

TRIBAL CONSULTATION
NTIA Tribal Broadband Connectivity Grant Program
[Transcript To Be Viewed With Published Video](#)
February 10, 2021

0:06

Good afternoon or morning as the case may be. Welcome to NTIA's Second Tribal Consultation Session on the Tribal Broadband Connectivity Program.

0:18

We are right at the hour, and we'll begin in a few minutes, and we want to give folks a little bit of time to be sure that they can get on to the GoToWebinar platform.

0:30

I can see we have gotten about 100 people on and had quite a few more registered, so we'll probably actually get started at 3 or 4 after the hour.

0:43

We're opening a session in listen only mode so we can cut down on background noise

0:49

and be sure that everybody that is participating can hear the opening presentation which is the background on the program.

0:58

The primary purpose of tribal consultation is to hear from tribal leaders or their designees for input on this program. It is not an open meeting, and we ask that any press who may be on the line disconnect now.

1:14

Once we do move to the government-to-government dialogue part of the agenda we will first engage folks who are on phone only mode.

1:28

And we will do that by taking all of the lines off of mute.

1:33

And you will individually still need to hit *six in order for everyone to hear you.

1:42

We will repeat those instructions when we come back to the Q&A's and government to government dialogue section.

1:50

For folks who are participating online, you can use the raise hand function, in the GoToWebinar, and I will be looking for those hands to go up and call on you.

2:12

Also, know that this session is being recorded, so if it is a problem, just want to be sure you are aware of that, and you can drop if you have any objections to that.

2:25

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We are also accepting written comments as well. You can send them to BroadbandUSA@NTIA.gov by the end of the day, tomorrow, Thursday, February 11th.

2:39

That e-mail address is also included in the presentation, which is available for download from the handout section in the GoToWebinar. It is also available for download from NTIA's website at BroadbandUSA.NTIA.gov

3:00

And with that, I will turn it over to NTIA's Associate Administrator for broadband programs, Mr. Douglas Kinkoph. Doug, over to you.

3:12

Thank you, Laura. Welcome to the tribal consultation. This is the second of three that we will be doing. The Tribal Broadband Connectivity Program was set up in the Consolidated Appropriations Act

3:25

2021 [inaudible] new sources of tribal broadband funding that can assist in mitigating the effects of the COVID-19 pandemic which is exacerbating the digital divide across Indian country.

3:37

Congress, recognizing that Indian country was hit hard, determined that a rapid response was needed. The tribal consultation will be with primary tribal leaders or their designed tribal stakeholders.

3:52

The tribal consultations are not for press purposes and again, if press could get off at this time as Laura mentioned at this time to ensure that

4:01

tribal leaders and stakeholders have the opportunity to participate.

4:06

The Department of Commerce and the National Telecommunications and Information Administration (NTIA) are dedicated to expanding broadband deployment on public lands in rural America [inaudible] Broadband is vital to education, health, economic and workforce development, culture, public safety, and much more. We look forward to your comments on the Tribal Broadband Connectivity Program and how we can work together to solve broadband access challenges in Indian country.

4:40

We appreciate all the work the tribes and tribal associations have accomplished to expand broadband and digital awareness [inaudible]

4:51

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We recognize that each tribal government have some challenges and priorities related to broadband infrastructure, and we look forward to your comments.

5:01

[inaudible]

5:04

We are committed to working with you to work on recovery and resilience, and while we know these funds are a big step forward for tribal broadband, they are still insufficient to meet all the broadband needs in Indian country.

5:17

Now, it's my privilege to introduce Chairman Peterson.

5:23

Chairman Peterson was born in the north woods of Wisconsin.

5:34

Chairman Peterson is a U.S. Army Veteran who worked in the California aerospace industry after he left the military. He returned to Wisconsin to work for the tribe and has served two terms as Tribal Chairman.

5:48

Chairman Peterson has been instrumental at the national level pushing on access for tribal partners.

5:57

Chairman Peterson, thank you for joining us today, and I'll turn it over to you.

6:04

INVOCATION

I appreciate, and I'm honored to be able to speak here today.

6:11

And I want to say, which, for the consultation and I want to thank all my fellow tribal leaders who are on this call today.

6:23

We all know, important broadband in our native communities, and how this has been neglected for many years, which since I've been in this capacity for years. With my background, as was mentioned in the introduction,

6:43

infrastructure has been one of my top priorities in broadband, cellular advancement and fiber optics have been one of my primary goals.

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7:00

one of the things that we all understand as tribal leaders is how we have been left behind Native communities have been left behind our children, especially now during the pandemic needed for virtual clinics, for telehealth.

7:19

And also, our public safety needs broadband. And, in modern technology, with that, I'm going to keep it short here, so that I know everybody's got a lot of questions. But, again, I want to close by asking the Creator to guide us all. Everybody taking part here, today, that we proceed in a productive way that we can do weekend.

7:52

Overcome these hurdles.

7:55

It works in a way that will benefit all of our communities.

7:58

Be quick.

END OF INVOCATION

8:08

Doug, you're still on mute.

8:13

Sorry about that. Thank you, Chairman Peterson for both your invocation and your service to your tribe.

8:20

Thank you for joining us today.

8:22

Next, I would like, just do a quick overview of the agenda that you have up on the screen.

8:30

We've just put it [inaudible]

8:32

I'm going to do a very quick, high-level overview of the three programs that Congress provided to NTIA, then we will go into a little bit deeper dive into the specific Tribal Broadband Connectivity Grant Program and then into the government-to-government dialog which will be done by Adam.

8:54

These are the top [inaudible] we will be covering plus additional topics that you may wish to raise at the end, and then we will talk a little bit about logistics, and then we will close out no later than five o'clock.

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9:04

So, we can go to the next slide, please.

9:13

There are three programs that Congress

9:18

dedicated to NTIA. The first is the Tribal Broadband Connectivity Grants Program, which is the one-million-dollar program that is the focus of today's discussion.

9:29

The second is a Broadband Infrastructure Deployment Grant program, a \$300 million grant program focused to states and their political subdivisions and providers to look at building out infrastructure with that money, and then the third is Connecting Minority Communities Pilot Program which is a non-infrastructure program

9:52

basically, targeting HBCUs, HSI, MSIs, TCUs to provide broadband internet access to eligible entities.

10:05

So those are the three programs that were given to us and the team. My team will be implementing all three of those, but now we would like to just go back and focus on the intent of today's meeting, which is the Tribal Broadband Connectivity Grants Program, and I would like to introduce Jennifer Duane who will be going through that.

10:26

Jennifer Duane is a Broadband Program Specialist for the National Telecommunications and Information Administration (NTIA). Ms. Duane joined NTIA in 2009 to develop policy for the Broadband Technology Opportunities Program (BTOP).

10:42

She then served as a Senior Attorney Advisor in the Office of Chief Counsel for NTIA providing legal advice and general counsel to NTIA offices on a variety of telecommunications, information technology, commercial data, and privacy matters.

10:59

Most recently, she served as the Senior Advisor to the Assistant Secretary of NTIA on matters related to broadband and public safety. So, Jennifer, I'm going to turn it over to you. Thank you.

11:10

Sure, thanks Doug. I just wanted to spend a few moments going over some of the key provisions in the statute covering the Tribal Broadband Connectivity Grant Program. On slide four, you will see the list of eligible entities that the Act is allowing to apply for this grant program.

11:32

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And these entities include tribal governments, tribal colleges and universities, the Department of Hawaiian Homeland's on behalf of the Native Hawaiian community, tribal organizations, and Native corporations

11:46

under the Alaska Native Claims Settlement Act, this notion of eligible entities is going to be one of the key topic areas that we'll be focusing on later on in this consultation. But we are interested in, given that a variety of entities that are eligible to apply to this grant program, how can we structure it in a way that will ensure that each tribe's priorities for broadband are met? So, that's going to be one of the key issues we will be focusing on today. On slide four, slide five, excuse me.

12:21

So, the purpose of the Tribal Broadband Connectivity Grant Program is to expand broadband access and adoption on tribal land.

12:31

So, the Act sets forth five components of tribal land that could qualify for this program.

12:40

It includes lands located within a reservation Pueblo [inaudible]

12:45

land that's not located within these boundaries.

12:48

But when title is held in trust to for the benefit of the tribe.

12:55

There's also any land located within a region established by the Alaska Native Claims Settlement Act, the Hawaiian homeland. And then the fifth component is an area community designated by the Assistant Secretary of Indian Affairs of the Department of the Interior that qualify where financial assistance and social service programs are provided Indians because of their status as Indians.

13:23

So, we are actually working now with DOI on a process to address that component of the eligible tribal land.

13:32

Turning to slide six,

13:36

that lists the eligible funding uses for this grant program. It is pretty broadly defined so broadband infrastructure deployment is not eligible use of the funding under this program, and that also includes support for the establishment of carrier neutral submarine cable landing stations, and the other component is broadband adoption activities.

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14:00

This includes establishing affordable broadband programs, distance learning, telehealth, digital inclusion. So, it's basically broadband deployment or broadband adoption activities that are eligible uses of the funding under this program. The Act does set forth a cap on the amount of administrative expenses that an eligible entity may use.

14:24

They may not use more than 2 percent of the grant funds for administrative purposes.

14:29

And the Act also prioritizes deploying broadband new construction of broadband infrastructure to unserved households. So, that's also this notion of unserved is also a topic that we will be addressing later on in the consultation.

14:49

Turning to slide seven.

14:52

Now this slide shows some other considerations that we wanted to bring to your attention. The first is this concept of equitable distribution.

15:00

The Act mandates that the amounts appropriated need to be made available to eligible entities on an equitable basis and not less than 3 percent of those amounts are for the benefit of Native Hawaiians.

15:14

So, this is going to be, I think, a key topic of discussion for this session about how we go about ensuring that this provision of equitable distribution is satisfied in a way that benefits tribal entities.

15:29

The Act also sets forth a very aggressive timeline for this program.

15:33

Once NTIA has established the requirements of the program, which we will do by issuing a Notice of Funding Opportunity, applicants have 90 days after that date to prepare and submit an application for our consideration. And then the Act also gives us a very aggressive timeline for committing and extending the funds.

16:03

After an award is made, an applicant will have 180 days to commit the funds for the purpose of the project.

16:13

They have a year after we issue the award to expend the funds, although I will point out that NTIA does have the ability to extend the period of performance for any construction

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project. And the requirements are fairly broad, meaning an applicant just needs to show that they have a plan for construction, and I think we will, you know, readily grant such extension.

16:40

Turning to slide eight, that brings us to the government-to-government dialog portion of this session, and I wanted to turn this over to Adam Geisler to lead this discussion.

16:54

Adam is a National Tribal Government Liaison with the First Responder Network Authority serving Western Tribes in FEMA Regions 9 and 10.

17:04

He's a member of the La Jolla Band of Luiseno

17:06

Indians near San Diego, California and has served in an elected leadership role with his tribe running tribal government and shaping national policy in public health, transportation, economic development, and housing for over a decade. NTIA is really fortunate to have Adam working with us on this grant program and bringing his expertise to help us formulate these requirements. So, Adam, I'll turn it over to you.

17:36

Great. Thank you, Jennifer and I appreciate the introduction (Mr. Geisler introduces himself in traditional native language) [inaudible]

17:45

17:48

Well, good morning or good afternoon depending on where you are within this great country of ours.

17:54

And I want to say welcome.

17:56

I'm coming to you live from my home on the La Jolla Indian reservation where I have the opportunity to telework

18:03

and inside a home that I did it with a 184-home loan program.

18:08

And so, I am absolutely a product of the programs and policies that my tribe has been engaging with over the years.

18:17

And as a former tribal leader myself, it's an honor to be a part of a process and the development of a NOFO that is so greatly needed in Indian Country.

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18:31

I remember what it was like when my kids came home from the school district and had iPads, and they called me, Mr. G and asked the question, Mr. G how do I get online to do my homework?

18:42

And so. I can appreciate the circumstances that many of you are living through today as elected officials of your own tribal governments and dealing and combating the impacts of COVID within the communities that you serve.

18:57

And know that the intent of this legislation, HR 133, and the Statute specifically 905, regarding the Tribal Connectivity Grant or Broadband Connectivity program.

19:13

It's an understanding that we recognize that there is a need to get these dollars out because the need is there and that COVID has highlighted this. And we recognize that there is a level of urgency behind the sense of funds.

19:27

That also means that with a level of urgency, that there are some particular parameters around the legislation itself, in terms of having to build this program and get it out the door in under 60 days.

19:40

And so, we appreciate everybody that has joined us today to be a partner in making sure that this program is successful and provides, you know, good quality projects for tribes and meeting them where their digital connectivity needs are today.

19:57

So, a little bit of housekeeping in terms of how we are going to move forward through this

20:02

process. You'll see that there's a list of topic areas that we are hoping to engage everybody on.

20:08

We are going to go through each one of those in a little bit of detail, and then we will come back, and we will have the screen back up for you.

20:16

But I am hoping that then we can engage in a dialog in a consultation and a discussion about what it is that you're looking for.

20:23

And, again, wearing that former, when I look through this from the lens of a former tribal leader, I have never seen a program before where an agency has ever come to Indian country and said, how do you want it?

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20:37

And I think this is a unique opportunity for everybody to think about some things that I know to be true, which is the cake is not baked.

20:44

The intent of this consultation session is really to ask us what ingredients you see that are critical for the success of solving the digital divide issues that Indian country is facing and, in particular, as a result of the of the exacerbated impacts of COVID.

21:01

So, know that we're going to go through these items, you know, please jot down your notes. You're also more than welcome to send in formal

21:07

written responses. We'll pull up the e-mail box that you can e-mail that information to as well.

21:14

But I guess, with that, I'll also leave the thought with as we go through these items, we are tasked within the statute to make sure that we are pursuing a process that is equitable. And I think that that means so many different things to so many different people when you have the conversation about equity.

21:32

But at the end of the day, we have tribes in a lot of different places today

21:37

in Indian Country. Some are ready to deploy amazing networks, have great plans that, you know, some of you have the 2.5 set-aside that you're looking at. Others of you are dealing with affordability issues. The issue is not access. The issue is affordability up.

21:52

There is a view that COVID has really just kind of brought the broadband discussion on the table for you.

21:59

And you're formulating your plans and your ideas and building your partnerships.

22:04

And so, as we go through all of these topics today, know that the cake is not baked, and that we're here to ask for your feedback. So, please do not be offended

22:13

if you ask me a question on how we're going to define something, I may come back and just very politely ask you, well, how would you like it?

22:22

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And so, please, in that context today, as we go through these topics, think about how you would build this program if you had an opportunity to build it, how would you set the buckets for distribution? How would you make sure that there's an equitable approach?

22:36

How do we make sure that this program is successful and shows that that these programs and projects can be successfully deployed across Indian country?

22:46

So, with that, we'll go ahead and jump into the first topic area, which is program eligibility -

22:53

the who and the what.

22:55

So, you've already heard Jennifer kind of outline who's eligible.

23:00

And I think that while we recognize that we have a number of eligible

23:08

entities or tribal governments or subsidiaries of governments,

23:14

we also recognize that we have a balancing act to do here in terms of how are we going to treat applications that may be coming in from a prioritization standpoint?

23:27

So, do you have any ideas on how we set the prioritization when we look at, you know, the different needs that we have across Indian Country?

23:36

Because we are tasked with coming up with the way to scope the NOFO and thinking about how we are going to prioritize the needs that are coming in through the application process. So, how do you think we should be prioritizing those needs?

23:54

Also, should each tribal government be limited to one application for all eligible entities? And I'll just give you an example.

24:01

A number of you are part of consortiums and your consortiums are contemplating about submitting an application.

24:09

But you're also possibly thinking about submitting an application individually.

24:14

What happens when we receive both applications? What do we prioritize?

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24:19

Another component of that is how do we validate?

24:23

How do we validate that that application, has been done in collaboration with the entity where the trust responsibility lies in terms of validating that people are doing planning collectively and not doing planning and then telling people after the fact?

24:41

What types of projects should be eligible and what types of projects should not be eligible?

24:48

Again, if you were creating and having to scope this program, how do we draw that line between what makes sense and what really isn't supposed to be part of this program? Because, again, the language is so broad.

25:03

And then we also come across this issue of the duplication side of things and how should we be looking to address the use of federal funds if other folks have already been subsidized in your area. And how should we be treating that process? What is your opinion on that?

25:21

What do you think the successful solution would be?

25:26

I also want to point out that, for those of you that have read through the statute and were wondering what the definition was going to be used for a tribal organization because it wasn't necessarily defined in the statute, I just wanted to point out that in the blue box it is defined in U.S. code.

25:43

And, so, for those of you that have been wondering how we're going to treat or, excuse me, how NTIA is going to treat, this particular definition, that we have that language there for you.

25:58

Before we go to the next slide, one of the things that I did want to point out to everybody, as we move through these slides, we do have in the handout section of the GoToWebinar platform, the PowerPoint. So, as we move along and you want to kind of come back to a particular slide or look at the questions, know that we do have, the PowerPoint actually sitting in

26:22

the handout section so you can follow along. I will also point out that we have all of the information that your tribal leader letter, the PowerPoint, and etc. all on the NTIA website that we we'll also share. It's probably down in the chat link. We can make sure that we can re-post that again in case you want to follow up and find out some additional information or see the additional documents.

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26:49

Alright, next slide, please.

26:54

This kind of gets into the, I think, the thing that makes this process, not necessarily challenging, but something that we really have to think through in making sure that we are thinking through an equitable way in which tribes can access the funds.

27:16

We have all lived through the formula processes that we have seen out there with different programs. I remember running a housing program under the [inaudible]

27:28

I remember running transportation programs with TTP formulas.

27:33

I remember coordinating with IHS and thinking through the IHS formula distributions, and we all know that there are challenges. There are winners, and there are losers, and there are folks that feel frustrated through that formula process.

27:47

And so, one of the things that we wanted to wrap our head around are there other ways to do this? How can NTIA ensure equitable distributions of the funds?

27:58

And are there alternative methods that we should be considering that can help support a more equitable approach?

28:06

So, the question is, you know, should we look at an upfront allocation of funds regardless

28:12

of formula, just a zero-point lake, a pot of money that goes out to everybody to use for eligible activities.

28:20

Should we look at a competitive based, or needs based program, and look at the distribution based upon need?

28:28

Should we look at, again, as I had mentioned, a formula process or program?

28:34

Should we look at any combination of those?

28:37

Is there a way to develop an equitable program that uses a combination of needs based, plus formula, plus bulk distribution?

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28:45

Do you have thoughts on an equitable way to build this program and meet the needs?

28:52

And then, should every tribe receive a standard allocation? We shared that on eligible expenses with the balances to be used in a competitive program. So, there's, again, just another thought that we have there, again, with an emphasis that we know we need to have a need, is clearly something that we've heard in the past.

29:10

So, again, what are the best methods that you feel that we should be able to use to help measure that need and make sure that the distribution is done in an equitable and respectful way based upon the depth and breadth of where Indian Country is, because it's in so many different places across the United States today?

29:30

All right, slide three, please.

29:34

We all know that the protection of cultural resources is a must.

29:42

And this has the foundation of where the legislation has come from, has come from COVID-19

29:55

response package, right?

29:57

The intent here was to get dollars out the door quickly, and I have actually fielded some phone calls on the on this first question when we talk about respecting [inaudible], NEPA, and more broadly just the cultural resources processes that are out there and protections.

30:13

I did field some questions about how we are going to be treating the expedited environmental process or why are we asking the question. And for those of you that have concerns, I do want to just make a point of clarification on that first question.

30:32

We realize that there is some concern over previous programs and the categorical exclusion processes that may have occurred with the small cell or other frustrations that have gone on, and that is not where we're coming from

30:47

with this. The question really is centered around, we know that that there is a need to get these services into homes quickly.

30:55

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How do we do that in a way that is respectful of historic preservation and environmental protection but also meeting the need of what the communities are saying that they need?

31:07

We know kids have an issue in being able to attend their schooling. We know that there are telehealth challenges.

31:11

We know that many of you are facing economic challenges, 60 and 70 percent hits on your revenue.

31:18

And a lot of that is tied to your ability, or inability, to conduct commerce in this COVID digital environment.

31:26

And so, that question, just for clarification, is really centered around what are your ideas that you have that we could use to help promote an expedited process but do it in a respectful way and,

31:38

frankly, in a compliant way.

