that you know you've explored. There are the license areas that are by county. But then there's the general authorized access that's similar to unlicensed that has – I think is 70 megahertz available. So, I'm just curious if that's something that you have explored. And if tribes are taking advantage of that, we're seeing CBRS spectrum used by, you know a lot of different sectors of the economy now that are not just the wireless providers that are taking advantage of that from manufacturing to utilities and other parts of the economy that are taking advantage of CBRS. I wonder Valerie if you are familiar with CBRS.

00:46:03.070 --> 00:46:26.530

Valerie Fast Horse: We are. We studied it. Haven't tried it. Determined, my engineers determined that it's probably not going to provide the bandwidth we need for the number of customers that we have out in those rural areas. Um, like we have certain towers that get saturated during rush hour after work. And so, it's just for our purposes. We primarily use the 5 GHz.

00:46:33.370 --> 00:46:52.989

Valerie Fast Horse: Yeah, and we are licensed for 2.5 [GHz]. We ran into some issues with that – the majority of it. This is what I was talking about that is being held by T-Mobile that we audit from Gonzaga University in those churches in Spokane that hold the license, but then sold it or rented it or whatever they're doing it.

00:47:00.160 --> 00:47:10.839

Scott Harris: Yeah, that's a great point, and one of the other benefits of the CBRS model, with the general authorized access, that if you have a priority access licensee, that has the county, and they're not utilizing it, you know, the spectrum access that the provider can give you broader access, so you can actually scale up a little more. So, it's something I would consider looking at. Also, if that model works there, there certainly are some [garbled] that they would like to maybe see that. Deploy another band that potentially maybe we don't get to get to wider spots of spectrum – get those speeds up, right? Certainly, something to think about, because you're right. You're getting the sense that it's not used, and I think that kind of information, both for not just for the tribes, but for the Federal Government, would be useful to have that information. I think you were going to maybe say something else, right?

00:47:56.700 --> 00:48:12.210

Valerie Fast Horse: I have one final comment. Is that okay? So, for the 2.5 [GHz] we have an ideal tower location. It's just off the reservation – just slightly off the reservation, and I had contact with the FCC to see if we can put our 2.5 [GHz] equipment there. And they said no, because it's off the reservation, but it points into the reservation, and that doesn't make sense to me. And so, they're forcing us to make this huge expenditure, one hundred and fifty thousand dollars, or whatever it is, to build a tower, next to a tower just off the reservation.

00:48:33.790 --> 00:48:42.389

Scott Harris: That's very useful to know. One of the things about timing, just so you know, that our National Spectrum Strategy is going to be done before the end of the year. So yeah, so it's, we're not looking at two, three years. For this we, we are beginning to work on it, and when we receive your written comments, we'll be in high gear, and we'll be done before the end of the year.

00:48:56.750 --> 00:48:57.950

Valerie Fast Horse: Awesome.

00:48:59.000 --> 00:49:01.539

Scott Harris: Okay, maybe go to our next question.

00:49:02.730 --> 00:49:03.779

Adam Geisler: Sure.

00:49:04.740 --> 00:49:11.299

Scott Harris: So, thank you. We're going to introduce next question here, and this is "what actions or recommendations promote the deployment and availability of next-generation products and services to private land?" And I know some people's first comment discussed on this a little bit, but I think we could probably hear some other perspectives as well.

00:49:28.140 --> 00:49:29.890

Matthew Rogotzke: Great! We have a couple quick hands too on this one, too. So, Brodie Ford again from Spokane Tribe, and followed by O. J. Semans and yep, we'll start with Brodie.

00:49:41.600 --> 00:49:43.590

Brodie Ford: Hey, everybody! Thank you again.

00:49:43.910 --> 00:51:34.270

Brodie Ford: So, I think it would be good if these companies or these production teams that are building these next generation products and services give a pilot program to reservations to test these types of products on either their towers or in their location. I mean they don't have to have towers, but on their tribal lines themselves, because, at least for us, when we were moved by the government, we were moved in a mountainous terrain, where it's like these next generation products, at least as far as wireless situations go, are optimal to test in, especially for like long distances, or, in our case, we have high density, home-side areas where we can test these new products and see if they work well in certain situations, and if they don't. So, that'd be a good way for us to get access to these things. But I think another point is that a lot of tribes, unfortunately, may not know – and it's no offense to them – they may not know about these next-generation products, because (1) they don't have access to them themselves and (2) they don't have access to the funding to get to these products. So, having a pilot program where it's set up with the tribes to do these types of testing, and it doesn't have to be all tribal lands, but it'd be nice to see at least some tribes participate in them, because a lot of us tribal people meet at these other meetings and discuss things, what works and what doesn't work. So, I think a lot of this issue can be resolved by having these pilot programs, because, like I said, it gives tribes the opportunity to see these products of what is coming out, what can be used, and then also it can give them a live demo that they can make a decision on them, whether or not to apply for funding for it, or find funding for it if they can. Thank you.

The Tribal Broadband Connectivity Program is making the final awards from the first funding round and will open an additional application period shortly with approximately \$1 billion available for tribal applicants.

00:51:34.270 --> 00:51:54.160

Scott Harris: I totally love the idea of pilot projects on tribal lands, and I think just us writing about it and talking about it, perhaps in our spectrum strategy, which would be very widely read by all of the industry folks, by definition, could actually have an impact on that. And I think it's a great idea. Thank you for raising it.

00:51:57.310 --> 00:51:58.489

Adam Geisler: And that it looks like, let's see uh we have O. J. Semans. Mr. Semans, you are up. We're going to take you off mute, and then I think, Josh Snow, you are in the batter's box. Mr. Semans, we're going to be turning it over to you.

