

## Summer 2022 Virtual Tribal Consultation #2

Moderator: Adam Geisler

September 14, 2022

Adam Geisler

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All right. I think that's my cue here. Well, good morning everybody. (Luiseno Language). Miiyuyum, good morning and I want to welcome everybody to our second tribal consultation here at NTIA regarding NOFO number two. My name is Adam Geisler and I'm the Division Chief for the Tribal Connectivity and Nation to Nation Coordination Division here within the Office of Internet Connectivity and Growth at NTIA.

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I want to thank everybody for joining us. For some of you very early in the morning, and before we go too far, I want to acknowledge that I'm coming to you today, live from Honolulu, Hawaii, which is home to the native Hawaiians.

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I was asking last night at dinner with some of the folks that we're meeting with, "What's the right way to talk about acknowledging where we are at today?", and I was told to acknowledge where we are in relationship to the water. Honolulu is actually built in a location where there's a natural spring and it is known and identified by the people here as the place of the natural spring water. I want to acknowledge that before we go too far that I'm coming to you again today from the ancestral homelands of the Native Hawaiians here in Honolulu, Hawaii. With that we have a lot in front of us today, and I want to also acknowledge the tribal leaders for joining us this morning to be a part of a few items that we're going to connect on for our agenda.

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First off we're going to start with some opening remarks provided by Assistant Secretary, Alan Davidson. We're then going to jump into an invocation opening prayer by a very well-known tribal leader that I think many of you are aware of, Mr. Henry Cagey, and then from there we will jump into a quick overview and update of the tribal broadband connectivity program. Lastly, we'll jump into the meat and potatoes of what we're here to do, which is to talk about NOFO number two, which will address the questions that were sent out from the dear tribal leader letter on August 18<sup>th</sup>, 2022.

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I also want to remind everybody that if you're not ready to provide your comments today, we are going to be having an additional consultation on Friday. That's this Friday, September 16<sup>th</sup> at 1:00 PM Eastern. It's the same topic, same channel, you won't need to register for that one. But if you're not able to provide comments today or if you're not prepared, just know that we have one more session coming.

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With that we will go ahead and jump into our opening remarks. It is my distinct honor and pleasure to introduce Assistant Secretary Alan Davidson. Assistant Secretary Davidson also serves as the Administrator specifically for NTIA, in addition to his capacity as Assistant Secretary of Congress. If you haven't had a chance to meet Mr. Davidson, I really am looking forward to the opportunity to do an introduction between Mr. Davidson and yourself. He is truly an advocate, a partner, and a champion when it comes down to addressing the digital divide of the nation and Indian country, he has spent several days, boots on the ground, seeing first-hand the issues. Today, as Mr. Davidson provides his opening remarks, I'm sure you're going to hear a little bit about that. It is my honor to acknowledge and turn the floor over to Mr. Assistant Secretary Alan Davidson, Thank you.

Alan Davidson

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Hello, I'm Alan Davidson, Assistant Secretary of Commerce for communications and information, and the Administrator of NTIA. I'd like to take a moment to both welcome and thank all the tribal leaders who are joining us today, as well as the other stakeholders who are with us for this consultation. As those of you who have participated in these consultations before well know, these meetings are just vital for us in shaping our policies for connecting the unconnected on tribal lands. Last January, for example, you helped us determine the timing and the funding amounts for a second round of the tribal broadband connectivity program which we'll be discussing today. We really believe in these consultations, and we appreciate the time that you all are putting in to be with us today. We all know the importance of universal, affordable, high-speed Internet service. It's just essential infrastructure today for connecting rural communities, educating our students, keeping us healthy. I was able to hear firsthand about some of these needs most recently in a trip I took to visit with tribal communities in Alaska just a few weeks ago, and it was incredibly powerful to see firsthand what it really means to people living in these communities to be able to get a high-speed, reliable, affordable connection and also to see the challenges. We visited with native community members in places like Napakiak and Napaskiak. The village of Tanana on the Yukon River. We were in the town of Port Lions on Kodiak Island. In each of these communities we were able to speak with the members, who, you know, live in very different places, but share very similar stories about their need and the opportunity before us. You know we heard about the importance of access in remote places, we heard about the importance of affordability. It was incredible to see the actual bills that people brought us, showed us on their phones seven or eight hundred dollars a month that some folks were paying there for actually very low bandwidth connections. And it was incredible to hear about the kind of opportunity and hope that we can bring, if we can actually provide, that kind of affordable and reliable high-speed access. Now I was very grateful for the stories that these folks shared with us, and I think our whole team came away invigorated, and feeling a sense of purpose about the importance of this next round of funding. To help meet all these needs, you know, to date NTIA has made a total of 69 different awards, totaling over seven hundred million dollars through our tribal broadband connectivity program, and there's a lot more to come.