31:41

You know, the other question that we had was, do you have the resources today to address the requirements of NEPA, NHPA,

31:50

and the general cultural resource TIPO, SHIPO functions that you would need in order to participate or be active in any type of an environmental assessment process related to these projects? Are you resourced to be able to support that?

32:06

What should NTIA be aware of with regards to historic preservation or environmental assessments and cultural resources? Are there things that we can do better?

32:17

Keeping in mind that, of course, there's a baseline, but if there's things that we can do better in thinking through how to, again, both expedite but make sure that we set maybe a new gold standard around on the environmental process. That's something that we want to collaborate and talk about.

32:36

And then the last piece here, is something that I think is really important.

32:41

We're talking about all this infrastructure and tech.

32:45

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And I know that within a lot of the communities that I've worked in, there's always a dialog that happens between the traditional cultural component of the tribe and the element of the tribe that's looking to bring these new services and how that is balanced.

33:04

And so, the last question that we have in this space is what is your biggest environmental or cultural resource concern with this program? You know, let's get that on the record today so that we have that awareness founded in the consultation process.

33:20

I mean, frankly, we want to make sure that we're being respectful of what those big concerns may be and that we continue to educate others that may not understand those.

33:32

So, that's the cultural component of this in terms of topics. Next slide please.

33:39

These are the hot topics. We probably didn't call them that but as those of you that are that are tracking this you are probably seeing that these are some tough ones.

33:51

Unserved areas. The Act stipulates that grant funds be prioritized to unserved areas.

33:58

A household is considered unserved if it lacks access to qualifying broadband service.

34:04

Further, the Act states that the Assistant Secretary shall award a grant to each eligible entity that submits an application that the Assistant Secretary approves after consultation with the Commission to prevent further duplication of funding.

34:20

I'm going to point your attention over to the blue box for just a moment before we come back to the questions

34:28

because I think it's important for everybody to understand what has already been identified in the statute as qualifying, as under or unserved.

34:40

And so that really comes from those of you that are not currently in a space where you're receiving a download speed of 25 megabits or an upload speed of three megabits.

34:53

And for those of you that, we start talking about bits and bytes, and it starts to sound like a foreign language to keep it really simple.

35:02

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Think about it in terms of, are you able to get on and stream Netflix, or are you able to get on this consultation today and have the video capabilities that you would want in order to interact and conduct the business that you have?

35:20

So, think about it in that context.

35:22

So, again, for those that are a little bit more tech oriented, you know, the base is 25/3, I mean, one of the questions is, is that a good base?

35:31

Should there be something that's a higher standard that we're looking at in this process, as well?

35:36

And then, if you look at item C, another question, and I'm sure this is probably going to be a point for the folks that are in areas that you're relying upon satellite or wireless solutions is latency, how much delay is allowed in the signal? You see this a lot with satellites.

35:54

I'm sure the folks that are here from Alaska, and then some in the more rural, geographically challenged areas have some thoughts on this.

36:04

So, for those of you that are thinking about a satellite solution, what is a good standard or what is sufficient in terms of latency knowing that you can't ever get rid of latency with some of these solutions?

36:18

So, how can NTIA ensure that the grant funds are prioritized to the unserved areas on tribal lands?

36:26

What is the best way to demonstrate if an area is unserved?

36:31

You know, again, is that a self-certification process?

36:34

Are there ideas that you have from your perspective in terms of how you would validate unserved. Or if somebody needs to be able to say yes, it is, it's the speeds that are better than 25, 3. Or no, they are not. And so, who does that, how should that be treated?

36:54

And then, you know, this also gets into the topic of, you know, what thresholds would constitute unserved from your perspective and the duplication discussion that comes up.

37:05

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And so, for those of you that may have some thoughts around the duplication topic, and, you know, how you think we should solve the ability to deploy infrastructure when others may have been subsidized in other programs. You know, we have to be mindful.

37:25

We have to be mindful about the duplication concerns that Congress has, right, making sure there isn't over-build. But we also have heard from tribes that there are those that said they were going to build in places that haven't.

37:39

And so, you know, from your perspective, how should we manage and how should we look at the unserved areas from your perspective and then also, how should we treat duplication in that context?

37:53

We'll move on to topic number five.

37:57

So, this gets into the reporting space and for those of you that may have concerns about some onerous application process,

38:09

I'll be the first to share with you that the reason why the topic is on here is, how do we make an application process streamlined and easy?

38:20

Because you're all in the middle of Covid you're all dealing with a million other issues.

38:24

And we want to be respectful of the fact that you are all running governments and communities and, frankly, enterprises under those structures.

38:33

And the last thing we want to do is make a process that is overly burdensome when you're dealing with so many other issues that also have priority for your needs and for your actions. And so, what's a process that we can build that helps streamline the reporting and makes things easy?

38:53

I'm also going to put out there, what are some of the datasets that you think are important that we need to be capturing in the reporting process?

39:02

39:03

We know that there is a need out there, and obviously, the first pot of money is this billion dollars to really address the tribal broadband and digital divide issues that exist.

39:15

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I think we all recognize that \$8 billion, while it's a great start, is nowhere close to the amount of money needed to really solve the digital divide issues that Indian country faces.

39:26

So how do we use the reporting process, or even the application process, to get the information directly from you, directly from the tribes, to quantify what that need really looks like? And, again, not to downplay anybody else's work or, you know, those who have tried to put these, put some numbers to this in the past. Those have been great starting points.

39:51

But how can we use this as an opportunity to also get additional data points to help complement those actions and activities for when there may be more need on the back side of this?

40:04

So, with that, we'll go ahead and go to the next slide please.

40:11

So, on the additional feedback component of this, I couldn't quite get away with calling it open mic but especially in this format, it just wouldn't work.

40:22

But what are the things that we haven't thought about too?

40:25

We have our hot topic areas and I'm really hoping that as we go through and talk about each of your tribe's needs, that we can kind of compartmentalize those in those different topic areas.

40:38

And I will help to try to stir that conversation a little bit or ask questions

40:44

There are probably things that we haven't talked about here that you want to cover. And the whole point of this session is to hear what you want and what you see as a way to make a successful program, build a successful program. That is the intent here. As a reminder, the cake is not baked.

41:03

What are the ingredients that you see that will make this thing?

41:07

good for everybody? So, if you have additional feedback, we are going to also solicit that to make that part of your comments.

41:15

So, we will go ahead and move on to the next slide.

41:23

Perfect.

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41:24

So, we're going to leave this up for the remainder of the consultation as we enter into the dialog with everybody.

41:32

And, again, for those of you that may have joined us a little bit late, take a look at the handout section.

41:39

You can also go to the website for NTIA if you're not able to see the handouts for those of you that may be on the phone but have some level of Internet access.

41:50

And you can find the PowerPoints online as well as a Dear Tribal Leader letter.

41:55

I am going to ask that as we start this dialog, this is meant to be a government-to-government conversation between the United States government and those where the federal trust responsibility lies. So, I'm going to ask that we have tribal leaders speak.

42:16

This is a forum and format for them.

42:18

And if you are going to speak on behalf of a particular tribe, I realize that I did this myself when I was in an elected role, sometimes, I wasn't necessarily the expert and

42:30

I needed my expert to speak.

42:32

And so, for those of you that are going to be delegating somebody else, if you are speaking on behalf of the tribe or you have the blessing of a tribe to do so, can you please give your name, the title, the tribe that you're working with, and then just please confirm with us that you do have the authority to speak on their behalf.

42:50

Again, we are coming at this in a good way to approach this from a true government to government consultation engagement and we want to be respectful of that.

43:01

Lastly, and I apologize for the long-winded dialog here, I am going to ask also that we're going to start with the phone bridge.

43:15

And this is out of respect for the fact that many of you are in a space where the digital divide is real

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43:22

and that the only way that you could actually join the discussion of the consultation today was through phone.

43:28

And I think we would be remiss if we didn't at least have one session where we started with those that are phoning in as a priority

43:39

because, again, the assumption is that maybe you do not have the speeds or the bandwidth to support some of these applications that we're using, and we want to be respectful of that as well.

43:48

So, with that, Laura, what we're going to do is go ahead and open up the phone bridge.

43:56

And the way that I'm going to ask us to tackle this is if your first name ...

44:04

is any alphabet - A through N – A as in Adam all the way through N as in Nancy, if your first name is A through N

44:15

I'm going to ask the folks that are A through N to go ahead and come off of mute.

44:44

Thank you for the note about the mute. We also have the chat box open as well if you're interested and you're on the phone or you're using an app on the phone.

44:56

So, we're going to start with individuals A through N. Star six is how you come off of mute. And, Laura, I'll go ahead and turn it over to you to start with the queue.

45:08

Very good, so I have unmuted all of the lines, I believe, so you should be able to press star six.

45:17

How do you do that on the computer?

45:21

45:24

45:27

Well, we have Juana. Would you like to lead off?

45:32

Sure. Not a problem. I was just trying to sort out the electronics as well, so appreciate you taking the time.

45:40

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Thank you for your presentation. It was really well informed and clearly

45:44

you have been in dialog with others.

45:47

I looked at what's been offered, and you name a lot of the principal concerns and how to make this work. And I mean, you know, even in the mountain area of La Jolla, you can't have signal all the time,

46:01

depends on who you have to hump it over into our world 144 square miles is virtually impossible. So, we don't get to hear from one another on the other side of the mountains.

46:11

But, knowing that's replicated throughout Indian Country and in an emergency response, as, you know, the thing that's coming up for the tribes right now with this windstorm that's coming and this snowstorm.

46:25

It's going to be a clear indication of how the telework that needs to be done. And all of the measures that you can imagine will have to go into place, and we're not set up.

46:35

And this is an unprecedented storm.

46:38

So, you're going to be boots on the ground with a group that's there, at the same time. What was not thought about, or expected or needed to have done, that list will grow.

46:49

When you look at the telework, when you look at what is tele-court in terms of jurisdiction of the tribes, when you look at what's in terms of mobility, sustainable foods to sustain water and records, let alone the industry that many of the tribes have for their self-sustaining economic development.

47:08

When you look at education and the fact that most of our children can't do Zoom except in certain quarters of the reservation or in certain areas, or at certain times, they're not on the same timetable or daily schedule that you would see in the greater cities.

47:26

It's entirely different in underserved areas. This is one of a few things that we've talked about, even with the western regional partners in terms of being able to coordinate with the military a response because we didn't have it.

47:42

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When you look at there is money to have for granting and your concerns about a formula, your concerns about processes [inaudible]

47:54

Let's do that, let's clearly speak to that.

47:58

I'm speaking rather than asking questions[inaudible]

48:10

OK, I just don't get it.

48:14

Oh, OK. If you're talking and you're not muted yourself, go head and mute yourself please.

48:19

If you're speaking or if you're not speaking, if you just go ahead, I know everybody's unmuted, but if you could put your phone back on mute [inaudible]

48:32

You know that's old school

48:33

just having those conversations all at one time, OK?

48:39

But the reporting requirements become important.

48:42

You don't realize, often, eligibility is one thing, and when you put down just your list of equitable distribution is almost like pie in the sky sometimes when it comes to the unexpected need, the catastrophes that we'll get throughout Indian country, especially at this time of Covid. If we were to take that out,

49:07

it gave us a footprint of what we should have had already.

49:12

So, when you look at that, do what we've learned to build on so that tribal leadership can work with you because they're living it, and the tribes are, and the reporting requirements.

49:25

I think those are important.

49:28

But, again, that is also based on right now

49:31

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we're dealing with Covid and many of the grantees in their various federal programs can't submit the reports right now or they get dates unspecific to send those reports in.

49:43

And that date is given to you, and if you miss it and it gets slammed

49:48

you then can't just fax it in. I don't know if they do fax anymore. But the thing is, is that the manner in which everything is being done is through these waves.

49:58

[inaudible]

50:11

But the sense of what I'm seeing, the robust way in which you will look at the national preservation, environmental assessment, cultural part issues, many tribes have done a hazard mitigation, hazard mitigation has allowed us to enter the Stafford Act, allowed us to trigger a tribal disaster. So that coordinated effort will be important because when that goes down, tribes are given, as you know, Adam

50:38

And when we looked at the firestorm, when you have a firestorm, it wipes out all your electricity.

50:44

You know, when you have a flood that wipes out everything, we didn't have the oceans flood when you have what's going on in terms of hurricanes and those things, if tribes have paid a big price for not having this ability to communicate, you offer something extraordinary. I hope we can work it out. I'm going to leave it at that for now.

51:05

Because, you know, I could continue talking, but I'm not going to do that. I want to respect those who are on the line, and thanks for allowing me to speak. I appreciate it greatly, and I'll be following up.

51:15

Thank you, thank you for your words

51:18

and to the Pauma Band in particular, for sharing. And just to kind of recap, I think you hit on a couple of items that you saw as priorities.

51:29

I think you pointed out, and I just want to make sure that I understood this correctly.

51:33

So, you pointed out the need for connectivity in a variety of different buckets.

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51:37

You pointed out the mobility needs from a first responder standpoint. I think you also brought up, from your perspective, there's a way, there's a space where technology could be playing a role in sustainable foods and agriculture.

51:53

You clearly hit on education as a priority as well with the children.

51:58

And so, I kind of put those into the equitable distribution bucket and the program eligibility bucket and then you had also mentioned the unserved areas and you'd mentioned the need for coordination and collaboration. I think you used the example of the military.

52:17

And really, again, I'm looking, as I'm hearing you, I guess, I'm kind of compartmentalizing that as we really need to look at partnerships pretty strongly as part of the solution-based process.

52:28

And then the last component that you brought up regarding the reporting requirements and making sure that we are being conscious of the environment that tribes are operating in amid Covid.

52:39

I think, is important.

52:39

And then, on the environmental point, Juana, what I heard was that tribes are actively doing environmental pretty regularly. You'd brought up the disaster response side of things and the hazard mitigation side of things.

52:55

And maybe there's a way to leverage previously done work, or previously identified areas that have already gotten categorical exclusions or already have gone through an assessment to help expedite. So, did I hear that correctly?

53:10

Yes, and your last comment is absolutely true, because [Jonathan Windy Boy and the gang] did all that work back in the day which cert to Council of Energy Resource Tribes. So, you'll have a horrific amount of work that [Jonathan Windy Boy] and the gang did. As a matter of fact, you should actually put them on your list as a subject matter expertise. He's a go to guy.

53:31

And his reports were given to the Executive Branch and to EPA. So those are things you can build on.

53:38

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Because we're now getting partnerships in this area, a place systems. You know, you don't have to be there to have this conversation. So, but tribes aren't there. So, thank you for your recap. It was very good.

53:51

Thank you for your words, Juana, and we want to thank you so much.

53:55

So, again, as a reminder to everybody, we want to give everybody an opportunity to speak. If you can keep your comments in the 3-to-5-minute range, and we're going to run this somewhat loose, but just kind of keep that in the back of your head and, Juana, thank you for staying within that timeframe.

54:14

But for everybody else, if you could kind of keep those comments to 3 to 5 minutes.

54:18

And then at the end also don't feel like, once you speak, you can't speak again.

54:24

What I am going to ask is that we do allow everybody to get their comments out first.

54:28

And then if there are, as people are having, as we have this conversation today, and you agree with the sentiment, or if there's a tribal leader that said something, and you want to come back on, you've already spoke, but you want to come back on, and either echo that thought, or you want to add to that thought, we're definitely going to do that as well. So don't feel like you only have one opportunity to speak, but we are going to ask that we allow everybody to get their comments out first before we go back around the horn.

54:54

All right, Laura.

54:57

All right.

54:59

So, the lines are still open.

55:05

Folks, are we still on A through N, so Adam through Nancy?

55:17

And we'll just give folks a few minutes, in case you need to unmute your line, remember that star six will unmute your line.

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And no need to be shy if you're on the phone. If you guys talk over each other, we'll get everybody's name, and we'll just start building a list. So, do we have anybody that wants to come off of mute with their first name starting with A through N?

55:49

I hear a voice. You're unmuted.

55:53

Good afternoon. This is Rodney Cawston and I'm the Chair of the Colville Confederated Tribes

56:01

Good morning, Chairman.

56:03

I just had a couple of comments in taking a look at this. This is the first webinar that I've been able to sit in on.

56:11

On the expenditures that there will be not later than one year after receiving grant funds,

56:18

you know, the Colville Confederated Tribes,

56:21

we have 1.4 million acres on our reservation site. We're one of the largest reservations in the Pacific Northwest.

56:30

We have, like, around 13 or better schools on or near our reservation that have significant enrollments of tribal member children, including a BIE school near [Omak] Washington as well as governmental facilities all across our reservation. Up to this point, the tribe has been trying to provide cabling or wireless as best as we can across our reservation

56:57

but without really much assistance from anybody.

57:00

And so, you can imagine on a 1.4 million acres, and that's also, I was looking on the comments that were the size of the reservation shouldn't be taken into consideration or the land size, which I really feel that, in our situation, that really does need to take place.

57:19

You know, we do have, like I said, a large reservation land base. We need this for not only for the distance learning and telemedicine as well as for everybody else.

57:28

But you know, we've experienced a lot of large catastrophic fires as well on our reservation.

57:34

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Last year alone we had about 180,000 acres burned with 80 homes lost

57:40

and including a death of a child.

57:43

And, you know, so having real-time communications across our reservation for safety and security is a huge issue and something that became more apparent

57:55

especially last year with these large-scale wild land fires. With climate change, it just seems like they are getting larger and larger every year.

58:05

And so, for really other reasons that everybody else is dealing with, we also have to deal with a lot of catastrophes on our reservation normally just with the wildland fires, but with floods, drought

58:20

you know, many other things that have happened on our reservation, and so, you know, the broadband and then many parts of our reservation don't have any connectivity at all.

58:30

So, you know, that's probably the vast majority of a lot of our rural communities on our reservation.

58:36

So, where other places need upgrades, we are just trying to connect our people, and, again, our children, because they don't really have equal access to education.

58:50

These issues, I think, really do need to be taken into consideration and given a higher priority.

59:00

Thank you, Chairman, and we appreciate the response from the Confederated Tribes of Colville

59:07

I do want to say that I've had the pleasure of working with Ms.

59:09

Tiffany Circle over there as part of your team.

59:15

It's really been a pleasure to work with on some other spaces, but I've been to your community, actually, a couple of times. I've seen the fiber run that you have started from the lake towards where your government building is

59:28

and absolutely understand what you're saying, when you have a large land base.

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59:32

And you know, you have communities spread out all over the place from Keller Butte and [inaudible]

59:39

And we absolutely recognize your perspective that you're bringing up here about the balancing act between those that have large land bases, which means spread out communities and those that may have smaller land bases.

59:52

And so, I appreciate you offering those thoughts

59:54

because it's important that we recognize where you're at and the differences of everyone. So, absolutely heard your concern loud and clear to make sure that what we're thinking about doesn't penalize you for being big, for having a large land base.

1:00:10

But at the same time, also, again, that balancing act of not punishing somebody for being small either.

1:00:15

It's a tough task.

1:00:17

Also, on my earlier point as well given a year's time.

1:00:22

You know, really for obligating or for expenditure of the funds, you know, especially looking at, you know, what we're dealing with here, a year's time just is not going to be enough. And so, I really hope that there is some flexibility allowed for this

1:00:38

even if the funds could be obligated within a year's time, you know, because you talk about all of the categorical exclusions, you know, that we have to deal with here. You know, that is pretty immense.

1:00:50

So, if you could even provide some assistance in working with other federal agencies, which weigh in on the categorical exclusion, and as well, too, give us a quicker review time, or maybe allow some greater flexibilities with, you know, assessing these areas.

1:01:05

or building off of, you know, maybe other exclusions that are already in place. Anything that we can do to quicken this time, you know, would be appreciated in any assistance that could be provided.

1:01:17

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Absolutely, Chairman. I appreciate you sharing that.

1:01:21

I don't think any of us have ever seen any infrastructure be built in 12 months.

1:01:27

You know, I think, the standard out there is 18 to 24 is kind of the standard space for these types of projects, especially.

1:01:35

But, while I think it's understood by a lot of folks,

1:01:39

I appreciate you stating it in this forum because we are building a record.

1:01:44

And so, for those of you that, if I ask you questions and, Chairman, I appreciate you starting this conversation off the way that you have. I think it's been a really productive start.