00:52:24.190 --> 00:53:44.850

OJ Semans: Yes, again, thank you. I totally agree with the pilot projects. But I would go back to one thing – I mean, I always say this – is that when we talk to people, we hear about the 5G service, and if you're on the reservation, depending on where you're at, you get “Oh, gee! I got service,” so I mean, there's a lot of things that we need to do. But one of the things I see on the pilot projects is the company's lack of understanding or knowledge of tribes, and I think it would be very helpful if NTIA or whoever is working the national broadband includes tribes in that talk, when these seventh generations are coming out, that they should be encouraged to reach out to tribes in the areas that they are at, and so that tribe can actually be on board at the beginning, and it would also help these companies be able to establish relationships with tribes that they may not have known existed. Thank you.

00:53:44.850 --> 00:53:54.869

Scott Harris: That's very helpful. So, the idea is there should be a – the companies who already have these licenses near or adjacent to tribal lands, or even covering tribal lands, ought to be reaching out to the tribes as they're building out.

00:54:06.210 --> 00:54:10.220

OJ Semans: Yes, exactly. I think that makes a lot of sense, that is, until we take over on all spectrums, and then we'll reach out to them.

00:54:17.500 --> 00:54:19.580

Scott Harris: [Laughs], Okay. Okay, I think Mr. Snow is next.

00:54:31.440 --> 00:54:37.090

Adam Geisler: There we go. Mr. Snow, if you don't mind, name, title, tribe you're representing today. Thank you.

00:54:38.310 --> 00:54:44.369

Josh Snow: OK, hello, I'm Josh Snow. I'm President of Trace Fiber Networks with the Chickasaw Nation.

00:54:45.400 --> 00:54:49.230

Josh Snow: So, one statement I want to make – just for some background: Trace and the Chickasaw Nation has been active in the development of a spectrum portfolio. We entered the 101 auction, attained a 28 GHz license, and we also moved 105, and attained CBRS power licenses, as well as recipients of the 2.5 white space spectrum as well. So, really trying to build that portfolio to have those tools in our tool bag.

00:55:14.300 --> 00:55:26.070

Josh Snow: I would say that one thing that doesn't work – that, I think, does not promote deployment of services and or next-generation products on tribal lands – is tribal credits. We learned that in the 600 MHz auction, the carriers that were awarded that, they merely just wanted us to bless that, so that they could receive their 15% credit.

00:55:39.470 --> 00:55:52.180

Josh Snow: The nations were left with really no leverage, no chips at the bargaining table to entice them to develop that and invest in that in a tribal country, in Chickasaw Country. So, a way around that, you know

potentially is to, you know, to have that on the front end, as that's been mentioned, that is, bring the tribal nations to the table on the front end, let the carriers know that they are going to not just really have to get, you know, a tribal consultation or tribal letter of consent, that going to have to fix some needs and actually do some deployment in the tribal land itself.

00:56:21.570 --> 00:56:31.120

Scott: Thank you, Josh. I just got one follow-up on that, would you? You know, you certainly have some experience with this. Would you suggest that the 2.5 [GHz] early filing window, was it a good model? Is it repeatable? Is that one? And I know you talked also about the, you know, commitments on the ultimate licenses even if they're not tribes. But what was your experience with that, you know, with the tribal filing window?

00:56:47.660 --> 00:58:37.470

Josh Snow: It was a good experience. I felt, you know, that it was a, you know, unprecedented way, you know, to use the white space, to get the white space being used. I mean those, you know, not to get in a technical discussion, but, you know, the way that license was carved up was a little, you know, had some, you know, had outgrown its, you know, original purpose, you know, and so it made it kind of difficult to have these nice little, you know, contiguous boundaries, and left a lot of areas, and that's – saying all that to say this is that – we claimed all that we could. But, unfortunately, in a lot of areas where we had the 16.5 megahertz channel, as you know, really to really be effective in a wireless deployment system, and you know we really was hoping that we could get one of the national carriers to the table, do some spectrum swapping, and after about eighteen months of you know, back and forth with them, you know, it was fruitless, we really weren't able to really get them to do anything meaningful with that, or even really just get to the point where they were willing to do a spectrum spot to be able to make some of our spectrum more contiguous. So, you know, it's one of those deals, I get it, you know. I mean you have a spectrum, and it's a real state in the sky, right? And that mid-band spectrum, that's beachfront property, you know. Evident by the over 81 billion dollars that the C-band auction brought. But I think there is some space available that's being either, you know, underutilized or unused, that could be allocated to the tribal nations and put that together. And another thing that hasn't been talked about, I mean, it's one thing to get the license, and that's great because you're out of the unlicensed license area – it's very, you know, congested, and a lot of noise in that.

00:58:37.470 --> 00:58:43.490

Josh Snow: But the other thing that needs to be considered is how you use that. And in today's technology, with the most use of that, you really need a core. And you know, cores are expensive – expensive to invest in and expensive to operate. There are options right now to go out, and, you know, do a cloud core. But one thing that might be considered is that, you know, if we could get the spectrum allocation, then, maybe set asides, for maybe an open core. And even in down to the open, you know, radio access network where the spectrum is being shared, and much like it is in Europe.

00:59:09.680 --> 00:59:12.459

Scott Harris: Thank you. That's fascinating. I appreciate it.

Josh Snow: Thank you.

00:59:12.950 --> 00:59:27.240

Paul Ransom: Hello, Josh, this is Paul Ransom. That was very helpful. I was going to ask about O-RAN, and you kind of alluded to it as a potential kind of facilitator, for, you know, promoting development. Did you have anything to say in terms of O-RAN? Is that something that you guys have explored or attempted to look at?