Thanks to President Biden's leadership and leadership in Congress, we've passed the historic bipartisan law that's designed to connect one hundred percent of the people in America. That includes all the people in our tribal communities. The broadband, the bipartisan infrastructure law included an additional two billion dollars for our tribal connectivity program which triples the amount of funding that we had before. We had previously allocated a billion dollars of funding to the existing applications that we got in our first round.

We've added another billion dollars based on the consultations that we had with all of you to that first round, and we reserved the remaining funds approximately one billion dollars for a second notice of funding opportunity which we really want to hear from you about today. We've targeted this new notice to open later next month, and eligible tribal entities will have about six months to fill out the new applications. We'll be incorporating your feedback from today's session into this new notice, so please speak up in today's meeting. Submit written comments to us reach out to the appropriate staff of the NTIA. We want to hear your feedback and your ideas. There's a saying in the civic tech community that I come from, that we should aspire to build with, not for, build with communities, not for communities. And that is why these consultations are so important. We know that we have a unique opportunity to work with you to help close the digital divide across Indian country. How we proceed is important, which is why that the Commerce Department and NTIA why, we're hosting this tribal consultation today. We are excited. I am excited to continue working with you and our other tribal partners to meet this historic moment and provide Internet service for everyone. Thank you. And we appreciate your participation.

Adam Geisler

00:11:47.540 --> 00:11:48.700

Awesome, thank you, Secretary Davidson, for those opening remarks and for level setting. The reason why we do consultation and what we're really here to achieve is to build this program with Indian country, not for Indian country. My entire team, as well as the broader team at the Office of Internet Connectivity and Growth, NTIA and I really believe in that approach. I want to thank Mr. Davidson for his vision and leadership in supporting our program as we try to address the digital divide for all communities, including Indian country. As you all know, when we do these consultations, we always want to start things off in a good way and we always want to pull in folks that really have their ear to the ground on the issues that bring the level of passion, and frankly advocacy to the nature of the space, the nature of supporting tribal sovereignty. I'm really honored today to be joined by Councilmember and former chairman of the Lummi Nation and the Business Council, Mr. Henry Cagey. Mr. Cagey has been definitely a loud voice, but an articulate advocate for the needs of his tribe of his region, and nationally. I want to thank Mr. Cagey for joining us and being willing to provide the opening invocation as we start off our meeting in a good way so with that, Mr. Cagey over to you.

Henry Cagey

00:13:34.540 --> 00:13:42.439

Well, thank you, Adam. I'm Henry Cagey with the Lummi Nation and I've been on the Council, for close to thirty years now. We've come a long way. We are thankful for the United States and what they're doing to really see us now in this area of broadband. We've been working on this for a long, long time, and we're very thankful for the blessing that the Administration and the Congress has done for us.

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You know this is a big game changer for our people and if we could hold together and stay together, things will come together in a good way. What I'd like to do is ask everybody to pray in your own way.

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Lord, we ask you to give thanks for all that you've done of sending the people to us that have come here to help the Indian people. There's a lot to do, Lord, in Indian country. This is one of them. The work that we're doing is not easy, it's almost a step by step, state by state, tribe by tribe. Our people deserve good things for their children, good things for our elders. This work that we do, it is going to be done in a good way.

You know, the people that you've sent us Lord, all have good minds and good hearts in what they do. I want to thank you for the secretary that has stepped up and helped us, Lord, in a good way to put a special blessing on him and his family. Adam and his team have done a lot to get us here where we are at, Lord, and they'll give them strength you know, strength every day with everything they need to do. Our tribal leaders are important, Lord, and you know, have them stand tall and have no fear in what they need to do to help their people. Lord, the children are very important and the work that we do is going to help them. It'll help them in a good way. We want them to have our children be strong and be strong-minded. And not be afraid of what they need to do. This work we do, Lord, will help us in our health, our education and everything we do here at home.