1:01:55

But if I ask you questions, that it's kind of like, well, we know the answer to that is really coming from a place of making sure that we're getting clarification through this consultation process

1:02:06

and for the record, because the record that's established here, and the transcripts that are developed, is one of the things that we're going to use to inform the guidelines for the NOFO. So, Chairman, thank you for getting that on the record and making sure that we did hear you loud and clear that you have concerns about the timeline and how realistic it is for you to be successful

1:02:28

with the program given the limitations of the statute. So, thank you. Is there anything else that you wanted to add before we move on?

1:02:36

Well, for the time being that's it for me for now.

1:02:38

But I'm sure as time goes on, we'll probably have other questions as well. Thank you.

1:02:43

Understood. Thank you, Chairman.

1:02:46

All right, Laura.

1:02:48

1:02:51

1:02:53

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Chairman, you may want to put your mic on mute.

1:02:55

I'm sorry.

1:02:56

It's OK. Not a problem.

1:03:02

Adam, do we want to stick with A through N and see if there's any more questions there and move on?

1:03:10

Let's go ahead and open it up to those that may have names from N-Z. [inaudible] I'm really excited if we get a good Z name in there.

1:03:19

But why don't we go through those that are, excuse me, O through Z if we could. Again, you come off of mute using star six, and if you could give us your name, the tribe, your title, and the tribe that you're representing?

1:03:44

Can you hear me?

1:03:45

I can. Yes hi, my name is Raymond Wiseman. I'm the General Manager for Yakama Power, and I have the permission from Delano Saluskin, the Chairman, to talk to you a little bit about some of the technical issues that we're facing in regard to the grants.

1:04:03

One of them is most definitely the NEPA requirements. Oftentimes for us, especially in the Northwest, the way to get broadband, especially wireless out, is to get to the top of some of these hills.

1:04:21

They stay snow-covered until June, and by the time you can get folks out there to actually do the studies, by the time that 90 days is finished, you're in August. And your construction season has already gone out the window and so a one year's time period for construction just isn't realistic.

1:04:41

The NEPA process basically kicks you out a whole year, just to get to where you've got to go.

1:04:48

And so that is definitely an issue for us.

1:04:53

And then, too, some of the eligibility requirements for the households.

1:05:01

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We have, and have seen, where we have multiple entities that serve the given area, and we have 25/3, right, for a household. The reality on reservation is we don't have 25/3.

1:05:16

The issue is that most of our customers, and most of our folks, are using cash and if those entities don't have a local office to where you can go make your payment, then you don't have access. You literally have no way, even though it's available, you have no way to communicate or to get because they won't take cash payments in the mail.

1:05:41

You have no way to actually get the service, even though it's being provided, because there is no office on the reservation for them to be able to get there.

1:05:50

And so, the only ones that are ever going to be able to provide those service are tribal entities that actually have offices and have the ability to interact with those customers.

1:06:00

And so, I think that's a big drawback because we've all seen communities that show that they've got multiple access from satellite and everything else, but the reality is they don't have access. And so, that's never been quite the consideration.

1:06:18

Another one is, you know, a lot of the tribes got the 2.5, and we are trying to build that out. The issue is, you know, I'll echo Colville on this particular issue is land base is an issue. When you have a larger reservation, you have a lot more towers you have to put out to get to the same

1:06:43

you know, to meet those requirements for both the FCC requirements and for the broadband grants and land base is an issue.

1:06:54

I mean we have, you know, 1.4 million acres here that we have to deal with and trying to make sure that, you know, we can cover that.

1:07:03

It just takes more money, and, you know, sometimes our grants are fairly large that we have to apply for just to get to the same coverage requirements that others enjoy by having smaller reservations.

1:07:18

The other one is not being able to have the same consideration.

1:07:24

So, if you look at the FCC's website, they drew big circles for the 2.5 that they've already issued out to other entities on the reservation. Oftentimes, those 2.5 circles don't mean anything

1:07:37

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because in order for them to supply that 2.5, they have to get permissions from the tribes to put up towers and everything else and the tribes are unwilling to do so.

1:07:46

So, they'll never be able to provide that service on the reservation, but we can't apply as grants to provide that service because it's already been given out to somebody else. And so, it's still an issue. It's still unserved.

1:08:03

It's still doesn't have the coverage, but it's got a big blanket circle on it by the FCC that says, hey, it's, you know, it's been covered, it's been issued and that's a problem. Just from a technical standpoint, it sometimes kicks us out of some of these grant applications because it's already being served.

1:08:26

So those are some of the technical issues that we've been facing with the last round of grants.

1:08:33

OK, well Mr. Wiseman,

1:08:36

I first just want to say thank you for your comments and also acknowledge the incredible work that

1:08:41

the Yakama Power Program does. I actually have a Yakama Power coffee mug.

1:08:46

I've been to your facilities before, and you guys are doing some incredible things with the infrastructure that you're deploying to serve your community.

1:08:55

With regards to your comments that you've made, I actually hear you on the duplication, a concern that you raised. Right?

1:09:03

The way I understood it, the way you describe it is people are claiming that they're serving you, but the reality is that they're not. Did I hear that correctly?

1:09:12

That's correct.

1:09:13

I mean, they just have requirements for either taking debit cards, which our customers don't have bank accounts, you know, so they just automatically don't qualify.

1:09:24

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And so, there's not a local office for them to go and make a payment and so that automatically disqualifies them from the service

1:09:33

even though supposedly, in the tables that come out, it shows that, you know, you've got all these vendors that are providing that service, so, therefore, you're already covered.

Got you.

1:09:47

Do you in the path, again, every tribe is going to have different environments that they're operating and working in

1:09:55

and Yakama is no different in this instance, but I'm going to ask the question.

1:09:59

Do you see there a potential for partnership as a way that you would try to address or approach the solutions that you're thinking about? Or have you reached a point where you don't see, like, there's no point in talking, and you feel like the tribe needs to just go at this on their own, and, again, it's just a question?

1:10:20

If you're able to answer that, great. If not, I understand.

1:10:24

For the most part, we've just had to go our own, trying to get others to understand what's happening here on the ground. They're just not interested.

1:10:39

It creates more overhead costs for them to operate and, therefore, less profit because now they've got to open up an office, or, you know, they have to do something differently just to serve your population, and they're not interested.

1:10:55

Okay, understood. Is there anything else you wanted to add for the conversation before we move on?

1:11:03

Nope. I just wanted to share those technical issues that we've been facing.

Okay, perfect.

1:11:10

Well again, Mr. Wiseman thank you for your time, your comments

1:11:13

and the considerations that you're asking of us and sharing those so candidly. So, thank you for giving us that perspective on behalf of Yakama.

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1:11:23

Laura, we're going to go ahead and move on to the next caller.

1:11:29

I'm seeing some questions pop up in the chat and there will be transcripts developed from each of these. These sessions are being recorded for those of you that may have come on a little bit late.

1:11:41

I also want to remind everybody that in the handout section panel, as well as on the NTIA website, you can find the PowerPoint that we are using today as well as the questions that are on there for those of you that are just now joining us.

1:11:57

And for those of you on the line, O through Z, star six is how you come off of mute.

1:12:03

And please don't hesitate in just jumping right in.

1:12:07

It's okay if you step over each other. We'll get that organized quickly, and we want to hear from you. So, who do we have next?

1:12:22

Adam, can you hear me?

1:12:24

I can.

1:12:26

Hi, my name is Tyson Johnston. I'm the Vice President of Quinault Indian Nation. We are located on the Southwestern coast of Washington State. We're a pretty large land-based tribe, 220,000 acres, and we're also one of only four tribes that have adjudicated treaty rights in the Pacific Ocean itself.

1:12:46

I have been in office for nearly 10 years. I am in no way, shape, or form an expert in these issues. I have a very smart team that surrounds me. We have a broadband team at Quinault

1:12:57

and an ocean fiber taskforce has really been following this closely. And I have several comments I'd like to make on behalf of the Quinault Indian Nation today.

1:13:07

Thank you.

1:13:09

So, going through the topics, eligible projects, the language of the Act supports the intent for the program to be principally utilized for broadband infrastructure development including the

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support for the establishment of carrier neutral submarine cable landing stations, which is a project that we've been doing very closely at Quinault.

1:13:30

We are asking that the NTIA consider development of program guidance to be specific to broadband infrastructure development and the establishment of carrier neutral submarine cable landing stations, taking into account the relevant potential cables, the industry demand for that

1:13:48

and the ability of the applicant to complete the projects quickly, including the capacity of the project to produce sustainable revenue. NTIA's interpretation of the Act of Tribal Land,

1:14:01

we also are advocating that that would be looked at broadly to include all the lands necessary that are affected by an eligible use for the project.

1:14:11

This should include tribal lands that are held by the applicant tribe, but also other tribal and non-tribal lands and unserved households inherently impacted by an eligible use project.

1:14:23

Also, under the eligible entities and application requirement, we're asking that the NTIA be very careful in how they adhere to the definition of eligible entity provided by the Act.

1:14:36

The Act's requirement that an eligible entity may submit only one application should be strictly enforced in our opinion. NTIA should require that each application be accompanied by a resolution or other formal authorization of the respective governing body of the related tribal government.

1:14:54

And also, the applications should be limited to a single application per tribal government, irrespective of the type of entities that may serve the recipient of the funds. Under the equitable distribution topic, too, we looked at that as well. It's our opinion that we should apportion no less than 50% of the available program funds to those eligible uses identified under the Act.

1:15:22

Specifically, the broadband infrastructure deployment section.

1:15:26

NTIA should also look at adopting a competitive process for applications seeking funding for eligible uses identified under that section.

1:15:35

And also, NTIA should primarily provide funding for eligible uses identified under Section 905C 5A to adopt a competitive process instead of the broad formulaic or standardized distributions. You've talked about in your opening remarks, you know, how difficult that is, and

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the many different formulas tribes have to work through. So, that would be our suggestion on that.

1:15:58

We also think that evaluation of such competitive applications should be done in a manner that takes into consideration the total positive impact of the proposed project to the applicant tribes unserved households, other tribal unserved households that will benefit and non-tribal unserved households that will be served. Under topic 4 for tribal lands,

1:16:22

we believe that NTIA should not interpret Section 905 C1, which states that the Program funds shall be utilized to expand access to broadband service on tribal land, in a limiting sense.

1:16:34

We think that there should be consideration that since many tribes are geographically separated from the broadband infrastructure necessary to deploy adequate broadband on tribal lands, development of infrastructure to bridge to such geographic gaps be considered an allowable use of funds. Even if the required infrastructure is geographically contiguous to or separated from tribal lands.

1:16:58

And also, finally, we would like the facilitation of tribes to being able to exercise their sovereignty and self-determination to self-certify the extent to which a proposed project serves tribal lands.

1:17:11

Additionally, under unserved households, we are asking that the NTIA reject the service provider maps and Federal Government data which purport to demonstrate unserved households

1:17:24

primarily because we believe that those are prohibitively inaccurate.

1:17:28

Applicants, tribal governments must be able to self-certify the unserved households that will be served by a proposed project with its own data and maps.

1:17:38

NTIA should also ensure that the freedom for tribes to exercise sovereignty in determining a need for a more economically viable and sustainable middle mile broadband solution than existing solutions and the dilemma and challenge many times face when considering the viability of the last mile solutions in the absence of viable or sustainable middle mile solutions.

1:18:01

I'm on Topic six now, and I think I have two more issues. Lawful interpretation.

1:18:06

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It says that, immediately by no later than February 12, 2021, NTIA will issue a public statement of tribes identifying that

1:18:15

it will not utilize the eligible service area, or covered broad project criteria, in any way in relation to the TBCP funds, or the TBCP projects, and will not utilize any of the maps referenced in Section 905 a

1:18:30

We are asking that NTIA advocate on behalf of tribes to the FCC and other relevant Federal Agencies and Congressional parties for [inaudible] maps and other similar Census data to be shelved with respect to tribes until 2024.

1:18:46

This will allow tribes a window of opportunity to access and utilize the TBCP funds as intended by Congress. And we're also asking that the NTIA should advocate on behalf of tribes to the FCC, states, and congressional parties for the immediate reversal of all ETC Census designations on tribal lands and free conveyance of all such rights to the respective tribes, unless and until such rights are transferred or surrendered by a resolution of the governing body of the tribe.

1:19:15

Additionally, Quinalt also agrees with other tribes that current or pre-existing ownership rights of use of underlying rights of way or easements contemplated in project applications should not be a limiting criteria for tribal applications, provided that such applications demonstrate a feasible plan to acquire access to such right of way or easements.

1:19:37

One last point and final point that came up too after we were reviewing the documents in the presentation slides. On page 12I, t stated that NTIA has been directed to ensure that federal funds are not used to overbuild areas. And so, the Act, as we read it, only limits funding to these areas for the 300 million pot of money, not the one billion fund that's been appropriated.

1:20:02

But this presentation notes that they've been directed to apply that same criteria to all funds, and so we would also ask who gave that direction and how is it congruent with the legislation itself.

1:20:19

I know that was a lot. But I really wanted to make sure I was respectful of time. Thank you and thank you to everyone on the call for your advocacy as well.

1:20:27

Mr. Vice President, but before you go, I was actually hoping that I could ask you a couple of questions about your comments. First off, thank you for the feedback, I think, very detailed, very thought out in terms of the topic areas.

1:20:43

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And we do really appreciate the way that you organized that. So, thank you for the feedback.

1:20:49

I wanted to circle back to a concept that you had put forward here about the total positive impact and the measurement.

1:20:57

And you had mentioned households, the total number of households served as being a baseline of that impact or a consideration for that. In your discussions did you guys at all talk about potential economic development impacts?

1:21:14

Or, in terms of improved service?

1:21:16

Or improved service to health facilities, or addressing digital equity issues or any of those other factors?

1:21:26

And I'm just asking again, because I'm wondering how broadly should we look at, from your perspective, defining the concept that you put out of total positive impact?

1:21:38

Thank you. So, you know, we are a first tier and founding self-governance tribe, and a big saying in our self-governance tribal community is, you know, flexibility is the best stability. And so, we did look holistically at all of those things, education equity, health access, economic development. We look at all of those. And one, but, you know, for our purposes, the way that we're able to measure that here is looking at where people are and are either in our service area or within our land base and how can we provide industry standard infrastructure to their households for all those things?

1:22:14

So, I think the broader, the better because all of our tribes are so diverse, and every situation won't necessarily be the same as the other. But I know for us, and that's how, internally here at Quinalt we kind of measured our impact on those areas holistically.

1:22:33

Okay. Thank you for that clarification.

1:22:35

Because I think that's the, in your perspective, because this is, I think, the big one of the big challenges that we're faced with is having to kind of delineate what that positive impact may be measured by, if we were to take that approach. And so, I appreciate the comments there.

1:22:49

I hear you loud and clear on the items related to being able to use the dollars on lands that are needed in order to get the service to the community. And, I'm going to simplify that, but is that a

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simpler way to just kind of say what you said towards the end of your comments. I just want to make sure I heard it correctly,

1:23:10

in that the way that you view this program is irrespective of who may have been subsidized in another program.

1:23:18

From your perspective, if they haven't talked to the tribe as part of that program.

1:23:24

Or, they don't have a, I think you use the terms,

1:23:26

So, if they haven't been certified or the tribe hasn't supported that program then the tribe would deem that area as still unserved. Did I hear that correctly?

1:23:36

Yeah, I think that's a correct interpretation. So, a lot of these, you know, a lot of this issue came to our attention, kind of late in the game. And so, after we realized, you know, the eligibility and how that would impact our ability to get eligible projects funded, it became a pretty big concern of ours.

1:23:53

You know, I think this is an unprecedented opportunity that we might not see again in our generation, and we want to make sure that while we have access to these resources that tribes are able to be consulted with and have the free prior and informed consent to make sure that these projects and the way that they're implemented, you know, really reflect equity from a tribal definition of that. And, I think having the ability to, you know, question that or say that the tribe would also like to, you know, certifier beside, you know, the other eligibility for how we prioritize our development, I think, is going to be really key to that because, again, we are also unique and our issues are challenging, you know, geographically where we're located and historical, you know, issues and inter-governmental issues with other outside of Indian Country as well.

1:24:46

So, I think looking at it that way is probably the best.

Understood.

1:24:53

By the way, your reservation, or your community, I should say, is probably one of the most beautiful communities I've been to along the coast, and it makes sense as you brought up the submarine cable landing point that you made and your level of interest there.

1:25:13

So, thank you for sharing that.

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1:25:14

The last question that I have for you is along the lines of partnerships and collaboration. In your comments you spoke very strongly about there being one application per tribe, and so how would you approach the single applicant process? Do you see yourself or other tribes, how should we navigate that?

1:25:40

Should we be promoting more regional solutions in this NOFO process?

1:25:45

Do you see yourself working in a regional, collaborative format or are you really focused on more of just the immediate needs on the reservation at this time?

1:25:59

At this time, we're really looking at the immediate needs, you know, on the reservation and with our communities that we serve directly. You know, we're also really interested and are currently pursuing private entity partnerships within the global industry, too, and how this, you know, could be parallel work or supplemental and with the projects that we have here at Quinault Nation.

1:26:21

So, that's how I'm kind of approaching it.

1:26:25

I know that might not be, you know, the solution for everybody, but, you know, even though it's a billion dollars, when you look at that, you know, across the 560 plus federally recognized tribes and the unique issues that we face in the most rural parts of the country that have very substandard infrastructure that will only go so far.

1:26:46

And so, I think that was our thought process in supporting that type of technique because of just the shared need that's there and finding a way to really prioritize what's the most important projects and for that tribe to prioritize.

Understood.

1:27:04

1:27:05

Well, Mr. Vice President, I just want to say thank you for your time and your feedback and your thoughtful comments and the dialog.

1:27:13

I do appreciate your giving us some insight. This has been really helpful to hear from you and understand the perspective from the Quinault standpoint. So, thank you. And, again, if there's any other comments you want to make as you hear the rest of discussion, please feel free to jump in. But thank you so much for providing your feedback.

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1:27:31

Thank you so much. And we will be providing written comments before the deadline as well. I appreciate your time.

1:27:36

Wonderful, thank you.

1:27:39

Okay. We're still on the phone call folks. We're opening it up to A through Z. If your name starts with the letter A through Z, and you're dialing in via phone, if you could go ahead and come off of mute by hitting star six.

1:27:55

And don't be shy.

1:27:58

Good Morning, Adam.

Good Morning.

1:28:00

All right, I heard two names. Let's just identify them, and we'll get them on a list. I heard a female voice first.

1:28:07

Yes, Bernadette Cuthair, Ute Mountain Tribe.

1:28:12

I'm Kevin [Killer]1:28:14

Kevin, I'm sorry, from where?

1:28:17

Oglala Sioux Tribe.

1:28:19

OK, thank you.

1:28:22

Alright, we'll start with Bernadette if we could and then we'll come to you to get to you Kevin. So please Bernadette, your name, title, tribe, if you could.

First of all, Good Morning, Adam, and Good Morning everyone. My name is Bernadette Cuthair. I am the Director of Planning and Development for the Ute Mountain Tribe. So, I'm a planner in the capacity for the Ute Mountain Tribe.

1:28:48

I'm also a tribal member for the past 10 years, so I've come at it with the knowledge of providing a snapshot of what Ute Mountain is doing right now in broadband.

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1:29:02

So just to give a little bit of insight, I understand that each tribe is unique in its own land base so forth and so on and broadband needs and where we're at different points.

1:29:17

With that, understanding, that, just looking at the government-to-government dialog is that, you know, for Ute Mountain as it applies, that we're looking at priority lists such as a concern because of this Covid, you know, we're standing in an unprecedented time and we don't know how long this is going to be going on this Covid and also, we don't know what those long and short-term impacts are going to be.

1:29:48

So, the other piece of this is also education. I think, you know, all these things are probably universal across the board. You know, what we're saying, you know, and our needs are universal in that way.

1:30:03

Also, number three is e-commerce because economic development capacity and outlook for the tribe is that we have a poverty rate of 20 to 40% for Ute Mountain and so this broadband is one way to open up those doors, the opportunity for us.

1:30:22

Also asserting our tribal sovereignty as it comes to us, you know, in many ways. And I think this is just a perfect opportunity to exercise that.

1:30:33

Also, one thing that I would like to make sure that from a planning perspective is the operations and maintenance cost.

1:30:44

If that's a consideration into this, just from the planning perspective, because, you know,

1:30:52

once we get the pre-construction activities underway, completed, then we have a nice building. We never think about the after fact of operations and maintenance.