00:59:38.630 --> 00:59:58.160

Josh Snow: We've attempted to look at it and have some discussions. You know, I'll be honest with you, you know, the nationwide carriers are not interested, or at least appear to be not interested. Some of the regional carriers, you know, one of which is exiting the space, due to lack of profitability.

00:59:58.240 --> 01:00:18.230

Josh Snow: So, there's not a lot of there's not a lot of – I don't see a lot of interest in it. I think mainly because it's just, you know, we've got this kind of a monopolistic type of mentality, because – and, you know, if you're one of the national carriers, then you spend millions, if not billions, of dollars, to obtain these licenses. So, you know, to open that up, on their system was, you know, preposterous in their minds, I would assume. But you know, I think there's –

01:00:18.240 --> 01:00:25.009

Scott Harris: It –

Josh Snow: I'm sorry.

Scott Harris: It also may just be a little early on the technology side on O-RAN. That's really just getting off the ground, I'm thinking.

01:00:32.630 --> 01:00:48.900

Josh Snow: Agreed. I agree. And probably where I'm looking to deploy it, you know, hopefully, as a beta test is in-building, utilizing the 28 GHz as private LTE. And so, I'm working to light up some – just like we talked about, some of the others have said earlier – some sort of test bed or pilot project that, you know, hey, let's use the open-RAN concept and one of our in-building type scenarios where, then, I can turn the table on and say, hey, okay, national carrier, you want to come in and have access to my patrons inside my building? And, you know, you're going to be right in my system. So, let's see what you can pay me for that.

01:01:17.720 --> 01:01:19.730

Scott Harris: Very good. Thank you.

01:01:19.780 --> 01:01:20.939

Josh Snow: Thank you.

01:01:22.210 --> 01:01:41.709

Adam Geisler: If I could, I think we have, Mr. Micklin up next, and thank you, Mr. Snow, for the comments, and for those of you that want to get into the weeds on the technology, or for those of you that aren't prepared, or don't have the – you know, this isn't your space: all comments are welcome here. I think you guys are seeing we have the team to be able to talk at any level of detail that you're prepared to speak to. So, don't shy away from that, if that's something that you want to provide during today's comments, or provide written feedback later. So, I just want to point that out. And, Mr. Micklin, I believe you are up. We're going to go ahead – and if you could come off of mute.

01:01:59.360 --> 01:03:03.420

Will Micklin: Will Micklin, Vice President Central Council, Tlingit and Haida Indian Tribes of Alaska and CEO Ewiiapaayp Band of Kumeyaay Indians. Two quick points: one is to regulate Internet providers, so that where they claim service for tribal lands and other areas nearby, that they actually provide services, and that it's just odd that the tribes are more heavily regulated in the 2.5 GHz license awards, given the utility requirements, than others who have had a word of the licenses for decades, and have no duty of use. In

fact, when we contacted folks, there were some who had licenses over the tribal lands, they didn't even know they had it.

01:03:03.420 --> 01:03:08.469

Will Micklin: They didn't even know that they had subleased it where they did. They're just unaware. It's been held for so many years. It's just somewhere in their paperwork, and these are principally educational institutions. And, secondly, I really encourage that where there are pilot projects, they not – you know, there's a great diversity of tribes; some are next to interstate highways with lots of fiber, including dark fiber, adjacent to nearby, or through the reservation, but the substantial majority of tribes are rural and remote. And, where there can be pilot projects, it'd be most helpful if there could be a pilot of the customization of systems and services and spectrum necessary to make a project on tribal lands that are challenged by location and lack of infrastructure, so that there could be through those pilot projects where they are most challenged, templates for other tribes to learn how to deliver, instead of having to devise those methods for themselves in each instance. So, those are my recommendations. Thank you.

01:04:26.490 --> 01:05:31.180

Scott Harris: Thank you. I hear you, and this is coming up, and I think it's a big takeaway for us is that there are communications companies with licenses to provide services to tribal lands that are just not doing that, and that there's unused spectrum and spectrum available. If we can figure out how to unlock that spectrum for additional use on tribal lands. And, I think, if there's anything, so far, from today that I'm going to take away from this consultation, it's that point which I think is critical with our mission, which is to find ways to get more intensive use out of existing spectrum. I also hear the point that not all tribes are similarly situated when it comes to pilot projects, and we need to take that back because there's a great variety among the tribes in terms of location, structure and other kinds of things which are relevant to communication services. So, thank you for all of that.

01:05:31.180 --> 01:05:32.589

Adam Geisler: Thank you, Mr. Micklin, and it looks like we have Sorhna Li – if I have that, and I apologize if I got the name incorrect, but Sorhna –

01:05:40.100 --> 01:05:41.589

Scott Harris: Before you go on, Adam. I see two hands up – Li and Ivory. Ivory should be the last comment on this question, so that we can then move on to the next set of questions. With that, I'll stop talking.

01:05:58.080 --> 01:06:13.070

Adam Geisler: Ah, we're going to go ahead. Li, you are up. Kerry Ivory, you are in the batter's box. So, if you don't mind coming off mute, Sorhna Li, name, title, and the tribe you're representing today. Thank you.

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01:06:13.360 --> 01:06:41.579

Sorhna Li: Hi! Good morning or good afternoon, depending on your time zone. Yes, it is Sorhna Li. S as in Sam, O, R, H as in Henry, N as in Nancy, A as in apple, Li, L as in labor, I as in Ingrid. I am the government liaison for Scotts Valley Band of Pomo Indians in Northern California. We just wanted to remind the – excuse me – the individuals on this call that there are still tribes, such as Scotts Valley, that remain landless – without trust land – to this day. We may have fee land – as we do in Scotts Valley's case. And, so, a lot of the comments talking about the need for providers and owners of the spectrum to communicate with tribes needs to also include those tribes that have fee land in their contiguous area, because our voice is still important, and, in many cases, there are trust applications that are pending, that would change that conversation at the point in time that they are approved, and trust applications can take many, many, many years. So, I wanted just to reiterate that piece, because sometimes the US government assumes that

everyone has trust land and talks as though that's the only way to accomplish things, and that remains, to this day, not the case, thank you.