Also put a special blessing, and all the work that we're doing, Lord, and to give you thanks for all the things you've done, and all the things you're going to do, all in your good name. Amen. Thank you.

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Adam Geisler

Thank you, and I really appreciate that the opening remarks and the kind words and the continued support for the program. Thank you for your advocacy.

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Ok, with that, it felt good to get started in the right way. Let's just jump into the next item that we have on our agenda. Some of you are joining us by phone, and some of you are joining us through the zoom feature for this consultation today and this is really intended to be a dialogue. I also want to highlight that consultations and the way that we do things here at NTIA are really meant to be a government-to-government engagement. This is meant to be a conversation between the United States Government and its representatives, which will be me today, and the tribal leaders from your respective nations from federally recognized tribes. With that

being said, as a former tribal leader myself, I can also recognize that sometimes tribal leaders want to delegate that authority to somebody else that may have a little bit more experience in a particular topic; and in the event that you are here representing a tribal nation. I just ask that when you provide your opening comments that you identify yourself, and that you do have the consent from the tribal nation to speak on the tribe's behalf. As again, this is intended to be a government to government. conversation between the United States Government and each respective, federally recognized tribal nation

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In terms of the logistics we have, I think we're all getting more accustomed here in the post-pandemic, or through the pandemic, these different features and platforms. Today we have a platform that allows you to use the raised hand feature. I'd ask that if you are interested in providing feedback or comment to each of the questions that we have, that you use the raise hand feature and that will put you in a queue that my wonderful colleagues and team are managing. We will let you know that you're either speaking or you're in the batter's box. Meaning you're up next to speak as we keep track. If you are joining us by phone, you can also provide comment and feedback.

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Obviously, this program exists because the digital divide is real, and that means that some folks may not have Internet access, so you're calling in. In the event that that's the case, you just hit star (\*) 9. Carole, who is part of the team facilitating this consultation today, will be able to see that you are interested in speaking. It's kind of the telephone version of raising your hand, and we will work to bring you off of mute in order for you to engage to provide your feedback.

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So again, use the raise hand feature and we'll call on you. We'll let you know if you're in the batter's box, and if you're joining us by phone again, star (\*) 9 is how you can notify us that you have an interest in providing feedback.

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As I mentioned, we did want to give a quick overview of the tribal broadband connectivity program and as you heard, Secretary Davidson share, we're really excited. We know that it's been a long wait, but I think you're all starting to see the big awards rolling out. We've made sixty-nine awards to date totalling over 720 million, which has been great to see the impacts and improvements that are going to come to tribal nations. But we're not done. Through the bipartisan infrastructure law, we are really excited to share with everybody today that we have added an additional billion dollars to the current round of funding for NOFO number one for the TBCP program. Instead of the initial billion dollars from the Consolidated Appropriations Act, we've bumped that up to make the amount of funding available to two billion dollars. We did that based upon travel consultation that we conducted back in January, where many of you shared the concerns of not having to put additional burden on your respected tribal nations, and we heard you. With that being said, many of you know and you're doing the math: "Hey, Adam? The

bipartisan infrastructure law put forward two billion, not one billion additional dollars to the program.” And you are correct! We are talking about the consultation today because that remaining billion dollars is what we're going to be using to fund NOFO number two. So, three billion in total, two billion is going out the door here with the NOFO number one. And what we're here to talk about today, is the status of NOFO number two and how we can improve the program for the remaining billion dollars to maximize the benefit in addressing the digital divide for your communities.

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All right, so with that, that will conclude our tribal broadband connectivity program overview. But again, sixty-nine awards over seven hundred million out the door. We're going to continue to make those awards, and we've added an additional billion to the pot so again, please keep your eyes posted as we continue to make those announcements.

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All right, so on to the bulk of what we're here to do. We're here to talk primarily about the tribal consultation topics that were identified in the dear tribal leader letter on August 18<sup>th</sup>.