1:31:03

So, you know, that's something that, you know, certainly if we can have that piece, you know, included in this program that would be immensely helpful for tribes as well.

1:31:16

So, under the equity distribution, I think that you know, that's still unfolding.

1:31:23

And, you know, obviously, when you're looking at each tribe, my tribe, particularly, you know, I live in this community. I work in this community, and I live it. In fact, this morning I had a

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disruption. I had to come back in and out of the webinar because it doesn't support the, what is it, speed, or broad bandwidth? So, here I am back again. So, I thought one last mile.

1:31:54

That's just a case study of, you know, its real time happening to us on the reservation.

1:31:59

So, you know, and it's very important that our voice be heard, you know, we're at the table to sort of speak on these kinds of, you know, dialogs, you know, as it's unfolding.

1:32:12

So, I think that's important to assert that assault authority.

1:32:17

So also, on number three, the National Historical Preservation Act.

1:32:23

Being a planner that, you know, with the understanding that, you know, Ute Mountain is approximately about 600,000 acres of

1:32:33

Federal Trust lands.

1:32:35

I've had a good dialogue with the Bureau of Indian Affairs, and we seem to think we have it down to an art where, you know, we're working alongside with them as well, you

1:32:45

know, and I think, you know, the right of way process under BIA guidelines it was recently revised to put more on tribes with more of a baseline where, you know, this is your tribal processes.

1:33:04

I think that's really important that it's going to further develop that playbook out for tribes as far as National Historical Preservation Act, the [inaudible]..., the cultural resources TIPO

1:33:18

So currently, the tribe has TIPO which overseas or exceeds the [inaudible] process, so we're lucky in that capacity and also going to the underserved communities that just a snapshot of what the tribe lapses and our barrier is, you know, that we have we don't have that capacity, as, you know, I stated earlier.

1:33:47

You know, that 25/3 so, you know, that's something that we're reaching for and it's not entirely out of the question is where tribes are going with this because, you know, I think tribes have been grossly

1:34:05

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misrepresented as far as, you know, broadband services. And we are unique in our own situation, because there are certain things or certain conditions economically,

1:34:18

Covid, it might be, you know, other factors in here, behavior, health, you name it.

1:34:23

The disparities that happen on reservations and, you know, this broadband is just one of those ways to open up those avenues for our community members.

1:34:33

So, I think that, you know, I was on a conference call with, you know, a couple agencies outside the reservation, and they want to say that we're just like everybody else, but we're to the contrary. That's not true.

1:34:51

Because I'm living it, and I'm breathing it and I'm working at, you know, here on the Ute Mountain Reservation.

1:34:58

So, it looks entirely different to me the services that we do not have and the barriers that we're facing.

1:35:06

So, I think that this is just a wonderful opportunity that has been given to us. It's another blessing in disguise and I'll say that, you know, tribes, you know, be happy that we were given this opportunity to write the playbook so to speak.

1:35:24

And I'm a firm believer in self-certification and exercising those tribal authority and tribal sovereignty rights that tribes have.

1:35:34

So, I think that's one of the ways, you know, I believe that was, I guess that Chairman had alluded to earlier, that, you know, it works through our tribal resolutions, and that's the authority that we have. So that's what we stand on.

1:35:50

So that's some of the things that I think, you know, just putting it out there that also the Ute Mountain Tribe is working.

1:35:58

We've also applied to several grants and, you know, some of the successes that we've had recently is, you know, receiving an EDA federal grant and, you know, and it's for broadband.

1:36:12

And, you know, it's all layering on top of each other, as far as, you know, this is just one more avenue that will provide us to get to our goal and

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1:36:21

successes with a tribe.

1:36:23

Also, in the lines of economic development, that tribe has an enterprise, a broadband enterprise.

1:36:32

So, in the thought of long term that we're looking at providing, being an ISP provider, so that's kind of what we're looking towards. And it's some of those things that are just playing out for our tribes.

1:36:50

I believe that, you know, it's more importantly, I think, my last thought is, my feedback on this, is that we're trying to lay out all the infrastructure and, you know, trying to connect in education.

1:37:10

Everything else that's that, you know, we haven't spoken about.

1:37:16

It's laying out the next layer for the next generation of people.

1:37:23

You know, it'll be very exciting for them to have access to this technology because who knows where it's going to take them, with the two thoughts of that for the next generation of leaders

1:37:39

1:37:41

and also, for the youth.

1:37:43

With two thoughts in supporting, that is very important to the Ute Mountain Tribe is our culture and our traditions and our language. So that's very important to us.

1:37:55

In fact, we're starting a new school, it's called Kwiyyagat Community Academy meaning bear.

1:38:01

So that's what we're starting an academy here starting in August. So that's one of the pieces where broadband is essential in there. So that's just some of the needs that we have here. And thank you for this opportunity to have us voice our thoughts on this.

1:38:30

Ms. Cuthair we may have, you just cut off. You were saying thank you and then it cut off. Are you still there?

Yes, I'm still here.

1:38:39

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We lost you there, I think, maybe the last ten seconds of your comments. Do you want to restate anything?

1:38:47

I'm not sure if you've heard the project, that we're working on Kwiyyagat Academy School, so that's something where broadband will be essential to those students. And we're starting with K through 3.

1:39:04

And we're hoping, long term, that we'll get to build out. The education comprehensive plan is to build out to K through 12, possibly tribal college, possibly vocational training. So, it'll be an educational umbrella.

1:39:26

That's wonderful.

1:39:27

And you also highlighted the importance of the culture, the traditions, and the emphasis on language that's going to serve, which is, you know, language is another hot topic that, I think, is running around Indian Country today.

1:39:44

And you know, how so many tribes are revitalizing that as a result of impacts of our different histories with colonization.

1:39:53

So, I appreciate you sharing that from a personal standpoint.

1:39:57

Just to come back to some of the items that you had mentioned because you unpacked quite a few things here, and I just wanted to make sure.

1:40:03

I want to touch on a couple of them.

1:40:05

One thing in particular that you pointed out was the operations and maintenance element of this, and so do you think we should be weighting applications when we're reviewing these because folks are going to get into infrastructure applications?

1:40:23

Do you think that we should be weighting applications based upon whether or not they have thought out the full O&M process or is that due to the nature of the funds? Is that something that really shouldn't necessarily be a weighted component but may be asked?

1:40:41

Well, it's just my thought as a planner that I think some tribes might be different in different phases.

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1:40:49

Some might be, like, in the middle, or they might be at the tail end completing their initiative.

1:40:55

So, you know, that's something that they might need in order to be sustainable. So, you know, that's kind of my thought on it.

1:41:02

So, that's it.

Okay. That's all right. I guess, again, just a clarification with the record, and we'll share with you.

1:41:12

The other thing that you had mentioned was the Bureau of Indian Affairs

1:41:17

right of way leasing process under the context of historic preservation and NEPA. It sounds like you guys have worked your way through building a good relationship with the realty side over at the Bureau.

1:41:33

Do you have any lessons learned on how you guys were able to accomplish that? Do you see leasing?

1:41:40

It's two questions.

1:41:41

Do you see leasing as an impediment to your success in this process?

1:41:45

Or, if not, are there lessons learned that you may be able to share with others or that we should think about because clearly leasing is going to be a discussion with some of these projects?

1:41:56

Right, right, I think that's another webinar, I believe. So, I think, you know.

1:42:04

It's an entire detailed topic because I think one of the pieces that the tribe, you know, I want to say this safely out there is that the Ute Mountain Tribe, the Ute tribes in the state of Colorado we have a unique relationship to the Governor's Office.

1:42:24

And also, we have a unique relationship also with the Southwest Region and Albuquerque BIA. So, you know, we try to work at that relationship very daily because I think it's one of those things that, you know, will spur your relationship.

1:42:48

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Like everything else, you work at it, and you make sure that you get to know the people, know the processes, and know what has already been completed. You know, as I think one of the guest speakers had said, category exclusion. You know maybe that's the quickest way from A to Z. [inaudible]

1:43:09

that short way from A to Z. So, you know, we're always asking those questions. So, you know, it doesn't hurt to ask a question. It might be a yes so that's what we're always looking for.

1:43:19

So that's kind of what we do here. So, and I think one of the things that really help the Ute Mountain Tribe as well is that we have unique franchise agreements with some of our electrical co-ops our local co-ops and things.

1:43:35

We have quarterly meetings and it's something that if there's upgrades that come, you know, we make sure that we, you know, share that with each other and make sure that the BIA is involved with that process as well. You know anytime it has to do with land base that we have them at the table. Now, it doesn't always mean that we have to have their stamp of approval when it comes to other, let's just say, fee lands. So, you know, that's something outside their realm and authority, so, you know, it's something that we can get their opinion. Yes, but, you know, ultimately, it's up to the tribe.

1:44:14

So, thank you.

1:44:15

Okay, I think the only other thing that I wanted to circle back on and just make sure I understood it, was congratulations on the award on the EDA program for broadband.

1:44:26

But also, my takeaway from your comment was you wanted to be able to leverage both pots of funds. And I think you use the term, you know, it's exciting that these things will be able to be layered or complement each other.

1:44:41

And I just wanted to make sure that's what I heard that your concern was that you wanted to be able to not be precluded from spending your EDA dollars but that this pot of money or this application, if awarded, would be able to complement those activities. Is that correct?

1:44:58

Yes, you're correct in that assessment that, you know, we'd like to make sure that, you know, there are other grants out there that the tribe has applied for.

1:45:12

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We equate equitable distribution formula that, you know, like I stated earlier, that some tribes are, their needs might be a little bit different or [inaudible]

1:45:25

1:45:32

But we don't know yet. so.

1:45:35

Okay, awesome. Well Ms. Cuthair

1:45:38

if you don't have anything else, I just, thank you again for your feedback and your comments and your insight on behalf of Ute Mountain and sharing with us a little bit about your thoughts. Again, these are all important points that we're looking at as we're evaluating how do we make things successful when there's so much so much need.

1:45:55

So, thank you for spending the time with us today and sharing your thoughts. Thank you.

Yes, thank you.

1:46:02

All right.

1:46:03

We had another individual in the queue. I believe it was Oglala.

That's correct.

1:46:10

All right. If we could, name, title, tribe, again, for the record. Thank you.

1:46:16

Sure, thank you Adam.

1:46:19

Kevin Killer, Oglala Sioux Tribe, President, and I'll just do an introduction [speaking in traditional native language] We know we shake and extend our hands with good gratitude and

1:46:35

want to make sure that we expand it out. Sorry, I got, like, three different meetings that I need to be in right now, but, you know, we're experiencing, like, really cold temperatures right now, so I could be pulled in ten different directions. But so, my comments will be really brief, but I want to make sure we got on record.

1:46:52

And just to make sure, thank you again for the efforts to engage tribes in a meaningful consultation, given the very short timeline for rolling this program out, Oglala Sioux tribes are located on the Pine Ridge Indian Reservation which is just under 3500 square miles and home to

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a very underserved population. We have about 46,000 tribal members. We have recently licensed spectrum over our reservation and are in the process of watching the build-out of our broadband network. We hope this program will provide an opportunity to support our efforts to connect our communities. We will be providing detailed written comments, but I wish to highlight the following today. As far as eligibility goes, we believe that it is important to prioritize federally recognized tribal governments.

1:47:34

We are the chosen leaders of our communities, and it should be up to tribal governments to decide who may submit tribal applications on our behalf.

1:47:43

Any entity that is not a federally recognized tribe should have authorization from the tribe to apply for funding. In terms of eligible uses, the tribe should be able to define our goals for our own people. Our goals may vary between tribes. However, we encourage a focus on infrastructure deployment and affordable programs. Regarding distribution, it is important that both populations and land bases be taken into account as the number of people who need service and the challenges of connecting people in very rural areas are significant. The need of the tribe and/or our people should be considered, particularly as it directly impacts our ability to deploy the necessary infrastructure. Additionally, the populations in the greatest need are often the ones for whom it is not profitable or for others to serve.

1:48:31

In terms of environmental and cultural resource protection, as much discretion as possible should be given to tribes to determine how to best assess our needs. And in the deployment of our infrastructure, we know our lands and resources best including how to protect them. The tribe should be left to define who is underserved or ourselves. And the last one, reporting requirements should be kept to a minimum in recognition that during the pandemic, tribal staff is already overstretched and there is an urgent need for our limited resources in other areas.

1:49:01

So, I'll just leave my comments there.

1:49:04

I got to run to another meeting, but we'll submit a more detailed written statement.

Understood. Understood Mr. President. And I

1:49:14

thank you for your time for your comments. We look forward to getting the written responses but thank you to you and the Oglala Sioux Tribe

1:49:21

for your words and for your feedback today. Thank you.

1:49:29

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Thank you, Adam. Thank you everyone.

1:49:30

Thank you. All right, so we're still on the phone bridge. Please don't be shy. Again, we're going to come to those that are on the app. We have a raise your hand feature that we'll use in a moment, but again, out of respect for those of you that are living in the digital divide and may be in a place that you don't have connectivity today

1:49:52

we wanted to be respectful and utilize that as the phone bridge.

1:49:56

So, do we have anybody on? Again, star six to come off of mute.

1:50:00

It's wide open.

1:50:01

If your first name starts with A through Z, Adam through Zebra, please feel free to come off of mute.

1:50:20

Good Morning, can you hear me?

1:50:21

I can, yes. Could we please get your name, title, and the community that you're representing?

1:50:27

Hi, Good Morning.

1:50:28

My name is Vivian Korthuis. I serve as the Chief Executive Officer for the Association of Village Council Presidents.

1:50:39

We are a tribal consortium in Western Alaska with 58 tribes in our consortium. Our villages are along the Yukon River, Kuskokwim River to Bering Sea coast. in Western Alaska. We are not connected by any roads to the urban centers in the state. For us to get from Anchorage to Bethel where I'm calling from,

1:51:06

we fly out with, jets. It takes about an hour. I get on another plane and takes another hour on a smaller plane to go out to the furthest areas of our region.

1:51:18

We have approximately 48 villages. Our villages are anywhere from a

1:51:27

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couple of hundred people to over 1500. In the hub in our region, there's approximately 8000 people living here in Bethel.

1:51:37

So, I'm really appreciative of the webinar today and some feedback

1:51:44

requested by you to take into consideration for broadband.

1:51:52

It is one of the things that we are working on in our region.

1:51:57

Before I start, I'd like to say that our tribes meet on an annual basis in our region, and they select priorities. Those priorities include for all of our villages, include public safety, economic development, and community wellness.

1:52:20

So AVCP is a service provider. We deliver BIA, primarily BIA, through our compact services. We also deliver

1:52:33

other services that we get grants for from the federal government and the state government. We oversee, for example, the transportation issues for the whole region.

1:52:45

First off, I'd like to say that under Covid, we've been operating remotely for the past year

1:52:53

and it has emphasized to us how important broadband is to our region and to our villages.

1:53:01

It has been an extremely difficult task to provide services in a geographic area the size of Oregon.

1:53:14

We have so many issues that we have to work on just to deliver say, for example, services tied to economic development.

1:53:24

We have over 20, 30, I'm sorry, 30 sites in our region where we have a one stop shop, we call

1:53:39

those job centers for our tribal members to seek employment. We've had to figure out how to deliver those services remotely. We have a [inaudible] programs. We have TANF programs. All of that leads to a redesign which we have been working on for the past five years trying to improve our service delivery model.

1:54:06

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And then, when Covid happened, it really accelerated the questions that we had to answer including how to best deliver services remotely in a region that has, what I would consider, in extremely rural Alaska.

1:54:24

So, I'm appreciative of the funds that will be delivered to try to create that infrastructure.

1:54:37

That infrastructure is really needed. As a side note, AVCP is a Tiwahe

1:54:42

demonstration site. We've been working with other tribes in the lower 48 for the past five years on how to better deliver services in such a large area.

1:54:58

For broadband in our region to work, we would definitely need to have access to information, access to the technology, access to the

1:55:15

tribal support that we would need, access to the resources developed, in many cases, which are not developed, to touch every single one of our remote villages.

1:55:32

Many times, for example, I've been working with a tribal office in our region with Cares Act funding, and they have no, for the past several days now, they have no Internet connection, so no transactions were being done.

1:55:48

They have to use fax or mail. Sometimes the mail takes, in this one case that I've been working on, it took five weeks for one letter to go 200 miles.

1:56:04

So, we have lots of challenges. We would like to learn to

1:56:10

apply the lessons learned under Tiwahe

1:56:13

to broadband, and it is something that we are entrusting as a systemic management system.

1:56:23

And we would use everything that we know, for example, local knowledge, keeping our language, delivering services in the middle of winter with no roads, no access, limited transportation, limited housing, limited water sewer services, limited police,

1:56:50

limited public safety, all those constraints, and tried to connect

1:56:56

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our villages, our tribal offices, our employees that are [inaudible] so that we can better serve our tribal members to improve the quality of life for our region.

1:57:11

Thank you.

1:57:14

Thank you so much for the comments.

1:57:17

1:57:18

It was Ms. Korthuis. Did I get that right?

1:57:23

Yeah. My name is Vivian Korthuis. I serve as the CEO for AVCP.

1:57:32

I got that. I just wanted to make sure that I got the name correct. So, thank you so much for your comments.

1:57:39

I think everybody on this call can appreciate the complexities that Alaska, the Alaskan villages face on a daily basis.

1:57:48

I, myself, have been in a bush plane and landed on what I was told was a runway, and I can appreciate the challenges that you face on a daily basis

1:57:59

in general, especially when you're talking about the deployment of services, such as TANF, roads, I mean, you went down a heck of a list, housing, and I do want to say, you know, thank you for your words, and I just wanted to recognize that

1:58:14

I heard you in terms of the issues and that you see broadband as a critical component to solving the problems or the challenges that you face in your communities.

1:58:24

I also think that you use the term that, in terms of rural or very rural, and I've actually heard somebody else describe Alaska, you have urban, you have rural, and then you have wilderness. And a lot of the villages that I've actually been to in Alaska, I would categorize as point-blank wilderness.

1:58:45

And, so, again, creative solutions are going to be needed to be thought about in terms of how the digital divide issues that use, I think, you so eloquently highlighted that you're facing can be addressed, and you'd pointed out that there's a systemic challenge that you're facing.

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1:59:03

It's exciting for me to hear that you have a demonstration site to observe best practices at Tiwahe and I apologize if I said that wrong. And, obviously, in terms of your priorities that you listed.

1:59:17

We hear you loud and clear on why you view this as such a critical opportunity for the over 48 villages that you represent as a CEO of your organization.

1:59:28

One of the questions that I do have for you is, Alaska is tough.

1:59:35

And, I mean, frankly, a billion dollars could be spent in any one regional area of the lower 48 or Alaska or Hawaii and probably would still not necessarily solve the problem so I'm not going to even treat it. Like, it's we all know that is not enough.

1:59:51

But in terms of where we're at with this application process, is there some ideas or approaches that you're thinking about in terms of collaboration or partnership?

2:00:03

You know, clearly there's a partnership going on in the 48 villages that you're a part of, but are you looking beyond the immediate 48 villages and looking at other partners as part of the solution in your area?

2:00:16

I just want to pick your brain a little bit on this

2:00:18

or see if you had any thoughts about how you view partnerships as a solution in your circumstances in Alaska?

2:00:29

Thank you for that question. This is something that we've been working on with other regions in Alaska through the committee set up by the Alaska Federation of Natives. We realize that Alaska is a big state, and we don't want to work to the detriment of any other region.

2:00:49

So, yes, partnerships are key.

2:00:53

We have white papers available through AFN that speaks to broadband.

2:01:00

We have regions that are working on projects to help continue to develop that infrastructure at the village level or the tribal level. So, my recommendation would be to reach out to AFN and AFN membership which is the state of Alaska.

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2:01:26

AFN of the state of Alaska will assist you in that question.

2:01:31

Wonderful.

2:01:32

Is there anything else that you wanted to share before we move on to the next individual?

2:01:43

I just wanted to say thank you for the time and information that you're sharing and with regard to our region.

2:01:55

The thing that we've discovered under Covid is that being connected in every way is really difficult when we have a virus that separates everything from when you are born to the time you pass away

2:02:14

and all those important milestones in between, including education, health care, subsistence, everything.

2:02:27

AVCP has learned through our pivoting of services to our region and our tribal members in our tribes that we have to address broadband and

2:02:43

all the complexities that it brings.