01:07:33.660 --> 01:07:34.750

Scott Harris: Thank you. That's very helpful.

01:07:39.230 --> 01:07:41.689

Adam Geisler: It's a good flag, Sorhna, you're right. There's an ongoing shift between status of lands, and even where there are tribes that may have trust lands, they're also adding to their trust land. So, I think that's a fair point to raise in our considerations for the strategy. Thank you.

01:07:55.480 --> 01:08:08.079

Adam Geisler: Kerry Ivory will be the last respondent on this question. Kerry, we're going to go ahead and take you off mute or you can take yourself off and name, title, and the tribe you're representing, please.

01:08:08.090 --> 01:08:20.599

Kerry Ivory: Hi! My name is Kerry Ivory. I'm the administrator for the Native Village of Ouzinkie, and that's O, U, Z as in zebra, I, N, K, I, E. And right now, currently, Kodiak Island villages are in a predicament, as far as cell phones are concerned, and there is a carrier that owns the cell towers. Previously, they were being used by a national carrier. The national carrier pulled out, and so none of the villages have cell phone access at all.

01:08:48.120 --> 01:09:06.289

Kerry Ivory: And that's a problem, I mean, because clearly somebody owns the spectrum. Somebody owns the towers. And I don't know what the solution to that is. However, we did apply for and receive the 2.5 GHz – or MHz, I'm not sure which it is – spectrum. We're working with an Alaskan company to bring cell towers into our community, but I think a lot of the problem is that there are very few people in our small community who have any understanding at all of what spectrum is and how it works – myself included. I have a very limited knowledge of it, and I think that one of the things that might help with deployment and availability would be some kind of targeted training to allow people in the small villages, particularly in Alaska, where we face unique issues to take advantage of the opportunities that are presented. We don't have – I don't even know what we need to get people trained for. That's how limited the knowledge is. So, that's my comment. Thank you.

01:10:22.450 --> 01:11:06.320

Adam Geisler: Thank you, Ms. Ivory. Go ahead, Scott.

Scott Harris: I think that reinforces again the point we've heard time and time again: there's apparently a carrier that surely owns the license that would cover your area and is not using it. So, that's fallow spectrum. That's available for more intensive use. And we have to figure out how to unlock that. And again, the single most important point that's been raised, if only because it's being raised repeatedly, is that the spectrum that is already out there, and that we have the technology to use is not being used – and we will take that away. I also love the idea about some kind of training. And it's the kind of thing that government agencies, like ours, ought to be able to do, to at least get a certain level of knowledge out to anyone who's interested in this – in tribes.

[Unknown NTIA Speaker]: I'll just echo on that, Scott. That I think that's really interesting on capacity, development, or education. NTIA, for a long time, and folks may know, has had a pretty good outreach program on broadband – so maybe trying to build off that. And you know, building spectrum education into that might be something that would be helpful for us to take a look at.

[Unknown NTIA Speaker]: Certainly, and that's part of, you know, as we think about it, a major pillar of what we think the strategy might include is the idea of education and workforce development. In this case, kind of training, just to have broad understanding of what spectrum is, and how does how to talk to potential providers of spectrum to ensure that you understand what it is you need, and you know how to ask if they provide that information, so that you know what you get actually meets your needs. So, that's very helpful. That's a very good recommendation. Thank you.

Scott Harris: Okay. Should we go on to the next question?

01:12:31.340 --> 01:12:40.570

Adam Geisler: Sure. Just tracking time here: it looks like we have about 45 minutes left to get through the last two questions here, so we'll go on to question three. Derek, you want to read it?

01:12:42.620 --> 01:12:52.360

Derek Khlopin: I will do that, sure. What initiatives on tribal land, for example, test beds, or partnerships with tribal governments should be considered that would enable more robust and quicker implementation spectrum sharing to meet spectrum access needs? So, we have been talking a little bit about test beds and different projects. Here, we're thinking, maybe, spectrum sharing is part of that consideration.

01:13:11.330 --> 01:13:17.669

Adam Geisler: Great and it looks like we have one hand up in the queue. Mr. Semans Sr., want to go ahead and come off mute?

01:13:23.590 --> 01:13:34.889

OJ Semans: Yes, thank you. I was hoping this question would actually be the first question, because I really think that it covers a lot of the issues that the tribes are now kicking back and forth.

01:13:34.900 --> 01:13:50.030

OJ Semans: I know we will be submitting written comments, but I wanted to bring this to everybody's attention. I think we feel that spectrum should be treated just like any other minerals or any other type of properties within the reservation, and we would like to have NTIA, or FCC, or whoever is in charge to ensure that the tribe controlled all spectrums within the reservation territories and even the Federal lands surrounding tribal territories. At a minimum, what we would also like to see is that the 2.5 [GHz] spectrum be issued and given to all tribes that surround the reservations. This is really key, for one thing, and I heard others talking about it, but by getting a 2.5 [GHz] spectrum to all the tribes – and, by the way, I'm surprised to learn that all these licenses were issued – some of them were forgotten, but we, when we had our spectrum issued to us at 2.5 [GHz], we had to do something within five years. It's just mind boggling to me how everybody else is just given free reign, but when tribes come in, then there's always a deadline, a timeline that you have to meet –

01:15:10.560 --> 01:15:17.800

Scott Harris: I – I was under the impression – but I may be wrong, but I was under the impression that all licensees had deadlines. Is that incorrect?