I am going to ask that as we go through each of these questions, you provide the feedback directly to the question. We have four that we are here to talk about today, and in terms of process, I'm going to read through these. But we're going to go one by one so that we can capture the feedback specific to that question and then we'll move on to the second, and then we'll move on to the third and then we'll move on to the fourth. So some of you will likely be providing comments not once, not twice, not three times, but four times today, as we move through the program.

Consultative question number one is: Should NTIA consider prioritization of new projects in the tribal broadband connectivity program. If so, how should these be prioritized? I have some teasers around that we'll talk about in more detail when we go through that question.

The second question that we're going to talk about is: What type of guidance or documentation can be included in, or in addition to the NOFO that would assist applicants in completing their application.

Question Three: How can technical assistance from NTIA be improved to ensure timely and complete submissions?

Question four is: Should the tribal broadband connectivity program applicants be subject to Build America Buy America Act domestic sourcing requirements for materials and equipment. Additionally, how does the Build America Buy America Act impact applicants ability to complete proposed projects?

Number four is a big one, about do we require provisions within the bipartisan infrastructure law to source everything for no phone number two domestically, and as many of you know, in the IT and in the tech space not a lot of that is currently being manufactured, or if it is, it has likely already been purchased. So, there's a real conversation that we need to have there on item number four that will drive that component of the next.

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Let's go ahead and move on to the next slide. We're going to jump into question number one. Should NTIA consider prioritization of new projects, or how should NTIA consider prioritization of new projects in the travel broadband connectivity program? If so, how should we prioritize these projects? And I'm going to tease this a little bit. NOFO number one, it was a very, very wide net that was cast, and that was intentional because we really needed to get a foundation in the sense of where everybody's needs resided. You know we wanted to articulate the demand that was out there for your respective nations. I think we've reached a point now where we have a good sense, at least with over four hundred and fifty tribes that were in applications to the program in round one. We have a good sense, or at least a starting point of that need.

We're now looking at NOFO number two and we have some folks that are receiving, or that have received, sixty-nine awards that have received substantial amounts of funding. Should they be able to come back in round two for additional funding?

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We have folks that have received planning dollars, or will be receiving planning dollars, or will be receiving the up to five hundred thousand dollars equitable distribution amount. Should they have priority in the upcoming NOFO? We have folks that have not applied at all to the program for various reasons, and how should we treat them in terms of prioritization?

Some other food for thought. Should we be looking at speed requirements as a way to prioritize projects? Should we be looking at shovel readiness, or should we prioritize projects that have completed their permitting and or pre-development related activities and give preference to them.

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Should we limit anybody in the next application phase that may have been awarded in the first round? Again, I'm going to ask everybody if you could please utilize the raised hand feature, and we'll go ahead and put names in the queue if you would like to provide feedback or comment on question number one. Please don't be shy. This is really meant to be a dialogue and a conversation about how we can improve NOFO number 2 to fit the needs of where Indian Country is at today with what funding we have available.

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So Matt, there we go. Do we have anybody in the queue for question number one?

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Not quite yet, but I'm sure someone will pop up in just a second here.

Adam Geisler

00:27:13.120 --> 00:27:31.069

Well, we'll give it just a minute, as you kind of digest and think a little bit about how you may want to respond to that question. Again, I also want to highlight that we're accepting written feedback. I realize for some of you, maybe you're not in a position or a place to provide oral comment, but you'd prefer to provide written comment. I'll leave that on the table. Please use the raised hand feature. We'll put you in the queue but would love to hear from our tribal leaders or their designees on the line today for question number one.

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Thanks, Maci, for those of you that want to provide written comment, I should highlight that written comments are due September 16th, which is this Friday at 6pm Eastern standard time. Our friends on the West coast, in Alaska, you guys are going to do the math there, but that's three o'clock Pacific and two o'clock Alaskan. And if you're in Hawaii, that's lunchtime, it's noon.

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So again. You would submit your comments to the [TBCPConsultation@NTIA.GOV](mailto:TBCPConsultation@NTIA.GOV). That's TBCP which stands for a Tribal Broadband Connectivity Program Consultation @NTIA.GOV. In the subject line, we'd ask that you put the Tribal Broadband Grant program in the subject line, as you provide your feedback. All right, Matt, how are we doing on question one?