2:02:48

And that is something that we'd like to do as a demonstration site or, for example, under our Tiwahe demonstration site, to focus on how we connect all those service delivery framework, that framework we've been pushing out specifically

2:03:05

on broadband. So, we are intending to apply.

2:03:12

We encourage everyone to think about how this works in the family, how this works on an individual basis, how this works on the household basis, a tribal basis and continuing up that train of thought to our community and even the statewide level.

2:03:36

That's all I have.

OK. Well, again, thank you for your thoughtful comments and feedback, and providing that perspective on behalf of the 48 villages that you represent.

2:03:47

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So, thank you for that.

2:03:50

OK, well, if we could, again, star six, is how we come off of mute. For those of you, we're focusing on the phone line right now. Again, star six. Please don't be shy.

2:04:22

OK, well, Laura. I think we're probably reaching a point where we can transition to the webinar platform.

2:04:31

If you want to maybe explain the process and the ground rules for the raising of the hands if you wouldn't mind.

Absolutely.

Thank you.

2:04:41

So, if you're on the GoToWebinar platform, you have the ability to raise your hand, and I will be looking for raised hands to call names and allow you to submit your comments for consideration as we work on developing this program.

2:05:03

So, please

2:05:09

let us know if you have comments to add, and I'll be tracking that and try to let you know how that tees us up. I've got quite a few here.

2:05:18

So, I'll read off, Chris Olan, Holly Barton, Gerald Baca, Joe Garcia, Will Micklin, Juana Dixon, who I think spoke earlier and I'm not sure I'll check with her to see if she has more to add, Nathan S, Rodney Cawston, and Tyson Johnson.

2:05:41

So, I'll try to take those in order.

2:05:44

So, Chris Olan I'm going to take you off mute.

2:05:50

Hi, everybody. My name is Chris Olan. I am the IT Director, CIO for the Nisqually Indian Tribe here in Western Washington.

2:05:59

And my Council has given me the blessing to speak to the group today in this Consultation process. I thank you guys for giving tribes the opportunity

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2:06:10

to have this ability.

2:06:14

It's much needed in this day and age. And, you know, as I've listened to many of the hardships and, you know, the various barriers and difficulties that tribes face.

2:06:25

And we've been there, we've done that, you know, terrain, geographics. I mean there's so much that gets in our way. And, you know, I'd like to start out by thanking Quinault. You know, we agree with the many comments that Quinault put out there.

2:06:39

We had some of the similar issues, and I've actually worked with some of their folks in the past. It's been many years

2:06:47

but I'm a little bit aware. We came together because we have the same barriers. We have the same needs.

2:06:55

One of the things we also agree with is, you know, funding for backhaul access should be given to tribes that are unserved, you know, that are typically a good distance from, the nearest [inaudible], the nearest, you know, main line going through their territory around their territory. You know, you got to be able to tap that and so these funds are, you know, the consideration should be there so that we can get there. We also agree, you know, that many tribes are scattered in their land base, and you will require funding for the fiber that will connect all portions of their land base,

2:07:31

you know, which is, again, the checkerboard effect that many of us are more than aware of.

2:07:36

You know, we even have land that's not ours inside of our own boundaries, and we have to get permission to cross those lands which is, you know, most unfortunate,

2:07:46

and they can actually stop projects sometimes, too.

2:07:48

It depends on the jurisdictions that we're dealing with. So, we also believe, you know, that consideration should be given for tribes to work together on this opportunity to submit joint applications.

2:08:02

You know, one tribe may have established, you know, distance learning platforms, Internet platforms, which can be shared with another tribe. But, again, you know, this would require

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funding for the gap in between the two tribes, you know, having to cross those boundaries across those jurisdictions.

2:08:18

So, a priority for this type of funding should be based on economic, educational and health benefits cumulatively.

2:08:28

Also, there's that preventing the disconnect actually, you know, really got my attention in the slide presentation. That is huge for tribes who have already established something for their communities, for their people. And, you know, on that comes in the form of DR sites.

2:08:50

It comes in the form of, you know, central office repeater stations, hubs, and a lot of times, these components are overlooked, and it takes a lot of effort, a lot of work to create those base stations, to create those repeater stations, to create those hubs so that we can continue the backbone out to the other unserved land bases and stuff like that.

2:09:14

2:09:16

But again, a lot of what we're seeing right now, you know, it comes down to having to cross those discontinuous land bases, to reach the rest of our people, reach the rest of our government.

2:09:29

Here in Nisqually, we have government offices scattered, you know, in our region, we have a primary hub, which needs to be built up, we need the disaster recovery. We need a number of pieces to come together here so that we can continue on with the trajectory that we've been on for a number of years now.

2:09:48

I think that these are just some of the pieces that we wanted to emphasize on and provide comments towards today in hopes that everybody can really start to realize the uniqueness from tribe to tribe. We can't have a cookie cutter process. The cookie cutter process has failed us over the years.

2:10:09

And I think a lot of us who are on this call have experienced it.

2:10:12

We know it.

2:10:14

We know that five miles can stop an entire project, and it's unfortunate when you're dealing with thousands of square miles, hundreds of square miles.

2:10:24

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So, there you guys go, and I just wanted to get that in there, and we will, too, provide additional comments and feedback on this process. So, again, thank you everybody.

2:10:37

Thank you, Mr. Olan.

2:10:38

Again, and thank you to the Nisqually Tribe for the comments and feedback. It's great to have a CIO on the line, a Chief Information Officer.

2:10:46

And I do want to pick your brain about something.

2:10:50

You really put a big emphasis on the middle mile concerns and challenges that you've had.

2:11:00

You gave an example of being able to connect two communities together, but it still requires going off reservation

2:11:07

in finding that middle mile solution. Are there any things that you're considering in your process to partner?

2:11:17

This kind of gets to that there's a lot of tribes that are frustrated, and we have heard from some of those that have no interest in partnering with whoever the local [inaudible] or whoever the middle mile provider may be. So, is this another one of those instances or do you see an opportunity for partnerships?

2:11:39

I'm just trying to get a sense of what the barrier is and if you think that it can be overcome through relationship building or if it's something that the relationship is

2:11:49

not going to be fixed, I guess is the question.

2:11:52

Well, it's more of it, you know, we're in the process of exploring it at this time. You start to explore. Do I work with this company?

2:12:02

to get from point A to point B. How do I get to my next land base? How do I get to my next economic base? And, you know, the other side of that, too, is franchise agreements come into play. Right?

2:12:14

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You know, you get an outside jurisdiction that says, if you come off your reservation it's time for a franchise agreement.

2:12:21

But all you're doing is going from one piece to another

2:12:24

a couple of miles down the road. We recently went through this a little bit, and so these are some of the hurdles that tribes come up against. And, you know, yes, some of it can be worked out, you know, through relationship building.

2:12:36

But somewhere down the line if there's going to be an agreement, and, you know, not all tribes are proponents to that. We're not proponents to being locked in. Let's not forget about data sovereignty for a second - data sovereignty.

2:12:51

What is that? As soon as that data leaves our boundaries where's it at? It's in another jurisdiction, so how can we keep that within our lines? How do we keep that within our boundaries?

2:13:01

even though we have to leave our own boundaries to get to the next boundary.

2:13:06

Understood.

2:13:08

Hope that helps. No, that does. I think that the example that you gave, it gets to.

2:13:15

I think we have a group of tribes that they just want to tie to the local middle mile provider.

2:13:23

They want to tie to that local backhaul, and they really don't have an interest in necessarily providing service off the reservation. But you bring up a good point about the checkerboard issues.

2:13:33

And I think in this example that you're bringing up, your intent isn't to shoot microwave shots, your intent is to run fiber.

2:13:40

And the moment you start to go down that path, you start to run into these franchise agreements issues and data sovereignty. and ownership issues.

2:13:51

I think you were spot on in terms of helping us understand what you're thinking about

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2:14:00

and what those barriers are to deployment, because again, everything that we've been talking about over on the NTIA side is how do we make sure that we're promoting successful programs and promoting successful deployments?

2:14:13

And part of that is identifying what are the challenges that people have had up to this point

2:14:17

and what are those concerns?

2:14:18

So, I appreciate what you shared, Mr. Olan and the perspective from the Nisqually. Are there any closing thoughts that you may have before we move on to the next speaker?

2:14:27

The closing thought on that is just to say that limitation is sitting there right now.

2:14:34

You know, the current dialog that we're engaged in talks about reservation only, reservation only. And, you know, I think limitation has to come off

2:14:44

and the barrier has to be removed, so that tribes can get successful here in delivering to the people, what they choose to deliver, however that is.

2:14:55

And I'd like to add one more point really quick. You know, sometimes it's not accessing the middle mile line, but having the ability to lay your own middle mile line.

2:15:08

So, in closing, everybody, I hope this helps to massage these rules,

2:15:16

and we can generate some success in Indian Country.

2:15:20

Wonderful comments. Thank you for the time and the thoughtful words Mr. Olan and the Nisqually Tribe. Thank you.

2:15:29

All right, Laura. Who do we have next?

2:15:32

So, up next, I have Mr. Gerald Baca.

2:15:39

Give me a minute, and I'm going to take you off of mute.

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2:15:44

Thank you.

2:15:45

I'm calling in from underserved areas, so I hope everyone can hear me clearly.

2:15:54

We can loud and clear. Mr. Baca, if you could, your name, your title, and the community that you're representing today.

2:16:04

My name is Gerald Baca. I'm the Director of IT appointed technology representative by J. Michael Chavarria, Governor of Santa Clara Pueblo.

2:16:15

I concur with many of the points that have already been raised in regard to certain items such as the middle mile backhaul and how to weigh equitable distribution versus tribal membership or tribal area, checkerboards, etc.

2:16:33

It is going to be a difficult thing, but I am appreciative that the cake is not baked yet, that we do have the opportunity to put our input.

2:16:42

That way, we can address many of these things.

2:16:46

My main point is I would like to just emphasize the importance of allowing the tribes to report on actual speeds versus reported speeds by incumbents or FCC data.

2:16:58

The FCC data has negated our entity from a Federal USDA grant

2:17:05

because an incumbent said they provide speed in the area, USDA could not come out due to Covid and test to verify, they just took the word of the incumbent and we lost out on a large grant opportunity.

2:17:21

Fiber is the end goal for most of the entities here today because that will allow us future proofing broadband and high speed to our communities.

2:17:32

And I want to emphasize that wireless distribution should not negate an entity or having wireless access currently or having deployed their 2.5 wireless during this pandemic in an emergency situation.

2:17:48

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Those wireless access are still vulnerable to environmental conditions.

2:17:53

When there are leaves off of the tree, the speeds are better.

2:17:57

When it isn't a rainy day, it's a clear day. The speed is higher. If there is snow out,

2:18:02

if there is rain out, the speed goes down, or even during a beautiful summer day, the trees are full of leaves, and the speeds are reduced.

2:18:13

I just want to make sure that these points are considered when we're looking at the speeds of 25/3.

2:18:21

And with that, I thank you guys for all the effort you have done in these meetings, and I concede my time.

2:18:29

Thank you, Mr. Baca, and thank you to the Pueblo of Santa Clara for your comments today.

2:18:35

I just want to make sure that I understood them correctly.

2:18:38

You pointed out your concurrence with other folks' comments and that's great. But you really honed in on, I think, two areas of concern and I want to make sure that we've captured that correctly.

2:18:50

Your first area of concern is with regards to the duplication or where other entities may have been subsidized. And so, it's just wanting to make sure I understood it correctly. Your concern is that folks may have claimed that they're serving you when they're not, is that correct?

2:19:08

That is correct.

2:19:09

They are claiming that it is at 25/3 speeds when it is not. It is, demonstratively, not at that speed.

2:19:20

Thank you for the clarification.

2:19:22

The second item that you raised was around the deployment of 2.5

2:19:28

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and you led with fiber being the priority or really the gold star standard that you're heading towards because of the limited likelihoods of it being interfered with due to weather, which happens with the wireless side of things.

2:19:44

So, the way I understood your comment was as the NOFO is developed, don't look at 2.5 spectrum deployment as necessarily the end all, be all

2:19:58

even if some of those speeds are being maintained because, from your perspective, it's still a wireless solution that can be impacted. So, it's not, necessarily, a guaranteed a 25 down 3 up. It can be disrupted by weather.

2:20:14

So, did I understand your concern correctly?

2:20:20

Correct.

2:20:20

That is one part of it, but I also don't want an entity negated if they were successful in getting their 2.5 spectrum, deploying their 2.5 spectrum.

2:20:35

So, now, they are serving their community with 2, 25/3, but then they negate themselves from this opportunity because they have provided this to the community.

2:20:46

Does that make sense?

2:20:48

It does.

2:20:50

And, again, thank you for that clarification.

2:20:53

Is there anything else that you wanted to add before we move on to the next individual?

2:21:00

No, thank you for the opportunity to clarify. I appreciate it. Thank you, Adam.

2:21:03

Wonderful. Well, thank you, Mr. Baca, and please send my best to Governor Chavarria, and to Santa Clara Pueblo.

2:21:11

And, again, thank you for your feedback today.

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2:21:15

All right, Laura, we are on to the next speaker, please.

2:21:19

Yes, I see Joe Garcia's hand up,

All right.

[inaudible]

This is Joe Garcia, head Councilman from Ohkay Owingeh,

2:21:35

and I will start off by saying thank you folks for doing the second session of this webinar or consultation session and then, secondly, I concur wholeheartedly with my brother,

2:21:55

Mr. Baca, who just gave us a segment for Santa Clara Pueblo. We're about 5, 7 miles from Santa Clara Pueblo.

2:22:02

So, we're facing the same issues that they are facing.

2:22:07

And together, we've been able to solve some of them, but we've got a ways to go.

2:22:13

But I wanted to bring out some other points that have not been mentioned that I haven't heard.

2:22:18

And the first point is that, when tribes are applying for the grant, when they put their application in, it should be a requirement that the tribe that's applying, provide a tribal resolution of support for the grant.

2:22:42

The importance of that is that it ensures that the tribe is the one applying and not some other entity who might be an economic board or some other entity not even related to their tribe.

2:22:56

But having a tribal resolution in place would be an important document to ensure that entity is a tribe applying.

2:23:07

So, I want to offer that.

2:23:09

The other point that I wanted to make is that it would be nice to have equitable distribution and dividing up the pie is not a big issue.

2:23:24

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It doesn't take a whole lot of work. In fact, if you do a division of one billion dollars by 574 tribes, that still comes out to 1.7 million dollars, or thereabouts, per tribe unless my Excel spreadsheet is wrong.

2:23:46

But, you know, the needs are what drives the dollar amount that tribes are going to apply for. Correct?

2:23:54

And the reason that I say that is, you heard from A-Z about things that are happening in the big part of Indian Country.

2:24:05

Those that have large reservations, and what I would give to have 1.4 million acres of land like the people up in North Dakota, South Dakota, Wyoming, Montana, Washington. Ohkay Owingeh has 12,000 acres.

2:24:25

But be that as it may, we're happy where we are, and we wouldn't leave the place.

2:24:30

But I think that also then determines that it cannot be a linear distribution. You can't just do the simple math like I did.

2:24:41

And I guess it's okay.

I'd be willing to take 1.7 million dollars for some of our projects.

2:24:48

But the important part is that many of the projects that tribes will need in order to come full board with a quality service, comes in different phases, and they're all in different phases in terms of what they have and what they don't have, and what they need and what they don't need.

2:25:11

So that's why the factors that go into the distribution part of it is going to be kind of a hard task. But I think if you weigh all the elements from this feedback that you're getting, the distribution

2:25:27

should be pretty well handled.

2:25:31

Maybe you save a portion of it for the pieces that you kind of miss.

2:25:37

So, maybe, three quarters of the funding could be via that funding formula, whatever you come up with, and then the remaining quarter of it for other special needs. So, it's just a suggestion.

2:25:51

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Then, finally, I think, Mr. Baca hit on that one about

2:25:59

the duplication of other funding sources that, just because they have other funding sources, doesn't mean that they don't qualify for this funding.

2:26:10

And so, the law says that every tribe is eligible.

2:26:16

And so, please see it that way.

2:26:18

And I thank you for doing this for Indian Country, and I'm ready for the application process to be initiated so we can move on.

2:26:30

Thank you.

2:26:35

All right, I think we've lost add Adam[inaudible]

2:26:39

[inaudible] I was just going to make sure. Can we still hear you?

2:26:43

You can. I think that I broke my camera. For those of you who have friends and family out there, feel free to give me a hard time later.

2:26:54

Just be kind with the ugly jokes if you can. Councilman Garcia, I do want to say thank you for the comments because

2:27:08

these are exactly the types of things that we're hoping to capture in the discussion today.

2:27:15

And as we start to shape this, again, how do you want to see this distribution happen? What are some ideas around equity that we can consider and weigh in in this conversation? So, you know, again, Councilman Garcia, thank you so much for the feedback, and, again, your continued dedication to this issue, both at your tribal level but, obviously, the national level. You've done so much work in this space. So, thank you for that feedback.

2:27:43

All right, Laura. Well, I think we're all okay if you don't have to look at me but if we could go ahead and jump right back into who we have as our next speaker.

2:27:55

Yes.

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2:27:57

So, next up I had Tyler.

Adam, we have you back on camera.

Okay.

2:28:06

[inaudible]

2:28:15

Let me make sure I've taken him off of mute.

2:28:29

All right.

2:28:31

Let's give Mr. Lockley one more second.

2:28:36

He's having trouble unmuting his line.

2:28:40

2:28:44

Star six, if you're on the phone, would unmute your individual line.

2:29:05

All right. I'm going to keep Mr. [inaudible] on my list.

2:29:10

But I have Mr. Will Micklin next up, and I'm going to go ahead and unmute your line.

2:29:22

Mr. Micklin, your line should be unmuted.

2:29:30

Can you hear me?

2:29:32

Yes, we can. Thank you.

2:29:34

Mr. Micklin, how are you today?

2:29:36

Good.

2:29:38

[Speaking traditional native language] My English name is Will Micklin.

2:29:45

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I'm a second Vice President for Central Council of the Tlingit and Haida Indian Tribes of Alaska and [inaudible]

2:29:52

That's the Regional tribe for Southeast Alaska and CEO for the [inaudible]... in East San Diego County.

2:30:01

So just a couple of quick points, Adam.

2:30:07

One is on the implication of Section A 14B: unserved

2:30:14

with respect to the term household in Section C8 broadband infrastructure deployment priority for projects that deploy broadband infrastructure unserved households.

2:30:27

Our recommendation is that the tribe proposes the Secretary interpret the requirements of Section A 14A unserved to affirm

2:30:39

the household lacks access to qualifying broadband service under A11 A&B

2:30:50

2:30:51

In the event, the household benefits from satellite service that's marketed as 25 megabits upload and three down, due to the insufficient latency to support real-time interactive services

2:31:05

that's under Section A 11C we don't think that just because there are households that receive satellite that that be disqualifying for the definition of unserved.

2:31:19

I'll note that in our recommendations

2:31:22

we're not proposing to revise, or in any way, change the Act itself.

2:31:30

But we are finding provisions that would allow, we think, the Secretary to interpret reasonably the provisions and in this section to support the recommendation that we're making.

2:31:45

Secondly, we're proposing the Secretary interpret the requirements of Section A 14B not apply to any other broadband grant or loan program.

2:32:00

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Whether it's the Reconnect [inaudible], CARES Act 1 or 2 and an RDOC that's under the requirement of Section G for the use of grant funds received not being a disadvantage. But I think that's important.

2:32:20

We've recently been noticed of the RDOC awards in the area. I'm talking about [inaudible]

2:32:28

2:32:30

and in no event have we been able to talk to anyone willing to talk to us about a backbone aggregation point for backhaul.

2:32:39

They're just uninterested or so far away that it would be unfeasible for us to try and extend our own middle mile for that distance. We know it exists.

2:32:52

We know it serves anchor institutions for the federal government and state government in that immediate area

2:33:00

but are unwilling to share the bandwidth with us.

2:33:05

2:33:12

We're recommending that

2:33:15

the Secretary interpret the Section 905 grants to allow the use of eligible entity grant proceeds for deployment of qualifying broadband service in an eligible service area

2:33:28

that is not also tribal land under the tribal land definition.

2:33:34

In particular, for an eligible entity, that is, a tribal government that doesn't benefit from tribal lands under Section A 13A, B, or E for an eligible entity that is the Tribal Government beneficiary or for an eligible entity

2:33:51

that is the Tribal Government beneficiary under Section A 13

2:33:56

where a portion of the qualifying broadband service must be deployed for middle mile backhaul in an eligible service area that is not also tribal lands.