01:15:19.830 --> 01:15:33.899

OJ Semans: As far – all I know is that the tribes were actually given deadlines on that 2.5 GHz spectrum. I don't know if anybody else was issued that spectrum and if they had a deadline. I just know tribes were.

01:15:34.430 --> 01:15:36.129

Scott Harris: Okay. Thank you.

01:15:37.150 --> 01:15:45.770

OJ Semans: Okay. And the reason we're looking at the 2.5 [GHz] spectrum is that that would be an economic boost for tribes – in ways where we could either put up towers, and we could lease that two point five spectrum out to major carriers, or we can take and develop our own type of system. But that spectrum alone would be an economic boost for all tribes throughout the United States.

01:16:03.990 --> 01:16:11.949

OJ Semans: So, we would want that to be considered. But when we're talking about all spectrum, we're even talking about satellite spectrum, in which the tribes would actually be the owner of that spectrum. I, you know, I think, as we go along, the more and more we do it, if this could happen, it would be a great economic development, plus it would be a communication breakthrough that we've never had for years. And, finally, the other thing I would like to see not only tribes at the table, but the Bureau of Indian Affairs included in the national plan with the other Federal agencies. My information that I'm getting is that they're kind of like the stepchild, and they're not really invited into the fold.

01:16:54.910 --> 01:17:14.999

OJ Semans: And then my final comment is, you know, I've gotten a lot of information from tribal leaders that have attended meetings that are talking about the broadband money that's currently coming out, and I know it's a little bit different, but we have so far seen so many office of inspector general individuals attending our meetings and watching over everything we do. We would just hope that when it comes to the States that that same courtesy would be extended to them. With that, thank you very much. I appreciate – again – all the time. You're doing in this very historical venue that we're moving forward on. Thank you!

01:17:39.200 --> 01:17:46.919

Scott Harris: Thank you. But I do have to tell, it would make me feel bad if any of our Federal agency partners felt like stepchildren; we love them all the same.

01:17:49.480 --> 01:17:54.089

Adam Geisler: As I tell my children, Scott, I love you all equally, but different [Laughs].

01:17:55.900 --> 01:18:17.330

Adam Geisler: Maybe I shouldn't say that, but thank you, Mr. Semans, for the feedback. I think you raised some particular points there. I appreciate your answer on question three. We still have, Ms. Sorhna Li, you are up now, and Ophelia – great – Ophelia is in the batter's box, so, Sorhna Li, you are up.

01:18:17.340 --> 01:18:23.740

Adam Geisler: Again, just for the record, because we are taking transcription, name, title, tribe, and then your response please.

01:18:24.350 --> 01:18:27.160

Sorhna Li: Thank you again. This is Sorhna Li, government liaison for Scotts Valley Band of Pomo Indians in Northern California.

01:18:31.590 --> 01:18:49.989

Sorhna Li: I just wanted to more touch base on – and this might not necessarily directly answer question three, but I think it's an important spot to put it in – there was a conversation just prior, at the end of question, two regarding training, and I wanted to suggest that any training piece put into the strategy should also include not only reaching out to the governments the tribal governments, but also tribal TANF and WIOA tribes are doing in order to provide those skill sets to tribal members.

01:19:10.210 --> 01:19:28.149

Sorhna Li: So that as time moves on, we can hopefully, not continue to have these same conversations, but instead have our network engineers within our tribal membership, able to address these very big technological issues going forward. Thank you for your time.

01:19:29.670 --> 01:19:41.330

[Unknown NTIA speaker]: Thank you, that's terrific. I'm – hopefully you are going to provide written comments. I think we'd probably love to get more information on the groups you are talking about, and we're happy to work with Adam and others here, too, who might be more familiar. Thank you.

Scott Harris: Thank you, yeah. Let me emphasize, to the degree that you all can provide more detail in your written comments, we would dearly love to see that. We're obviously taking notes – we've got a transcript going on – that was being done. But if you have more details, you can provide in your written comments over – sometime the next month, that would be very helpful.

01:20:04.110 --> 01:20:21.340

Adam Geisler: Awesome, and I guess just sort of before you pop off – or jump off the line. I'm totally familiar with tribal TANF assistance for needy families. You mentioned another acronym and I'm just not familiar with that. Is that like your tribe's TEERO office, or...

01:20:21.350 --> 01:20:26.490

Sorhna Li: It's WIOA. It would be the Workforce Innovation and Opportunity Act, I think, is what it translates into. It's basically another training – design a lot of it. There's something called public law 102477, which some tribes are designated as, which talks more about it from a WIOA standpoint than a TANF standpoint. But it was just to address that tribes may have an employment training program that's outside of a TANF program and making sure that we are inclusive, not exclusive.

01:20:59.500 --> 01:21:01.889

Adam Geisler: Makes sense. I appreciate that clarification. Thank you. All right. It looks like up next we have Ms. Ophelia – Ophelia I'm not going to say your last name, because I know I'm going to butcher it [laughs]. But if you don't mind uh saying your name, title, and your tribe, and, for the record, if you don't mind spelling your name as well. We got – we definitely have to have Havasupai Tribe, but help me out on the name, please. Thank you.

01:21:24.330 --> 01:21:31.979

Ophelia Watahomigie-Corliss: [Laughs] Okay, all right. So, my name is Ophelia Watahomigie-Corliss. I'm a member of the Havasupai Tribe. I'm the TBCP Program director. I've been doing this since 2017, so prior to that, I was the broadband consultant. But prior to that, learning about all this, I was on tribal council.