Matt Rogotzke

00:29:06.500 --> 00:29:26.299

I'm not seeing anyone. But we will provide who provided comments at each session on our website, with summary memos and transcripts. So folks wanted to check this out. We have all that information public so for previous questions we'll be able to see those, too.

Adam Geisler

00:29:30.770 --> 00:29:49.560

Thanks for raising that, part of the process. Here at NTIA you know, today's session is being recorded. We do place a copy of the recording on our BroadbandUSA website, where we have a tribal nations tab that these are housed in.

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In addition to the recording, we also put forward a transcript. So, any feedback provided today will go into a transcript that is posted online. And lastly, when we are done conducting all three consultations. So again this is number two. We take all that feedback, and we put it into what we call a tribal consultation summary report. That helps to give some background as to what we heard during these consultations, and the decisions that we make as a department in order to move forward with the program.

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So all right, we'll give this maybe another one minute of awkward silence, hopefully not. Again don't be shy feel free to use the raise hand feature and again we're asking the question: Should NTIA consider prioritization of new projects in the tribal broadband connectivity program? And if so, how should we prioritize those projects? You guys are making me think this is going to be a quick consult today. This just might not be the hot topic.

Matt Rogotzke

We have two comments quickly. I think I saw Mr. Cagey at first, and then Adam Haas.

Adam Geisler

00:31:15.450 --> 00:31:17.800  
Beautiful, Mr. Cagey

Henry Cagey

00:31:19.520 --> 00:31:23.529  
On the new projects? Is that going to be cell phones and stuff like that or cell towers? Are we able to use that for self-connectivity?

Adam Geisler

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I think that's on the table for folks that are being funded in round one. Obviously, we have to stick with anything that you identified in your project proposal that may be approved. We do have flexibility to augment some of those things if there's a need to do that. But what we're looking at here in the question for round two is, should we give priority or preference to cellular, for example.  
  
00:32:03.900 --> 00:32:12.820  
Do you think that we should, when we're looking at NOFO number two, when applications come in, should we be giving preference to any set of circumstances, whether it's the solution or speeds, or people who may have received funding or not receive funding that's really what we're looking at here.

Henry Cagey

00:32:28.710 --> 00:32:36.849  
You know one of the things that we'd like to see, because some of the areas we go over to Lummi where we need self-wireless to get in. Having a cell tower, to kind of push it through would help some of the some of the spots that we have at Lummi.

Adam Geisler

00:32:47.850 --> 00:33:04.179  
Councilman Cagey, I think maybe one of the things that you're sharing is some applicants had a focus on fiber to the home, for example, but that doesn't mean that the need for cellular coverage is necessarily being addressed in in your round one consideration. So, you'd like to be able to have the opportunity to apply into the future?

Henry Cagey

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Early on when Covid hit, we had some cell towers brought in, and then we used wireless routers or something. We bought the units, but they were wireless. They didn't have any fiber to the home. But we used the cell connections to hook up the kids to their homes with wireless. No fiber was brought in. We used our cell phones

so that worked out pretty good. But again, we had too much trouble with the existing provider that was giving us the signal. It kind of went away because the provider didn't want to work with us anymore.

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Adam Geisler

So in terms of prioritization, do you think that we should be looking at prioritizing projects that are tribally owned and operated? Or do you think that's a unique situation where Lummi is situated today?

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Henry Cagey

Well, I think as you go forward with this, each tribe is unique, each area is unique and each region, so you can't really have one area that's for one also for the other. It's always been that way out of where you just can't put one box into each tribe. It just that you got to be flexible. So look at prioritization and flexibility is very important.

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Adam Geisler

Well, that brings to mind, I think, another add-on to that, Mr. Cagey, which is you know there's discussion about prioritizing speeds. In the first consultation this kind of came up, and some of the feedback that we heard was that because we asked the question right some of the other programs that are out there actually have a higher speed threshold and so one of the questions that we asked was as a follow up on consultation one that I'm going to ask you is, do you think that we should prioritize folks with solutions based upon faster speeds, should be considered over applicants that may have lower speeds. Or is this another instance where it's kind of dependent on the geography. I'm wondering if you had any feedback there.