2:34:07

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We think that is the way to support the middle mile areas that are not reservation or within a defined area under A13.

2:34:18

I just wanted to go over one thing I mentioned last time on the easements or rights of way permits or agreements which could be lease agreements.

2:34:30

They're absent from the section.

2:34:35

They will likely be essential as they all are, with most projects, whether interior to the tribal land boundaries, such as in holdings or exterior for off, to get to an access point.

2:34:53

So, our proposal is the Secretary interpret Section C2

2:34:58

grants be awarded even in the absence of essential easements or rights of way permits and approve Section C4 b2 extensions for infrastructure projects under similar circumstances since

2:35:12

the nature of those permits or agreements are lengthy but shouldn't disqualify tribes from either being awarded the grant or extending it until those are received under the terms of the Section 905.

2:35:30

The rest we have in written format in much more detail, and we will submit that to you after this session.

2:35:38

I just wanted to commend you on leading the discussion.

2:35:43

You're particularly adept at this. I thank you for being sensitive to the tribe's concerns and knowledgeable, and that really lends to the discussion.

2:35:59

I look forward to working with you on an ongoing basis. Thank you, Adam.

2:36:04

Likewise, Vice President Micklin and thank you for the feedback.

2:36:10

It is absolutely an honor to be a part of the discussion, I'm just fortunate to be in a position to be able to do that

2:36:16

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and grateful, frankly, to be able to help facilitate this. You threw out a lot of elements related to the statute

2:36:31

and I just want to recap those. I'm going to simplify the language a little bit.

2:36:35

I recognize that you're going to submit your comments more formally in writing.

2:36:39

But with regards to Section A14 A, you really wanted us to take a look at the tribe or the entity, basically the unserved household definition that unserved be taken into consideration and certified by the tribe is essentially your position on that.

2:37:03

You then got into a discussion about latency and sustainment of 25/3, which I think is an interesting. We've heard that twice on.

2:37:13

You're the second person, I think, to raise the ongoing, like the definition

2:37:19

or the boundary around what 25/3 means just because you may have 25/3 at, you know, two o'clock on an afternoon on Tuesday, by three o'clock in the afternoon that system may have latency issues or weather impacts to it. That really drops the system down to like 10/1 or 10/3 or something.

2:37:41

And so, the way I understood it from your perspective is that you don't want us looking at, you know, you want to have a consistent, static 25/3 solution not necessarily a dynamic one that may, you know, at times, hit a peak of 25/3 but then come back down as network overload happens or as more latency interference issues may occur.

2:38:05

So, I just want to make sure I understood that

2:38:07

that's what you were saying or if that wasn't what you were saying about the latency issue.

2:38:12

So, in Southeast Alaska, outside of Juneau, Ketchikan, and perhaps part of Sitka.

2:38:19

the villages are either unserved or underserved.

2:38:28

They don't meet the very basic definition or FCC definition of broadband with 25/3.

2:38:36

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What folks do have is the ability to subscribe to satellite, and satellite is marketed at 25/3.

2:38:43

So, we don't want the unserved definition to be applied and say, aha,

2:38:47

these tribes or corporations in these areas don't satisfy the unserved requirement because they are satellite in these households that satellite, even though it's marketed at 25/3, doesn't really attest to that.

2:39:05

And, the latency provisions, we think, absolutely disqualify it but, more importantly, we are seeking,

2:39:16

I think, a contemporary vision of what broadband service means to our communities, and it's not 25/3, and I think that's supported by the FCC report inquiry concerning deployment of advanced telecommunications capability to all Americans in a reasonable and timely fashion that was adopted and released August 8, 2017 that goes through that discussion.

2:39:41

So, we want to qualify in our villages in Southeast Alaska, but we also want the deployment supported by the grant award to support broadband services that is not just trying to aggregate a bunch of satellite endpoints.

2:40:02

We want real true broadband service for our communities, and that's the only thing that will be sufficient for our needs, particularly with our deficiencies exposed as they are by the emergency event in the COVID-19 pandemic. Much relies on broadband service and, frankly, it's a real chore to do the reporting online, to do the awards online, to do the applications online when you're not really online at 10/1.

2:40:35

There are individual points that are 10/1 that are by contract. They're not supposed to be shared.

2:40:43

Sometimes they are, perhaps, but it makes no sense to be served 10/1 when they're down.

2:40:51

In some instances, our down speeding, down rating fiber runs to 10/1 and charging \$200 to \$300 to \$400 a month for that service.

2:41:04

There's a lot of carriers in Southeastern, or in all of Alaska that are making a lot of money with inadequate service that could be upgraded if there were an investment.

2:41:14

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But they don't value the service, or the customer, sufficient to make that investment. So that's where we have to do it, and we thank you

2:41:27

and the Congress for this opportunity under Section 905, which we're hoping will leverage, interpreted to leverage, other broadband

2:41:38

opportunities for funding.

2:41:41

Thank you.

2:41:42

Understood.

2:41:44

You also hit on the [inaudible] off reservation or off tribal lands investment, heard you loud and clear that that needs to be eligible from your perspective.

2:41:59

We've also heard that from others on the line today, so again, there's some continuity there.

2:42:04

And then the last component that you brought up about leasing and the whole site acquisition process in general.

2:42:13

We hear you loud and clear, that you don't see it, as we shouldn't be penalizing anybody for

2:42:23

maybe not having all those answers today, but maybe building a way in the application process that we're able to allow for that information to come in, you know, through the program and not hold anybody back for not having that in place.

2:42:40

So, we hear you loud and clear. So, I captured that correctly, right?

Yes, absolutely. Thank you.

All right, wonderful.

2:42:47

Well, again, Vice President Micklin thank you, again, for joining us today and the comments on behalf of [inaudible] Alaska, as well as the Central Council, as well as the Ewiiapaayp down in Southern California. So, thank you for those comments.

2:43:06

All right, Laura,

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2:43:08

on to the next, please.

I have next on my list Juana Dixon, and all of a sudden, I'm concerned that maybe that was from earlier.

2:43:20

Juana, are you still on the call or on the webinar?

2:43:32

Looks like she's on, but she may be multitasking. All right, I realize that probably a few of you out there are on maybe 3 or 4 of these.

2:43:45

Many hats are worn in Indian Country for sure.

2:43:50

Maybe if we could, I saw that there was a name on here,

2:44:00

Yes.

It looks like Selena B.

2:44:03

Yes, Selena. Can you guys hear me okay?

2:44:06

We can. Selena, good to hear from you.

2:44:10

I'm doing great.

2:44:12

So, I'm the Director of Economic Policy for the Lummi Nation and have been, you know, working on our broadband projects. First of all, thank you for the opportunity to give some comment.

2:44:26

I would like to say first and foremost that we support the recommendations from Quinault Indian Nation. We actually have a lot of the same points.

2:44:34

So, in the interest of time, I won't necessarily repeat those, but I did kind of want to stress that our COVID-19 response necessitated that we do whatever we could to make sure that our people had access to high-speed Internet,

2:44:52

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you know, whether it be for distance learning, telehealth, telework. We did the best that we could to provide

2:45:01

that with some like wireless service as much as we could. However, you know, and I've heard this with different tribes looking at

2:45:12

the definition of what our broadband access really is up to 25/3.

2:45:18

Even in the areas where we might have some people that have access to 25/3,

2:45:22

it isn't consistent 25/3. I've experienced that myself. I can get along

2:45:28

if I'm the only one in my house that's doing telework. If my child is also having to do her distance learning, we will both end up having problems.

2:45:38

And so, I think that being the floor of if you have this, you know,

2:45:44

it's good enough.

2:45:46

It's really not good enough.

2:45:47

And so, you know, I think that the Lummi Nation is really interested in the ultimate goal of fiber along with that future proofing idea of making sure that we will all have that fast, reliable access to Internet.

2:46:03

And so, you know, it's been great to see this funding come out, especially because it is an unprecedented amount, but we do know that

2:46:12

all the other nations also have needs as far as this buildout, and it's certainly put light on

2:46:22

just how big the digital divide actually is, and even here, like, we have, not only is it just not being able to access fast reliable broadband Internet, but also knowing how to use it and knowing how to use the technology that goes along with it.

2:46:43

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And so, I mean, whether it's being able to teach our patients how to do their telehealth appointments, or having parents needing to learn how to use devices so that they can help their children do distance learning. There's a lot more that goes into it.

2:46:56

So, it just kind of opened this huge can of worms on how far behind we are when it comes to technological advances.

2:47:03

We do believe that we should be able to determine which households are the unserved households.

2:47:12

A couple of years ago, actually, we were working on a broadband roadmap for the Lummi

2:47:18

Nation, and found out that the maps from the providers to the area, they said they were providing it, but, you know, at what cost? Is it really accessible if you can't afford it, number one? But number two, sometimes it wasn't actually there. It wasn't really the 25/3. It wasn't really the speeds that were needed.

2:47:41

That's definitely some of the items that we've run into.

2:47:47

2:47:48

And, I think, for today, that is all I have.

2:47:50

I don't want to take up too much more time, but we will be providing written comments by the deadline as well.

2:48:02

Before I lose you, Ms. [inaudible], I do want to just ask a few questions while I have you.

2:48:09

You had mentioned [inaudible]

2:48:20

[inaudible] and you had mentioned that, you know, the Internet[inaudible] we all go home to help in these times, and I remember trying to do a survey with my community about the needs within the community

2:48:42

and the barriers on just being able to use something as simple as a survey monkey and explaining a QR code and really trying to get our elders to be integrated into thinking and using that technology.

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2:48:57

So, do you see a potential in your application process where you're writing for an [inaudible]

2:49:18

Thinking about in this context of, building the workforce to understand or maintain the network through your own ISP [inaudible]

2:49:34

Adam, I couldn't hear everything that you asked because of the [inaudible]

Let's see if we can

ask folks to mute their lines individually.

2:49:54

There we go.

2:49:55

I got it.

2:49:57

I found it. Okay, sorry about that Ms. [inaudible]. So, the question was, I'll just repeat it really quick.

2:50:02

You're the first person that's really brought up the digital inclusion/community education.

2:50:11

It's great to have the Internet, but it still doesn't do you any good if people don't know how to use it, and you're bringing an infrastructure into a community that may not be familiar with it, because they haven't had access to it for.

2:50:22

And so, do you see an application possibly coming from Lummi that has a component of that?

2:50:29

And, if so, do you also see a component of that being workforce development and training?

2:50:36

Like, you know, part of any of these applications, that, I think it came up a little bit earlier in operation and maintenance.

2:50:44

But I think even further than that, there's a segment of the workforce that, I'm hearing you identify, or at least make me wonder if that was part of your comments and your thought process around

2:50:56

those that once they have access to the education and ongoing education of the access.

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2:51:02

Any comments there?

2:51:05

We've certainly had a lot of conversations around, you know, we can build, we can build this infrastructure and we can bring it out here. But does that necessarily mean that people will know how to use it?

2:51:17

But we've also thought about workforce development just as a component of our economic recovery, because how many jobs do, we need to see move into more of either an e-commerce realm or even just more of a digital realm.

2:51:32

And it does certainly spiral off into a lot of those different conversations and I know that leadership in the Lummi Nation is very interested in having, like, a workforce development like a technology center

2:51:48

where we can help train people on how to use today's technology and prepare them for tomorrow's technology.

2:51:57

And that's where a lot of our interest lies

2:51:59

in making sure that we're future proof, because if we don't get a chance to get the kind of funding that we need for a project like this, you know, again, or anytime soon, how much can we get done

2:52:11

now, but also, what is our strategy?

2:52:13

Just to make sure that we can get there that we have access to fiber on our reservation.

2:52:19

And leadership has talked a lot about the concept of a smart reservation. You know, you may have heard of Smart Cities. But we want to be able to look at having a smart reservation

2:52:28

2:52:29

because if this is where the future is heading, we need to make sure that we're not getting left behind

2:52:35

and that our children aren't getting left behind so that they'll be able to

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have those bright futures and have any advantage that we can get for them.

2:52:49

Even for folks today, assets, whether it be for elders, or just people that otherwise wouldn't have these devices, because if they don't have access to the Internet, then why would they have a device?

2:52:59

And so, you know, there have been conversations even around, you know,

2:53:02

well, does it make sense to have a brick-and-mortar technology training center? There still does need to be some kind of brick-and-mortar technology training center.

2:53:11

Some of us may be able to figure out how to login to Zoom or Teams meeting to be able to get some training and software or how to do things and that'll be a component of it.

2:53:22

But there's still going to be the people that may just not have the devices because they just have never had access or don't have it yet or that need that more hands-on training which, yes, in the middle of a pandemic is difficult.

2:53:33

However, you know, I think it could be an essential aspect of all of it.

2:53:41

So, to be able to do kind of a more of a holistic planning around it, how do we do it, how do we make sure that we have the training centers, that we have a way for people and how to use it? So, it is a part of our bigger conversation about what are we putting into our application. And so, while we may not have fully settled yet on what's going into that

2:54:02

because, I think, our main focus so far has been our fiber backbone around the reservation.

2:54:12

It has been a part of the conversation this whole time and actually for the last couple of years even prior to the pandemic when we're looking forward to

2:54:20

a smart reservation concept

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it was, how do we make sure our people know how to take full advantage of it?

2:54:27

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Understood. Okay, well thanks for the clarification, and really, kind of pulling that thread a little bit further and explaining those thoughts.

2:54:37

I think that's helpful for us because you raise a really, really important issue, which is, I've heard two big ones today. If all these things are built, there has to be a way to operate and maintain it, and some of you are having those concerns of O&M.

2:54:53

But then there's also this workforce development component that you brought up that from the Lummi perspective, it sounds like the interest is not only to build this infrastructure, but to use the construction of it and the benefits that come in e-commerce for employment opportunities.

2:55:09

And I think you said it really well in terms of preparing your community for the jobs of tomorrow. So, I thank you for those comments.

2:55:17

I've also heard you loud and clear on your self-certification feedback that you believe that the tribe should be self-certifying and validating coverage and not relying upon others.

2:55:32

And then you also brought up another point there that just because there may be coverage doesn't mean that it's affordable coverage.

2:55:38

And that some of the digital divide issues that some of your community members are facing isn't that there isn't a pipe to connect to

2:55:47

it's that that the price to connect is unaffordable for the community. So, I wanted to recap that and make sure that I heard that correctly

2:55:58

that that was also the concerns that you had. So, did I capture that correctly

2:56:02

with my notes here?

2:56:05

And then I would just kind of, you know, re-emphasize the reliability and the strength of that connection that is there.

2:56:12

Because I do know that we have people that have done whatever they can to get connectivity for their children for a school.

2:56:20

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And sometimes, it's either multiple services or, you know, multiple providers because one provider alone does not provide the kind of, I guess, bandwidth that's needed or the speeds that are needed.

2:56:33

And so, it's just another item I'd emphasize because that's what I've heard a lot from my tribal members.

OK, understood. Well, Ms. [inaudible] I want to thank you again, and the Lummi Nation for your continued engagement and feedback in this matter and on this consultation and on the last one. We also had some representation from Lummi there, too.

2:56:58

So, thank you for your comments and your time and sharing today.

2:57:03

Thank you.

2:57:04

Thank you, Adam.

2:57:05

No problem and good to hear your voice.

2:57:09

We'll go onto the next.

2:57:12

Yes, so I have Ms. Holly Barton

2:57:29

And I was going to also come back in case earlier Tyler Lockley had teed up having his hand up, and I wasn't sure if that was about getting off of mute or some other technical issues.

2:57:48

I want to also offer you an opportunity to submit comments.

2:57:55

On, here, really quick, Laura.

2:57:57

For those of you who have already spoken if you could put your hand down. We could mass go on the app and put your hand down, but then we'll lose everybody's hands. So, if you've already spoke, bring the hand down so we can see the updated list.

2:58:18

And then, and I'm sorry Laura, you had mentioned a name. I didn't quite get it written down fast enough.

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2:58:26

That's fine.

2:58:26

I had two teed up, Holly Barton and Tyler Lo

I went ahead and unmuted myself by the way.

2:58:36

Alright, well Tyler you're first to the punch. So, let's go for it if you could, your name, title, and tribe you're representing.

2:58:45

Yeah awesome.

2:58:46

I just want to thank everyone for being here, and I appreciate the stories being shared from tribal leaders.

2:58:52

I think it's a voice that's not often heard in policy and decision making, but I'm a member of the Lummi Tribe. I'm in no way here representing them today.

2:59:03

But currently, the work I'm doing is in Health Technologies.

2:59:07

And so, I have had some conversations in the past year with Chase from the Lakota Tribe and then the South-Central Foundation of Alaska.

2:59:17

And so, for me, I'm incredibly passionate about accrue access to healthcare and sort of economic sovereignty for Native peoples. I think it's super important.

2:59:32

It's been mentioned a few times today, but sort of data sovereignty and being able to make policy based off of having good data.

2:59:41

So, I think that starts with the tribes and the people when they can sort of enable these conversations to go a bit better

2:59:48

because we understand everything that's going on in everyone in everyone's nations.

2:59:54

My title now is relationship manager.

3:00:00

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So, I'm just really interested in building relationships and helping create valuable conversations, making introductions.

3:00:09

So, for me, I just want to learn more how I can be of service because it's something I'm passionate about.

3:00:16

For me

3:00:16

there is no job title, you know, to do this.

3:00:20

It's sort of something that I've learned over time is my passion, and so, however I can hope, I think

3:00:28

now that was what I want.

3:00:31

Understood. Well, Tyler, thanks for joining and listening into the session today.

3:00:35

And you highlight an important area that we know needs to be a focus with how this thing is developed related to equitable access with health care and which telehealth is absolutely a segment of the statute and a point of consideration as we work our way through this. So, thanks for being with us today.

3:00:59

All right. Laura, who do we have next?

3:01:05

Give me just a minute.

3:01:10

Let's see, Theron Rutyna

3:01:15

Do you still have your hand up?

3:01:18

Yes, I'm still here.

3:01:20

Very good, you're up. Thank you.

3:01:23

Thank you very much.

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3:01:24

This is [inaudible]. Throughout the day, a couple of our departments had brought forth additional comments for the consultation that I was going to review and bring to you.

3:01:37

The first of which came from our Tribal Planning Department in reference to the 25/3 requirements.

3:01:44

Their commentary is that the 25/3 requirement, as has been stated repeatedly, is insufficient for current operation

3:01:53

in not only the land of Covid but also in normal operations for the tribe. In several times, that a 25/3 requirement shown to be about the reservation, according to FCC and other maps, has kept us from being able to get significant numbers of grants and/or matched funds.

3:02:15

So, being able to somehow build into this NOFO the ability for tribes to self-declare what is an underserved or unserved area based on our own data and facts, is something the Planning Department wanted to make sure was brought ahead and forth.

3:02:32

The secondary came from the Business Department.

3:02:37

Also, very similar in that a 25/3 is no longer sufficient for operations on the business side of the reservation, and their suggestion was something more like 100 by 10 would be a more significant buildout type.

3:02:52

Sure.

3:02:54

And that's what they were putting out.

3:02:56

And then, I also noted from the last consultation that a lot of comments on the middle mile which translates in our reservation, that while we may have significant services available on the reservation, getting a pipe to the reservation large enough to function on has been a significant barrier.

3:03:18

And this sort of funding would be something that we'd want to point towards that.

3:03:22

A State of Wisconsin Public Service Commission Grant brought a gigabit fiber pipe from the city of Bayfield to the reservation, but that's currently not redundant.

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And a single cut to any of the relatively vulnerable fiber in the area drops that connection.

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It would be a good focus for this type of funding to be able to create a loop with the providers that are available; however, that would require construction of off reservation which is something that many others have brought up today as well. You can't microwave a link, a backhaul for an entire reservation. It has to be fiber.

3:04:03

I appreciate everybody's time today, and I welcome the questions and commentary today I've seen from the tribes, as well as what Adam has been able to bring forth and pull together. Thank you.

3:04:16

Well, Mr. Rutyna, again, thank you for the feedback from the Redcliff Band

3:04:22

And again, if you could thank Chairman Peterson for the invocation this morning, you know, you've raised some good points that we have to think about as we develop the NOFO and

3:04:34

how we address the success, how we're going to help ensure successful processes and the middle mile challenges

3:04:43

that so many are facing.