01:22:00.930 --> 01:22:09.019

Ophelia Watahomigie-Corliss: So, to spell my name, that's O-P-H-E-L-I-A W-A-T-A-H-O-M-I-G-I-E-hyphen-C-O-R-L-I-S-S. So, when I was reading this question, it just brought back memories for me. We went on the Hill advocating. EBS had just been shut down by the Trump administration, and we just had barely gotten our temporary license, and it seemed scary – we needed our permanent license. So, we went advocating for that as well as tribal priority windows, which went very positively for Indian country. During that, even after being awarded the permanent license with EBS – and yes, there are stipulations that come with that – the next step was actually looking at the frequencies, working with our local WISP to try to just get a one gig microwave out here to Havasupai. We're at the bottom of the Grand Canyon. The topography is just the same as the beautiful pictures, as you already know, but, as I've heard some say with our WISP, there was

another company in the area who I characterized as squatting on frequencies, that to me just seemed to be sitting on them waiting for a customer base, while here on the reservation, we could easily flip the switch and serve about 420 permanent residents. We then went into a rather long, nine-to-twelve-month negotiation process with the Wireless Bureau Division at the FCC – many phone calls, some lawyers.

01:23:41.180 --> 01:24:09.730

Ophelia Watahomigie-Corliss: But this is the initiative that I'm thinking – is that process. When tribes are trying to figure out frequencies, they may not necessarily have to use microwave like we did, but if there's a group of people, and I know the wireless Bureau Division already had done this for us, but to somehow expedite that process that took us about twelve months. By the end of that we did switch frequencies with that company. It wasn't actually the best outcome, but the WISP got enough leverage to be able to microwave one gig out to us at the bottom of the Grand Canyon. If something like that could be created and shortened for Indian country, I think that would be helpful: some type of negotiation process or group –

01:24:38.720 --> 01:24:46.800

Scott Harris: Can I ask what seemed to take so long? It sounds like you were talking to the right people at the Commission.

Ophelia Watahomigie-Corliss: True.

Scott Harris: It sounds like they ultimately were helpful. Do you have a sense of why it took as long – and the problem is, it just took too long – do you have any sense of why it took so long?

01:24:53.960 --> 01:25:23.940

Ophelia Watahomigie-Corliss: Actually, yes! I came to find out way later. It wasn't shared to me initially, but they claim that we filed the paperwork under, like, a wrong number or under a wrong category. So, I know that someone had mentioned a type of training, you know, coming from maybe the Feds. That would also be helpful. Fumbling and bumbling around the FCC website, trying to figure out and understand how to –

01:25:23.950 --> 01:25:28.589

Scott Harris: It can be very complicated, absolutely. I totally understand that.

01:25:28.600 --> 01:25:49.000

Ophelia Watahomigie-Corliss: Absolutely, yes, sir. So, something like that may be a little bit easier or a referenceable a little bit easier – because we were talking to the right people, and what we needed to get done did get done, but the process – they claimed – took longer because our WISP filed their initial paperwork under, you know, a wrong category or wrong number.

01:25:49.910 --> 01:25:53.190

Scott Harris: Got it. Thank you very much. That's very helpful to know.

01:25:53.200 --> 01:25:54.410

Ophelia Watahomigie-Corliss: Okay, you're welcome.

01:25:57.900 --> 01:26:14.770

Adam Geisler: All right. Thank you, Ms. Ophelia. I hope you guys are staying warm and dry there at the bottom of your Grand Canyon. We have now up Ms. Leslie Hardwick, Ms. Hardwick, if you could again give us your name, your title, the tribe you're with, and if there's any tricky spellings, if you'd help also help us with that. Thank you.

01:26:21.290 --> 01:26:37.789

Leslie Hardwick: Hi. My name is Leslie Hardwick. I'm with the Spokane Tribe of Indians. I have a pretty basic name, L-E-S-L-I-E. I am the telecom billing manager for our local tribal ISP and I'm actually speaking on behalf of Brodie because he had to step away for just a second.

01:26:37.800 --> 01:26:55.850

Leslie Hardwick: So, for his or our response for question three was to possibly allow the tribes to skip the official application processes for testing new technologies on their respective reservations and allowing for a grace period of six to twelve months for tribes to really work with the technology and see if it's even viable for their residents. Thank you.

01:27:00.990 --> 01:27:04.690

Adam Geisler: Well, I think I was pretty clear. Okay. Thank you.

01:27:04.700 --> 01:27:11.629

Derek Khlopin: Thank you for the brief comments. I think I think that's pretty clear. You're looking for a process that would – before you get into a longer formal one, have an opportunity to upfront, you know, do a trial, do a testbed before you would have to take additional steps. Thank you.

01:27:21.600 --> 01:27:23.180

Leslie Hardwick: Correct.

01:27:23.790 --> 01:27:25.040

Scott Harris: Thank you. All right. Should we go on to the next question?

01:27:33.190 --> 01:27:35.039

Derek Khlopin: Question number four: What if anything can NTIA do to develop, strengthen, and diversify the spectrum workforce with the tribal nations to ensure an enduring, capable, and inclusive workforce? I think we started to touch on this a little bit, so maybe there'll be some additional perspectives. Thanks.

Scott Harris: So, we've already talked about the possibility of some kind of training, and I think that resonated with all of us here, and that is certainly something we are going to follow up on. If you have any more specifics or suggestions, that would be great, again – either now or in written comments – even without more specifics, we'll try to figure it out for ourselves, but the more guidance you can give us always the better.

01:28:34.700 --> 01:28:48.430

Adam Geisler: All right. It looks like we have three hands that have popped up. I'm going to go ahead and go to Ms. Sorhna Li, who, I believe, hopefully will be expanding upon a little bit more on the training piece. Here, Ms. Li, go ahead and come off mute.

01:28:50.520 --> 01:29:01.389

Sorhna Li: Thank you again. Sorhna Li, government liaison with Scott's Valley Band of Pomo Indians in Northern California. So first off: apparently, my answer to number three really is the answer to number four [laughs]. So, if you want to move that on the transcripts, I respect that choice. Having said that, there's a multiple of different ways that we as a tribal government attempt to do training, but one of the things that HUD actually did through Covid, using Covid funding, was develop a grant option for employment and training that was directly focused on the health care industry. And so tribal governments were eligible to obtain those dollars to assist in developing employment training opportunities on behalf of their tribal members.

01:29:52.410 --> 01:30:02.560

Sorhna Li: So, the first thing that comes to mind is for NTIA to provide a similar opportunity in a non-competitive fashion that would allow those tribal governments, particularly the ones that are stressed with limited to no economic development or ability to do these activities outside of Federal assistance with training dollars, above and beyond whatever other employment opportunities they may have, that again is focused strictly on spectrum workforce.

01:30:15.840 --> 01:30:27.699

Sorhna Li: That's important, even for those tribes that have a tribal TANF program or a WIOA program, because, in many cases, those programs are limited to the least economically available clientele. And when we can have a training program that allows us to train all of our members regardless of their current economic condition, it is even more effective. So, it's important that there be no income requirement on that training idea. I know we have limited time, and I could talk about this probably far longer than I should. So – but that was what I wanted to at least suggest that NTIA look into – is how HUD did that, and if there's any available funding in that regard, and again, in a non-competitive manner.

Scott Harris: Great, you know, and one of them even if there is no funding available, that doesn't stop us from suggesting there should be, so – very helpful. Thank you.

Sorhna Li: If I may –

01:31:14.050 --> 01:31:18.619

Adam Geisler: One point of clarifications Sorhna.

Sorhna Li: yes, Adam?

Adam Geisler: Was this done through just an amendment to the housing plan? Right, so, in order for it to be non-competitive, did you guys leverage HUD's annual housing allocation through NAHASDA [Native American Housing Assistance and Self Determination Act], and then put a line item in the housing plan to do this training, or was this a different program that had developed altogether?

01:31:41.130 --> 01:31:59.089

Sorhna Li: This was a different program. I believe it was actually done through – possibly a block grant that they, I believe, actually officially did it as competitive, but they did two rounds, and so kind of, eventually everybody was eligible. I'm not 100% certain. I know we, for instance, were not successful in round one, but were successful in round two when additional funding became available. I was suggesting that just utilizing that as a basis, but any time we can do it non-competitive, because it's very frustrating, when the federal government issues competitive grants, the challenges those who have easily or more easily obtain those grants versus those who have not who actually need the grants. And so, anytime it can be a non-competitive, but even if and – I appreciate the point of even if there's no funding available that doesn't keep you from providing the funding, providing the suggestion, but if NTIA could develop a workforce educational materials that could then be disseminated with a tribal focus in mind and an understanding of historical trauma and how tribe tribal members learn culturally-sensitive educational materials that that could then be provided to the tribal governments, that alone would at least start the conversations, and maybe in conjunction with their tribal TANF programs, if they have them, or their WIOA programs, if they have them, be able to ah accomplish something in that regard. So just another way if there's no funding that might be available.

01:33:24.990 --> 01:33:27.910

Scott Harris: That's a very interesting suggestion. Thank you.

01:33:29.830 --> 01:33:30.989

Adam Geisler: All right. We have Ms. Leslie Hardwick, Spokane Tribe of Indians. And, Ophelia, you're in the batter's box after Ms. Hardwick.

01:33:40.070 --> 01:33:57.630

Leslie Hardwick: I think we'll go into more detail on this in a written comment, but basically the NTIA conducting listening sessions with tribal nations to enable them to share challenges and offer resources, and additionally to designate an FPO or liaison for each tribe would be helpful.

01:34:01.350 --> 01:34:06.329

Scott Harris: Thank you a very – again, an excellent and very interesting suggestion.

01:34:08.140 --> 01:34:10.090

Adam Geisler: All right, thank you, Ms. Hardwick. And, Ophelia, you are up. If you could go ahead and take yourself off mute, please.

01:34:15.960 --> 01:34:21.859

Ophelia Watahomigie-Corliss: Yes, Ophelia, Watahomigie-Corliss, the Havasupai Tribe, TBC Program Director. I just wanted to – the training and the possible funding always sounds great. I just – my comments are just about being a small rural tribe, beyond the concept of rural, which would be the Alaska tribes and us. We don't necessarily have the Internet capability, you know, and also the comfort of the tribal members to have had the opportunity to sit and do webinars or training online. They might not be comfortable with that. They might not just be used to that yet. It's something beyond their capacity at the moment until we um have high speed Internet for them to understand those opportunities. So, I guess, in the idea, if there was funding, or if there were work camps – I mean training camps – maybe near us, where tribal members we could send them to – up and out of the canyon, away from here, in person, traditionally, if that's an idea. And I say, for the Alaska tribes and us, that if there ever was funding, these individuals, they would almost really rather be there in person to learn these kinds of things. If there ended up being like a work session or a training that we could send them to rather than them staying down here in Havasupai. That idea would also come with lodging, somewhere for them to stay. Those were actually the only compliments, I mean, comments I wanted to make. I understand you're trying to figure this out. So, there's some more information for you.

01:36:18.300 --> 01:36:19.380

Scott Harris: Great! That is a very useful perspective. Thank you. Okay, I guess we move on to our last question.

01:36:30.280 --> 01:36:37.119

Derek Khlopin: This one's a little bit of a catch-all. We're asking if there are any other questions raised by the request for comments, the RFC. We put out that are of interest to tribal nations, and I would just sort of add, I would say anything else you want to, feel free to raise.