3:04:53

It makes me pause and ask the question how many tribes are in a position relationship wise today to go have that conversation with the middle mile provider

3:05:06

and how many tribes have no interest in working with the middle mile provider due to the history they may have with that jurisdiction?

3:05:15

And where does that go in looking at partnership solutions that tribes may pose? And, again, thinking out loud, I am not necessarily sure you have the answer to that.

3:05:25

But we hear you loud and clear that there has to be a way to address the infrastructure that's in place that is insufficient in terms of meeting your needs.

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And so, we have to think through that. I also hear you loud and clear and appreciate you bringing up the business component of this.

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While Covid is obviously a component of and a large driver of why the dollars have become available, when you read the statute and the Act as a whole.

3:05:59

You bring up a good point, which is part of the recovery process that tribes are looking at. And I think that Ms. Bear brought this up as well from Lummi is founded in thinking about economic development.

3:06:10

And that a holistic solution from at least the way you're describing, it isn't holistic. You don't solve the divide unless you also address the ability to generate revenue through enterprise or taxes and be able to utilize that revenue for the ongoing maintenance of and sustenance of that network.

3:06:33

So, you bring up a good point about the business needs that need to be considered for the tribe, as well. So, thank you for that.

3:06:40

Any other closing thoughts you may have before we move on to the next speaker?

3:06:46

No, Adam. Thank you very much for your insight.

3:06:50

Thanks again. Alright, Laura, I think we are we are ready for the next speaker.

3:06:57

Yes, I've got a few folks teed up. I've got Nathan Soboleff

3:07:07

So, Nathan, I think you've had your hand up a little bit. Are you

Yes, I am. Can you hear me?

3:07:16

Yes, we can.

3:07:17

Thank you. Good, excuse.

3:07:18

Thank you for this great opportunity and forum.

3:07:23

My name is Nathan Soboleff, [inaudible] is my traditional name and I am the Director of the Grants and Resources Department for the Tlingit & Haida Central Council, based out of Juneau, Alaska.

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My experience within this realm, I've been Grants Director for over 16 years, and I recently came from a hospital organization where we applied for, and implemented, Internet upgrades through the Cares Act, from the FCC.

3:08:03

And, we also had a program through the Universal Service Administration Company to offer subsidies in perpetuity for hospitals.

3:08:18

And I think that's one of the things that perhaps this program, you guys should think about, is that sometimes so, in order to implement an effective grant, you know, you're looking at being able to provide what is the most effective solution to your tribe's needs.

3:08:40

And, for some tribes, it may be the case that a partnering with a local Internet provider is a solution and some other tribes, sovereignty wishes may be to be able to provide their own service and company.

3:08:59

And so, really, the idea of, you know, Internet data sovereignty, kind of thing, is going to be very wide throughout Indian Country.

3:09:10

Southeast Alaska, the State of Alaska, for the better part of a couple of generations has struggled with having like hydroelectric interties between communities.

3:09:24

And there just is no amount of funding that could ever develop, you know, the infrastructure in order to tie all these [inaudible]

3:09:35

You can kind of liken the same idea to that of broadband and Internet.

3:09:40

And so, you know, there are some technologies out there, like Tesla's Starlink program that could provide an immediate solution to a community's needs.

3:09:56

For Tlingit & Haida of Central Council, our 32,000, 33,000 tribal citizens are spread throughout, you know, the country, the world, even, but primarily reside in Southeast Alaska,

3:10:11

Anchorage area, Seattle, Washington, and, you know, for the south end, we had a program that we implemented at the beginning of Covid with a school backpack program.

3:10:25

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I think it may have been with, like, TANF funds, but the point is that they provided a Chromebook to tribal citizens who could come in and pick up the Chromebook.

3:10:37

And, you know, as all of these schools closed and we're offering education virtually,

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you know, we had a lot of tribal citizens who didn't have that kind of thing.

3:10:49

So, a program that you guys are, you know, for delivering broadband, you know, people, tribes should be considering, and you should also consider that if you want to have an immediate impact to the benefit of your tribe.,

3:11:09

I think it would be great for this program to consider

3:11:16

projects that run the whole gamut from those who have access to immediate Internet service

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to, you know, very large infrastructure projects. One tribe's solution may be to

3:11:37

go out and purchase a whole bunch of Wi-Fi cellular data gadgets and distribute them to tribal citizens, you know, along with some Internet and that may be like a very workable solution.

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Another thing that a tribe may want to consider is take an award

3:12:00

for this once in a lifetime kind of broadband opportunity and take those funds and put it into a trust that will last in perpetuity.

3:12:08

The purpose of the trust would be to generate revenue to pay for an Internet service provider for its tribal citizens.

3:12:19

I just urge you guys to consider all of these different types of applications that may come in.

3:12:28

And then also as a Grants Director, grants person to make sure that you provide an opportunity for submissions to include the long-term picture of what they want to do such that if funds ever come out available, that you guys already have an idea of other shovel ready type projects that are out there.

3:12:54

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The one project may be to develop, you know, to have in likes, you know, cellular towers or fiber projects.

3:13:06

And we know that as big of an opportunity as this is, it won't meet the entire needs of that project, but sometimes having a large grant like this that plays, like a key role, you know, the tribes may need to take that as the foundation stone to start their program.

3:13:27

But, at any rate, so just being flexible and broad thinking, but also, you know, there are going to be lots of different solutions that had the potential to be very impactful to Indian Country and to give each weight to them.

Or perhaps,

3:13:52

at least in the case of the FCC, for telehealth, for hospitals

3:13:58

they made that grant application open, and it was, like, a first come, first-serve thing. And they deployed a number of different projects out there.

3:14:07

But, you know, there were a number of entities that applied before the end of the closing period, and they didn't get funded because they were too late in the game. And, in this case, you know, the way in which you guys choose to have your open application period.

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Maybe not enough projects will come in, or maybe, you know, you guys will be flush with projects.

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So, but, you know, always consider this to be like that in itself, to be a big resource for the future.

3:14:42

[inaudible]. Thank you very much.

3:14:45

Well, thank you.

3:14:46

Mr. Soboleff, I think you raised a lot of good points in terms of points of consideration, and I'm going to recap them.

3:14:56

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You kind of brought up the positive benefits, but the challenges that you've experienced on the health side, in particular, with the universal service solutions that are out there. And you pointed out that

3:15:08

this is really going to be a broad, that you're encouraging us to have a very broad perspective on how we're looking at this.

3:15:15

Because some tribes are looking at partnerships, and others are looking at being their own ISP or really just solving the solution on their own.

3:15:24

So, absolutely noted that.

3:15:26

You also brought up something that we really haven't heard anybody just come out and say... You had mentioned the Starlink example and the low earth orbit satellite solution as a possible consideration for some communities. So, we definitely captured that, and we know that the [inaudible] Tribe has had some success and is piloting some of that.

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So, it would be great if we had the [inaudible] Tribe on, if we have anybody representing them to give any feedback on that.

3:15:55

But absolutely

3:15:58

hear you. Essentially what you're saying is that the solutions are going to be broad and need to not be, you're encouraging us not to box any one solution to be the end all, be all, but to really be flexible in our interpretation.

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And I guess I hear that as meeting tribes where they're at, based upon where they're at today and their need, and making sure that the program addresses the gamut and

3:16:22

not getting hung up on only funding infrastructure or only funding digital inclusion.

3:16:28

So, absolutely hear you. So, that's my understanding of what you were saying here today.

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And then I think you also brought a really unique idea up about the way in which you view the funding, which you're looking at it not from a get rich take the government money and put it into some sort of a bond or

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put it in some sort of a facility that has a re-occurring dollars for necessarily profiteering, but you're looking at it from an operations and maintenance perspective.

3:17:09

Okay, all right. I just want to make sure I capture that because that's a unique perspective that we haven't heard yet.

3:17:16

I have no idea on the legalities of that, but we've captured that. and I want you to know that we heard it.

3:17:21

Let's take a look at that.

3:17:24

Then, lastly, you had mentioned the need for identifying the total costs, and that the tribes are identifying, and you're right, I think, that through this process, we may even see tribes thinking that they know what the need is in the beginning as they start this process and six months later, they realized, man, they missed it. Or they undershot what the real need was, and that there'd be a mechanism or a process in the grant management side to allow for us to capture that real, holistic need not just in terms of fiber, or just in terms of wireless, or just in terms of satellite, but the whole picture.

3:18:01

And, so, I appreciate your comments to that. So, I just want to make sure. Did I capture and understand those correctly or is there anything that you want to correct me on?

3:18:11

No, I think you got it down just fine.

3:18:16

So, yeah. Thank you very much.

3:18:18

Wonderful. And again, thank you to the Central Council for your participation today. We have a great Alaskan contingency on here today

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so that it's good to hear from everybody from Alaska. So, thank you.

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All right, Laura, on to the next speaker, please.

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Yes, I have Andrea Alexander.

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All right, your line should be unmuted now.

3:18:43

Hello, this is Andrea Alexander. Can you hear me?

3:18:46

We can hear you loud and clear, Ms. Alexander. How are you?

Hello Mr. Adam Geisler. It's been a long time no see. Great to see your smiling face.

3:18:55

How are you? I'm doing great. Thank you for doing this. You are just kicking butt, my brother. I'm so impressed. So, thank you, thank you.

3:19:03

It's good to hear your voice, Andrea.

3:19:04

So how can we help you today? I'm sure you have a lot of ideas, and I'd love to hear them.

3:19:11

Yeah, of course! As I said, my name's Andrea Alexander.

3:19:19

I'm a Makah tribal member. I live in the Seattle area, Washington State, and I work with all the tribes in the state Northwest to really advocate and bring around broadband services and training.

3:19:33

One of the things that I wanted to discuss today, Adam, and I'd really love to get your feedback and help, you know, people on these calls...First of all, I just wanted to say, I am incredibly proud of the progress that the tribes have made so far in broadband in really a short amount of time. When we first started this, Randy and I started this 20 years ago, there wasn't really a lot of interest.

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And so, the pandemic has brought a silver lining that has really elevated this issue to all Americans that we do need equal access.

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And we don't even have it even if you live in the urban areas.

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So, one of the big issues that's coming up in the Seattle area, Adam, is the digital equity in the training and the lack of adoption by our tribal grassroots people.

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We served a lot of our urban members in this time. In deploying, we got out laptops and hot spots to community members that were isolated and stuck in their homes like our elders, our veterans, and unemployed folks having a hard time. So, we did a lot of food delivery [inaudible] getting us the vaccine. So, you know, we're just really blessed to live in such a vibrant city like Seattle. We do get services.

3:21:00

What everybody really agrees in the meetings that we've been having this past year, every two weeks. We have a conference call to talk about broadband, and it's facilitated by the Community Economic Revitalization or CER. I'm on their board, and we give out planning grants to rural communities here in Washington State. And I think we gave over 10 planning grants, about 50,000 to 10 tribes here in the state. And just that little 50,000 investment has leveraged and mobilized so much in terms of funds and program development.

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So, it's been really interesting to look at the unique models. some of these funded projects, there's my Makah tribe, Lummi

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Spokane tribe, Colville Confederated Tribes, Nisqually, and several others[inaudible]. So, I've really seen by the small investment the ability to help people where they're at in the project development phase.

3:22:10

And so, I want to really encourage, every tribe is different, and they are at a different process of development. So, whatever that particular tribe needs, we need to figure out how to get those funds to them. They can develop their plans or feasibility. They are ready to go into implementation and build trenches. So, I think that's really important, and we've had many of those conversations here.

3:22:37

The other thing that I want to say is that is really important. Again, like everybody says, but we can underscore it, you know, because the data under FCC reporting has never been correct.

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And those who have been working in this area, know that the incorrect data is a national tragedy, but it's also cost us millions of dollars in grants. When you live in a place, my tribe is the most isolated on the Northwest tip of the United States.

3:23:07

When you're out there, and there's nobody serving you in a year, you're out there, and we were so excited when we finally got sent Century Link to upgrade their system.

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But they barely scratched the surface and were able to get millions of dollars in what I call

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[inaudible] because they're allowed to serve these areas but not really cover the needs of that community.

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So, this is why we're seeing such a renaissance of tribes developing their own community led broadband systems, and it's so much more successful, and it also builds capacity for that tribe to understand the issues.

3:23:47

Most people were not trained for this. Just Crystal you know, she's my girl, Chair of ATI

3:23:54

I'm really proud of my tribal member. She just learned everything on her own, and she is just one of the top experts now on this issue.

3:24:01

So, what I want to say is, I hope that, in this process, that, Adam, maybe you and the leadership at NTIA to sort of help develop. We're developing a native digital equity coalition because there's no native organizations out here that do training of our grassroots people. We've been doing that right now, using our own native trainers. We're doing online just basic

3:24:30

how to use Microsoft programs to really help with workforce issues that we're encountering.

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But I think that having a partnership is extremely cost effective because we can do online training and include both urban and reservation natives in this training and

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exchange ideas on successful models. And Nisqually which is part of our coalition in that they've developed their own training program that has been brought up around the infrastructure development.

3:25:06

So, they developed a program where they can build their own trenches.

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They do all the certified training for tribal members that want to enter this industry. So, they're teaching people how to put in the fiber, safety, excavator, fiber pulling

3:25:30

all those behind-the-scenes activities, it seems. So, that's one piece.

3:25:38

And then, my sister up in Lummi, and she was talking this morning. The Lummis are really very interested in talking about a Technology Workforce Center

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and what that could really bring to the community, to have a place to train people. Because, again, just because we have access to broadband doesn't

3:25:58

mean we really know how to use it to our full extent.

3:26:02

So, I really would love to hear best practices come out of this process on tribal lead digital training initiatives because I've looked and looked and looked for years, as you well know, and it's just not there. So, I guess we just have to develop it on our own.

3:26:19

And we've agreed and we've seen during the pandemic and other non-profits here that they just are doing their train the trainer, especially like the immigrant community who don't speak English. They have been opening tech centers to help people in the pandemic make applications to unemployment or do things that they need to be online.

3:26:40

We really need to have that kind of network within natives because I know, from my experience, natives learn best by being taught and another native that can understand their situation.

3:26:55

So, those are some of the things, Adam, that I wanted to highlight, and just continue to stay in touch with you in this process. I think I've heard people say it's brilliant, to really document the success of all the different tribes, where that information, because we can only learn from each other.

3:27:16

You meet one tribe that has Internet problems, that you meet one tribe. And everyone is different. Their needs are different. And that's okay because they are the best to serve their needs there.

3:27:28

So, we just really want to build this network, and we would appreciate your support. So, thank you so much, and it's really good to see you. I hope we can see each other soon again and you can come back out here to the Northwest.

3:27:41

I won't even lie. I'm really looking forward to getting back out and seeing Makah again.

3:27:48

For those of you that have never been out that way, it's an incredible region of the country, beautiful people, a really unique situation sitting on the northern corner of the lower 48 with ocean waterways and an international border.

3:28:05

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It's always a pleasure to hear from people from [inaudible]. and.

3:28:09
all the great work that everybody has been doing up there.

3:28:13
So, thank you for your feedback.

3:28:14
I do actually have a question for you, Andrea, before we move on to the next presenter.

3:28:20
And you brought up a really important piece in this conversation around planning.

3:28:26
And, you know, I know in California, there's \$115,000 available for planning.

3:28:32
I know tribes are accessing these pots of money for planning in different states

3:28:37
and they vary. But the question that I have is, I'm going to frame it really quick,

3:28:45
I hear people talk about planning and what they see in their definition of planning differs.

3:28:51
Some people say, well, I have a plan, and it's more of a 30,000-foot elevation type of a plan that more or less maybe identifies potential points of connection or interconnection or it's a very general scope.

3:29:06
I have other tribes that say I have a plan.

3:29:09
And when they say they have a plan, not only do they have that scope and the community engagement component that happens in a lot of these plans, but they actually have detailed drawings and engineering and pretty much all the pre-development items that go into pre-development. And so, they're there, but they frame that in terms of their planning.

3:29:32
And so, my question for you is, in the facilitation that you've done with the 10 planning grants, how far did the \$50,000 get you and what? Maybe that's different from everybody.

3:29:45
But we do realize that there's a need for some tribes to do some planning as part of solving their digital divide issues.

3:29:56

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And so, we're kind of wondering, well, how far does the money go or what does it, how far does that get stretched and what does it really solve?

3:30:03

In this instance, I'm hoping you could give us just some context to that, if you wouldn't mind.

Those are good questions. Yes. The \$50,000 planning grant have been incredibly helpful especially [inaudible]. And let me say that by having very detailed plans in place they did hire outside consultants. The funds were used to hire professional engineering consultants so that, when they do get that plan, there's a clear roadmap of the next stage in the development process. So, I totally agree with you.

3:30:34

The plan has to be really specific from A to B and that's something we'll do. We'll share our grant guidelines to the CER because it does really kind of lay that planning process[inaudible] Here's what you need to expect that, because, again, maybe the tribal council may not know what should be in that RFP and what should be in that plan. So, that guidance is really important.

3:30:56

What it really enabled

3:30:59

these tribes to do is leverage new federal funds and move the project to the next stage of development. So again, it's not a lot of money, but what we're finding is it's been enough to really help at least move to that next stage in the development process wherever they may be.

3:31:19

So, again, I'll share that with you, and I hope that we can get together. I've been talking to Jean Rice a lot in her meetings.

3:31:29

And we are trying to leverage, for example, philanthropy funds, to come to the table here in the Northwest to help them invest in tribal broadband, and we're not saying, it's from a technical standpoint this meets your foundation's guidelines. Because if you're funding education, we need money to make sure these kids are getting an education. If they don't have the laptops in the connection, you know, we need an investment.

3:31:56

So, we're trying to leverage and get more also, you know, private and public funding source, [inaudible] and now the other thing to keep out, you can come back the charts and come back to CER and just keep asking for grants, first-come first-serve with four deadlines a year. We do grant and very low interest loans or a combination of a grant and low interest loans.

3:32:18

But then the Nisqually Tribe has really been successful being the first tribe, I think, to apply for construction funds.

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The people in Olympia love them because they're serving folks that work for the state of Washington. Olympia, our capital, doesn't even have good coverage. And Nisqually is providing that coverage. So, it's a really interesting story.

3:32:40

Very cool.

3:32:42

Well, Ms. Alexander, again, I want to say thank you for your time and your comments, and it's great to hear a familiar voice.

3:32:49

And thank you for the work that you've done in paving the road for so many in this space.

3:32:55

You are definitely a digital warrior in the field, and I want to thank you again for sharing those thoughts and insights with us today.

3:33:02

Thank you.

3:33:03

Thank you, Adam. We will welcome you back to Makah. You can ride in the canoe and come to our salmon [inaudible]

As soon as this Covid thing is over, we're going to get that on the calendar.

3:33:15

Got it.

3:33:16

Thank you.

3:33:17

Thank you. Thank you again.

3:33:19

Okay, well Laura, we're on to our next speaker, please.

3:33:23

Yes.

3:33:24

I have Wendy Greenberg, and I'm going to unmute your line

Okay, did that work?

3:33:33

Yes, it does.

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3:33:35

Well, hi. I'm Wendy Greenberg I'm the director of sponsored programs at Red Lake Nation College, which is the Tribal College of the Red Lake Band of Chippewa Indians.

3:33:46

I was directed to attend this session by the college president, Dan King, with the idea mostly to learn what our opportunities are and see how tribal colleges fit in this and perhaps ask for some clarification.

3:34:04

So, I just have some very brief comments.

3:34:07

One of which is I would like to see the NOFO have some information about how tribal colleges, specifically, it does say tribal colleges are eligible to apply.

3:34:19

But in terms of laying down cable that is more likely to come from the tribe itself directly not from the college, and we would never apply for a grant in competition with the tribe.

3:34:30

So, it would help to have for us, if we're interested.

3:34:34

I think tribal colleges do have a role to play, in terms of IT education, both, in terms of having IT support people capable but also, in terms of, we have some basic courses on just how to use a computer, which many elders, and many other people are not familiar with. Like many tribal colleges, we sort of in last March for Covid instantly went online for our courses and in order to do that, we had to give out Chromebook.

3:35:03

We had Chromebooks for use in classrooms that we suddenly gave out to our students along with hotspots and then we define our students, come online, on their phone. And I said we'd say, well, did we just give you out a Chromebook? And they'd say, well, my son has to use that for his class.