Scott Harris: Yeah, we don't know what we don't know. So, any other suggestions you have for us as we go through this endeavor, we are open to them.

01:37:06.370 --> 01:37:16.430

Adam Geisler: All right, and it looks like we have Ms. Valerie Fast Horse with the Coeur d'Alene Tribe. Valerie, you are up. Go ahead and come off mute.

01:37:17.820 --> 01:37:24.800

Valerie Fast Horse: Hello again. Now Valerie Fast Horse, like Adam said, with the Coeur d'Alene Tribe, and this kind of goes with the last question about training. Any other questions raised is that, I guess comments that I would like to make is that funding for these training camps and boot camps can be provided by the previous auctioning off of spectrum instead of it going to treasury, having it go to tribes, or having it go towards tribal training programs, tribal access the spectrum. You know anything in that nature, you know, whatever, and maybe hold some consultations with tribes on that.

01:38:00.250 --> 01:38:02.069

Scott Harris: Okay, Thank you. I understand the point very clearly [laughs].

01:38:02.140 --> 01:38:07.360

Adam Geisler: All right. Let's see who else we have here. Any other hands up? We'll do the going once, going twice, going three times thing here. So, let's give it a second.

01:38:22.100 --> 01:38:23.799

Scott Harris: I see one more here: Ophelia.

01:38:26.520 --> 01:38:30.119

Adam Geisler: Oh, I think she – that –

01:38:30.670 --> 01:38:32.089

Ophelia Watahomigie-Corliss: Yeah, or I mean – thank you. Hi. I'm Ophelia Watahomigie-Corliss, Havasupai Tribe, TBCP program director. You know, just coming from a small tribe again. You know we don't have a grant writer. You know, we have to hire out that stuff. We can't just even drive five, six, seven, eight miles to get to the next city, or to the next university to help us, you know, put a grant together. It's if you're an older tribal member, it's waiting for the helicopter, because you're too old to ride the horse out of the canyon, and then you drive to know where you need to go for some help, or maybe for some training. So, I just, you know once again, just to give you information. Some tribes are beyond the concept of rural and some tribes are so small that they don't have a grant writer, or some tribes are so far away from the next educational institution where we could train and getting degrees about these kinds of things that maybe we're about fifteen or twenty years behind. Some larger tribes who might be in arms reach of being able to drive to a university and such. There are many different tribes, many different facets, but I'm just speaking for us small tribes – beyond the concept of rural – when it comes to needing help or a grant writer. When you think of things, of making them competitive or having something available for all tribes, just remember the small ones that don't have that capacity to even have a grant writer. That's all. Thank you.

01:40:28.450 --> 01:40:37.470

Scott Harris: And I take from that – and we've heard it before – there's not going to be one answer that's going to cover everybody. Right? We're going to need multiple answers.

01:40:38.750 --> 01:40:42.659

Adam Geisler: I think I the other thing I heard there, Scott and team was that Havasupai tribe invited everybody down to the bottom of the Grand Canyon for whenever we do our first training – is what I heard there [laughs]. So, I'm joking here, but I don't want to lose sight of – I think that a really important theme that I've heard now, I think, from a number of our speakers, which is the idea, traditionally, of how education is done – even regarding technology – is something that culturally should be executed in multiple facets, including in person, right? I think that's one of the big takeaways I heard here – is that in-person

training is a cultural component that we need to be taking into consideration when looking at this – very fair points.

01:41:28.970 --> 01:41:41.460

Adam Geisler: Well, Scott, I think or Derek, I think we're ready to move on to the next slide if there aren't any other open-ended – as you guys said the open-ended question. Is there anybody else? So, I'll just say, going once, twice?

01:41:47.770 --> 01:42:03.720

Adam Geisler: All right. Well, that – I guess I'm going to go ahead and wrap there. Scott, so you want to cover the pick-ups here?

Scott Harris: Sure. We've referred a number of times to written comments. There's the email where we will be accepting those comments. Formal comments are open until 5 PM on the 21st of April, and just to go back, so you all understand how we did this, because we had a public request for comments, and the comment period for that ended yesterday. What we all did is we decided to treat the tribal nation the same way we treated essentially Federal government agencies. They had their own their own comment period, which is also ending about now, and so we treated you essentially as we treated them, setting up a special comment period. Having said all of that, after the final comment period expires on the 21st, there will be on our website an email address that's open to anybody: tribal members, tribal governments, other members of the public, where we will accept any other thoughts that people happen to have after the formal comment period is ended, and we will do our best to take anything we get that email address into account – literally until we're writing this thing. Our goal is to make sure everyone feels like they can participate; everyone who wants to participate has a variety of mechanisms to do so. Again, one more pitch: we'll do this again on Thursday at one o'clock, for anyone who thought about things during the course of this consultation, and is more prepared to speak, or would like to speak at the next one. And I finally want to say we are very grateful for your time. Whether it's the morning for you or the afternoon, we appreciate you spending two hours with us to talk about the spectrum, because not everyone is going to want to do that. So, thank you.

01:43:57.830 --> 01:43:58.989

Adam Geisler: Awesome. Well, with that, we are going to go ahead and conclude our government-to-government tribal consultation today. Again, just wanted to reiterate, as my colleagues did, thank you to the tribal leaders and their designees for providing comments on the National Spectrum Strategy. I think you gave us a lot to think about in relationship to the development of this Strategy. So, thank you for dedicating that time and energy again. Same show, different day on Thursday, Same program. So, please get your written comments in, and with that we will go ahead and conclude today's consultation. Nosuun Looviq and thank you so much again for attending today. Thank you.