3:35:17

So, there's a lot of basic equipment that we started, and we started to put together a technology package for our students for that, and that's something we'd look into having some funding supported along with overall various types of education.

3:35:32

But we wouldn't apply for this if there was not a separate tribal college track because, again, we don't want to compete with the tribe itself.

3:35:39

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Is that a possibility? Is that something that's considered and maybe I'm just not fully informed on what the options are at this point?

3:35:48

To answer that question is that nothing is baked here.

3:35:51

You're actually the first TCU to come onto the consultation and share your thoughts. So, so I don't have a formal answer for you today.

3:36:04

Our goal is really to ask, well, how would you want it?

3:36:10

So not to answer your question with a question, but please know I'm not trying to be rude when I do that.

3:36:18

But it sounds to me like from your comments that some of the items that you're raising here are really around equipment.

3:36:27

So, you envision, number one, you made it very clear that you have no interest in competing with a tribe that you'd be affiliated with and that you don't want to be in competition.

3:36:44

But at the same time, you've also pointed out some very immediate need on the digital and inclusion front, which there is an element of that within the program or within the statute.

3:36:56

So, if you don't mind, could I ask you a couple of questions if

3:37:00

that's all right, Ms. Greenberg?

Oh sure, I guess that's why we're all still learning here.

3:37:05

I'm just looking for what are niches in this program and how we can participate again very strongly without competing with our own tribal government.

3:37:17

Sure, we'll go ahead.

3:37:18

So, I guess the question would be and I don't know the relationship between every TCU and the tribe or tribal lands they may be on or not. I imagine in some instances, there's some consortium efforts with these TCU's as well.

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3:37:37

And so, I guess the question that I have for you is, do you see there being a potential where you would approach the tribe

3:37:45

and do a collaborative grant application together?

3:37:48

So, maybe it's not necessarily an either or, but

3:37:53

it's a combined approach because, you know, maybe the government side has a more,

3:37:58

I think you said it really well. There is a backhaul trenching fiber lay priority that they have.

3:38:06

But you're also raising the education component of the tribe and the needs that you're seeing with the students. So, do you see there being a potential where you could collaborate with them on an application process?

3:38:16

Is that kind of a normal thing? Or are you guys usually applying for funding separate and apart from the tribe?

3:38:23

Well, I can no way speak for all TCUs, but I think many of us would rather be on a separate track. And I know our college, in particular, would very strongly prefer to be on a separate track and not have to do a grant together.

3:38:39

They are just different protocols and, to be honest, different politics. And so, we have a separate, we are very much supported by the tribe and very appreciative of that.

3:38:52

But in terms of financial grant tracking, we have full permission to do that independently and we don't want to muddy that water.

3:39:02

And I think there are a whole variety, of course, with the tribal colleges as to how those things work. But I think there are, at the very least, other colleges in our circumstances that would strongly prefer not to have a collaborative grant for this but to have their own separate track. But I, in no way, speak for the whole group.

3:39:21

So, on that note and this is one of those, and this is why we're having this discussion.

3:39:28

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If you were to have a separate track, what are the types of things that you would see your TCU going after?

3:39:35

I think I heard you talk about some Chromebooks and some of those types of things, but do you have some examples of, if there was a separate track, are we talking about equipment as it relates to digital inclusion?

3:39:50

If you can just kind of help me pull that a little bit further in understanding

The main components would be equipment to distribute for our students. And so, we also have a grant like many tribal colleges and extension programs.

3:40:08

So, it would be community Ed type, educational components and equipment, and our own two-year degree-seeking students' equipment. And then, the two parts of training, which would be perhaps developing that, we don't have at the moment, an IT emphasis for our two-year students to learn more to be IT support people in the future. And also, to do some very basic community Ed type training for those that are still trying to figure out how to get onto a Zoom, or how to use Excel, or Google Sheets, or something. Those would be the two educational tracks and then distributing of equipment along the lines. That's what we would be particularly interested in, there's a track like that we, as a small college, are in no way ready to take on a cable type of program at all.

3:40:56

Understood.

3:40:58

3:40:59

Well then Ms., and I apologize Ms. Greenberg,

3:41:02

I want to thank you for asking the questions.

3:41:08

Again, I apologize for responding with a question to your question with a question, But, again, this isn't baked and so your thoughts and comments are really important to informing this process and thank you for sharing the perspective on behalf of the TCU that you represent. Do you have any additional feedback that you'd want to add at this point?

3:41:30

No, I appreciate the opportunity. The whole thing has been very educational. I'm learning way more and I didn't expect there to be a final answer. It would help us a whole lot if it's important to the program to have TCUs participate. I think it would help quite a lot to have a separate track. That's about it, thank you.

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3:41:48

Thank you for your feedback.

3:41:51

Alright, Laura, I think we're ready for our next speaker. Yes, Tyson Johnson.

3:42:02

3:42:08

I think you're off mute now and on the line.

3:42:19

I think I'm unmuted now.

3:42:21

You are.

Perfect. Again, my name is Tyson Johnson. I'm the Vice President out here at the Quinault Indian Nation. I apologize for having to speak again and really just appreciate the discussion and all the advocacy from the different folks on the line. That's really positive for me, especially because there's been a lot of great Northwest feedback that I've heard today.

3:42:42

So, hands raised to all of our tribes here that are our neighbors and relatives. But just as a kind of circle back to my earlier remarks, Adam, we had a question about the documents, are the presentation sites on page 12.

3:43:00

There's a statement that says that further NTIA has been directed to ensure that federal funds are not used to overbuild areas. And after our kind of preliminary analysis of the Act, to us, it shows that those limits to the funding are applicable to the areas for the \$300 million pot of money and not the one billion pot of money for tribes. The Act references to eligible service area and covered broadband project are never used by the Act in reference to the tribal set aside.

3:43:32

So, it's Quinault position that it is a clear intent of Congress to not use that criteria to prevent tribes from being excluded from accessing these funds.

3:43:42

You know, I said in my remarks, I think you heard it today, you know, having the ability to access flexibility and self-determination is going to be so crucial that we maximize this once in a lifetime opportunity benefit to tribes. And so, I really was hoping that you can shed some perspective on this, or maybe help us understand where the direction is coming from.

3:44:03

Because, moving forward, I would really just like to ensure that tribes are given the highest and best use opportunity to access this resource and ensure that we're advancing equity for our

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communities, that, you know, for all the reasons you've heard today, remain disconnected and not able to access, you know, equitable

3:44:22

health care, economic development, emergency management, you know, all the way down the line. So, this is just a necessary building block and sovereignty and infrastructure in today's day and age.

3:44:34

I completely understood, and I'm pulling slide 12 to make sure that we're looking at the same language, and, actually, we have actually changed.

3:44:52

There may be a mix up on this particular slide, 12 as it relates to the topic that you're emphasizing, and the direction given.

3:45:03

So, Laura and team, let's go back and make sure that we have the correct one because now I understand why

3:45:14

Mr. Johnston has raised this, you know, that for a second time.

Yes.

3:45:20

And now I see why, so we will make an adjustment to that. Anything you want to add?

3:45:30

I would just add, and I think it's important to put on a record, right, that we know from the prior programs that we've managed, we know from engagement with at USDA on their RUS

3:45:46

program, certainly with Reconnect that there is a lot of attention to overbuilding.

3:45:57

And so, I don't want to be ignorant of the issue and do definitely want to be sure that we get on the record some of the comments that have been submitted around self-determination, self-certification for what is served or unserved. But you are correct, that that language is not specifically directed towards the tribal program. And, yet, the larger issue, we know, is one that many programs face, and we certainly are sensitive to, and are very much looking forward to input that helps us put a methodology in place to address it.

3:46:47

Perfect Laura.

3:46:49

So, sort of up to that point, Mr. Johnston,

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3:46:53

We're going to work on making, we'll double check this slide in a language that you've raised. We hear you loud and clear in terms of your concern and how this particular pot of money there should be. You're requesting for a broader interpretation

3:47:12

and that it is not limiting, and that the interpretation be favorable to the tribe's self- certification process on what is being served or not. So, we hear you loud and clear on that, and I again, thank you for those comments. Is there anything else that you wanted to add as a follow-up?

3:47:30

Thank you both for those replies.

3:47:32

And I would just also state for the record that overbuilding is a term that can be misleading, in my opinion, because we have service providers that have historically provided substandard service and diligence in our communities and not, but at the same time, are going to be collecting federal subsidies,

3:47:52

you know, to claim these different areas, which often overlap within Indian Country. And so, having that, you know, kind of technicality, block us, I think, would be disenfranchising, you know, for tribes seeking to best utilize this resource.

3:48:09

And so, I just hope that there's some attention given to that because, like I said, we just want to make sure that this opportunity is used in the highest and best way possible. Quinault Nation has been, you know, investing significant resources this last decade in our own infrastructure, and really have the same mind us as our relatives up at Lummi, you know, how do we own and operate and manage this ourselves? How do we maintain this ourselves? How do we train the upcoming generations and get them in the pipeline to service this ourselves? And I really think that this is like another phase, unlike sovereignty, that we're seeing, are tribal nations, reached this level of prosperity, for some, really exciting.

3:48:51

I guess my only other question that I'd ask, and this has been discussed previously by a few other tribes, as well, will RDOC maps be used to exclude tribes being eligible to receive funds? I don't know if I heard an answer to that. I might have missed it, because I've been juggling multiple meetings as, I have an ear on this today, so I apologize if I'm just repeating another question that's been stated for the record.

3:49:14

No.

3:49:15

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Well, let me, I'm going to flip that a little bit and ask you, do you think that it should be?

3:49:23

And, again, do you agree that that RDOC match where funding should or should not be, a point of consideration, or possibly, if somebody else was funded through RDOC, not making you eligible. How would you want it interpreted?

3:49:44

Or how would you want us to view

3:49:46

in this instance, the example that you gave with RDOC?

3:49:51

Absolutely. Thank you. Our position at Quinault is no, it uses incomplete data from the Census which has been historically, to be honest, really discriminatory, and not really effective in properly counting Indian Country. And so, I think we need to look at another methodology that will be a more equitable and fairer. The RDOC maps are not serving Indian Country properly, and until that happens, or until tribes are able to certify that process themselves or work to improve the existing ones

3:50:26

I really don't think that that's an appropriate measurement to show tribal need and access.

3:50:36

Okay, well, Mr. Johnston again, and, I don't have a, we're not at a point to respond. I think that, in terms of this, it's really about how do you see it, and what is right or what is equitable?

3:50:51

And so, I thank you for the feedback and that we hear you loud and clear about your concerns that you have in terms of it being incomplete

3:50:59

and your concerns that there may be an implied sense of digital discrimination going on from your perspective.

3:51:08

So, thank you for those comments

3:51:11

and we will absolutely keep that in mind in this development for the NOFO.

3:51:16

And thank you so much for your time, Adam [inaudible], and I appreciate you and your work. Love it. Thank you. Thank you.

3:51:24

Okay.

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3:51:25

Thank you and I will go back and look at that PowerPoint, and we'll make every effort to get the correct one out to folks. Moving on. I next have up is it

3:51:47

Give me a second. I'll unmute your line, and you can correct my pronunciation of your name.

3:51:54

Yes, it's Brennan Fangué

3:51:57

Thank you.

3:51:58

Yes, I'm from the. [inaudible].

3:52:07

My role here is in IT. I'm a network and systems administrator for the tribal government.

3:52:15

and I'm also a Chitimacha tribal member.

If you wouldn't mind, and I don't mean to be rude. There was a lapse with my connectivity, and I didn't hear that the tribe that you're representing.

3:52:27

Sure. It's the Chitimacha Tribe of Louisiana.

3:52:31

Gotcha.

3:52:36

This has been a tremendous wealth of information and I really enjoyed participating in this webinar today.

3:52:44

When we initially saw the information about this webinar, of course, it being so broad. We have a lot of questions, a lot of those answered today.

3:52:57

But, I guess, to describe our area, [inaudible] kind of a small reservation, and about 1500 or so members just about, and a lot of sugarcane around our area.

3:53:12

So, we're very rural, large spans.

3:53:16

The reservation resident area is sort of collected, but this is sort of the, I guess, an out of the box experience for us. It's kind of overwhelming.

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3:53:31

The idea of becoming an ISP, so to speak, with the way this project because it's so broad, you kind of have the ability to think about it in a big way.

3:53:49

And so, I just, I don't know if that's, I guess.

3:53:54

There's a tremendous need, I understand, in our area and direction from our Tribal Council was more or less to inquire

3:54:07

what would our level of participation be if we're completely out of the box with this?

3:54:15

We have currently like one service provider that actually connects to homes and it's coaxial

3:54:22

or self-service. There's only one service provider in the area.

3:54:28

And then for people across the bayou, there's no hard access at all. They have to have a mobile hotspot.

3:54:35

I guess, kind of thinking about my thoughts, I'm not very collected on it, but, I guess, it's just something that would be part of our big conversation.

3:54:51

So, well, let me ask you a question if I could.

3:54:55

Do you see the tribe moving in a direction to become its own ISP?

3:55:02

Do you see potential for collaborations and partnerships or are you in a position where you're not sure, and your thought is just, it would be nice to be funded, to do some planning, to develop those partnerships, or develop the strategy?

3:55:17

Where do you see the tribe at from your perspective?

3:55:22

There's been conversation over time. It's only been conversation, as far as I know.

3:55:31

I guess funding for a plan would be very helpful just to kind of get, I guess, get something

3:55:42

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really formalized. As I think about how to

3:55:46

provide feedback to our Tribal Council

3:55:48

I'm still not truly concrete on where we fit in,

3:55:56

We just don't have the capabilities to do this whole ISP thing.

3:56:06

Understood. I think you're a good example of the depth and breadth of where everybody is at, which is at all different places right now.

3:56:19

And, again, while your comments may have been brief, I think it's important that you're a good example of a tribe who is trying to figure out where you're going to go with this.

3:56:33

And, that we have to keep in mind that this process needs to include people and communities, such as yourself, as well as trying to meet the larger, those that are maybe a little more shovel ready and so on.

3:56:46

That's kind of the takeaway that I get from what you're sharing here.

3:56:50

And is that a fair way to encapsulate your feedback?

3:56:55

Yes, absolutely.

3:56:56

Okay, wonderful. Also keep in mind, too, that we're going to have one more session, and if you have other ideas as you listen through this, we'll be back again on Friday.

3:57:07

And also, feel free to submit your comments in writing as well if you have some more ideas that you have after today. That's another avenue as well. But I do want to say thank you

3:57:18

for hopping on and providing the perspective on behalf of your tribe there in Louisiana.

3:57:24

Thank you very much.

Thank you.

3:57:28

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All right, Laura.

3:57:31

I better give one disclaimer before we jump to the next. We are getting close to the four hours that we had budgeted.

3:57:41

And so, what we do want to do as we start to get closer to wrapping up, we're not going to have a hard stop at the top of the hour. Don't worry.

3:57:52

But we do want to start to put a bow around the conversation for today, or at least put a period on it.

3:58:01

So, we want to work our way through those of you that have your hand up and build that list, and we'll finish out with those comments. Then we'll conclude the consultation for today.

3:58:12

So, go ahead Laura.

3:58:16

Okay, I don't see any new hands up.

3:58:24

Let me just check.

3:58:25

3:58:37

Sorry, I'm having trouble getting to it.

3:58:44

I see a Rodney Cawston. It looks like Colville.

3:58:51

Colville.

3:58:56

So, we did hear from him earlier and I didn't [inaudible]

3:59:03

But, Mr. Cawston, if you have additional remarks to make, your line is open.

3:59:23

Okay, that might have been a carryover, raised hand. We'll keep moving. We'll have a Friday session as well

3:59:35

if there's some additional feedback. Who else do we have here?

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3:59:41

So, Mr. Wiseman has raised his hand. Mr. Wiseman, I think your line is open.

3:59:50

Thank you.

3:59:52

I just wanted to have a little bit more clarification on the equitable.

3:59:59

We've heard several tribes that have expressed a concern about meeting some financial threshold on a per household basis and the most economic benefit. One of the issues behind this grant is to serve the most needy and the most isolated, and

4:00:21

we really see that as being a hindrance to actually fulfilling that mission, and that is to get to the ones that need it the most. And oftentimes, they do not have, nor are they cost effective, in order to do those buildouts.

4:00:37

And so, we understand the need to best utilize the money but, at the same time, if that turns out to be our greatest need after we've assessed everything,

4:00:51

we also don't want it to be an exclusion from actually serving those individuals that have that need and so, that was the only thing that we wanted to add.

4:01:05

Understood and absolutely captured on the record.

4:01:08

And thank you for the clarification, Mr. Wiseman about the concern that you have.

4:01:15

It's tough, it's tough. It's a tough conversation, isn't it?

4:01:18

How do you do things in an equitable way?

4:01:21

And yet, the reason there's a digital divide is because there are a lot of folks that have not received service because the commercial models have not seemed to benefit those communities and how do you keep that in mind and prioritize that

4:01:39

is a tough balancing act that we're going to do our best to try to solve, but I do appreciate the feedback and the clarification on that?

4:01:46

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That's an important piece to keep in mind.

4:01:51

Okay, are there any other comments before we wind up the consultation for today?

4:02:01

I'm just quickly scrolling through.

4:02:02

I don't see any more hands up at the moment.

4:02:09

Well, all right. I am going to go ahead and move forward in concluding today's consultation. If we could, Gabe, if can you get us to the...

There we go. You read my mind. I do want to say thank you to the team

4:02:26

over at NTIA. You may see my face here for three hours, but I'm here to support the efforts as a subject matter expert, and I really do want to thank the team over at NTIA for managing the platform and the registration. This isn't an easy thing to do.

4:02:46

So, I do want to acknowledge the work that the whole team has done.

4:02:49

And I, without a doubt, need to acknowledge the time that all of you have committed to

4:02:56

making this a successful engagement and dialog about your needs, and about how you would like to see this program built in a way that serves you.

4:03:04

And so, I want to thank everybody that has spoken today, and providing their feedback and their commentary, and getting that submitted onto the record as we work together to try to solve, or start solving, the digital divide.

4:03:19

Thoughts and prayers go out to those of you with the communities that are still living through

4:03:25

this pestilence that we call COVID-19. We are absolutely keeping in mind the urgency around the need to get these dollars out quickly and thoughtfully. And I, again, just want to say thank you so much for your comments.

4:03:41

It's invaluable in this process, and without it, we wouldn't have an informed process

4:03:48

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and know that your comments are heard.

4:03:51

I want to encourage everybody, again, to check out our website

4:03:56

at BroadbandUSA@NTIA.doc.gov and, if you want to see the Dear Tribal Leader letter that we have up, there's some resources that are there.

4:04:07

Also, for those of you that are going to be, or you just wanted to listen today, and you're going to provide your comments later, we do have a session this Friday, same time, and it'll be a different link, so you'll need to register for it separately.

4:04:22

But for those of you that want to participate in the next one or, just listen in, you're more than welcome to do that, and we look forward to having you on.

4:04:29

For those of you submitting your comments in writing, you know, maybe you're not a person of many words, or oration is not your thing, and you'd rather just write your comments,

4:04:41

we do have a mailbox that has been set up at BroadbandUSA@NTIA.doc.gov

4:04:49

so, you can submit your comments there. And, again, we're going to start to formulate this NOFO here.

4:04:58

We have a timeline here before the end of February that we're driving towards, so know that we are using this feedback as a basis to inform that process.

4:05:10

And then, additionally, we're talking tribal broadband, the tribal program, in particular, here, but there's also other pots of money that are out there and, coming up on March 17th,

4:05:23

NTIA is going to be doing a broader overview of the other programs and availabilities of funds that are out there as well. So, we really would encourage you to participate and learn about some of these other programs that are out there as well.

4:05:38

So, in conclusion, again, thank you for your time.

4:05:43

Thank you for your thoughts.

4:05:44

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Thank you for the invocation and the prayer offered by Chairman Peterson this morning.

4:05:51

And as you go throughout the rest of your day, please go in a good way, the [inaudible] from myself and my family here in my home and thank you again for participating and we look forward to hearing from you and working with you to make this a good process that is beneficial for as many tribes as we can make it.

4:06:13

So, thank you again, and with that we'll conclude the consultation for today, and we'll catch up with you again on Friday, if we see you. Thank you.

4:06:23

Adam.

Did I forget something, Laura?

4:06:27

No, I just said thank you.

All right, everybody. Well, thanks again, and have a great rest of your day.

4:06:39

Bye.