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Henry Cagey

I don't know, Adam. We have some broadband out here, but it's really low. What we're seeing is that if you got a big household with kids in it, four or five kids that are trying to go to school, it doesn't work. They're all going to need high speed eventually. It depends where the tribe wants to start, is what I see. It's about what the tribe wants to do, and how they feel comfortable. But for Lummi, we want the best. We want the best for our children and I think most tribes will feel the same way. We want the best for our kids. As long as it's doing its job of what it needs to do to get our kids to get stronger in technology. That's the goal for me, for Lummi.

00:36:49.860 --> 00:36:55.930

Adam Geisler

Well, then, I think what my takeaway here, Councilman, is don't approach this from a one-size fits all, but still make sure that we have a level of speed requirements. Give that flexibility, but in the same vein, also make sure that the bare minimum of meeting the intent of the program for the kids education access is going to be achieved.

Another question is around affordability. Do you think that we should be looking at prioritizing applications based upon those that have better rate plans than others?

00:37:35.330 --> 00:37:36.500

Henry Cagey

No. It's really, I don't know. For Lummi, probably about half the people have no income, probably ten thousand or less, is the average income here. I know there's other tribes that are doing well. They've got their gaming operations, and they're doing very well for themselves. You have the haves and have nots. It's very important not to measure the haves against the have nots. I would recommend that we really look at the economics of the tribes and where they're at. We got some poor tribes out here, and you've got some rich tribes.

Rich tribes can afford the high cost. But for poor tribes, we're going to have to find affordability for our people. A lot of our elders and families just have no income. They will have to pick and choose if they're going to do broadband or they're going to buy food. It's something that I think you really got to consider when the tribes are trying to put something together.

Adam Geisler

00:38:46.970 --> 00:38:48.330

Understood. Councilman, thank you for providing comment. And again, just for the reporting, it's Councilman Henry Cagey, with the Lummi Nation out of Washington. Thank you, Councilman, for the feedback on question number 1.

All right, Matt who do we have in the queue?

Matt Rogotzke

00:39:11.200 --> 00:39:25.249

Yep, Adam Haas is next, and I think I saw a few folks hop into the chat in the last few minutes. So just for those folks we're using the raise hand function for those to come on and speak so if you want to add comment just use the raise hand function again. Over to Adam.

Adam Haas

00:39:37.050 --> 00:39:51.989

Thanks very much. Good morning everyone, I am Adam Haas and I'm representing the Oneida Nation. I'm actually not here to make comments, we have other folks who are. But just a point of information, were there consultations, I think, more open consultations leading up to these four questions? Because I know that there are concerns that the nation has that they like to express, and they may not fit perfectly into these four categories. Thank you.

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00:40:11.420 --> 00:40:26.859

Adam Geisler

Good to hear your voice, Mr. Haas and I thought you were going to say Oregon and then I heard Oneida nation, so happy to have you today. There actually was consultations conducted initially in January, and as a result, but some of the questions that were asked in January had to do with. How do we treat this additional funding? What are some timing considerations for the next NOFO, etc.?

And then from there. These questions were really then derived, based upon the feedback that the program team has been hearing from applicants, either through curing or through email exchanges. Our program has been, I hope, to be seen as responsive. But we're constantly fielding different questions on a daily basis about the program or concerns that tribes may have as they're going through the process.

And so, as we've been keeping track of those various points of feedback and based upon that. And then I'll also say, based upon also the feedback of my own program team, which is comprised predominantly of folks right out of the broadband space working that they are either indigenous and from specific tribal nations, or have worked with tribal nations for a majority of their career that have also helped to inform these questions. The last thing I would say is, what has also prompted these questions that we're covering today is really looking at how we maximize the remaining funds that we have for question number one.

But also seeing you know what are the areas of improvement that you'll see for question number two. So, if you do have some specific concerns from the Oneida Nation, I'm happy to hear those today and we want to take note of those. Again, this is to establish the record, and we are always going to promote tribes voicing their opinions and concerns about how we can improve. So I'm all ears if there's some things that you'd care to share.

Adam Haas 00:42:31.530 --> 00:42:33.839  
Thanks so much. Appreciate it.

Adam Geisler 00:42:39.550 --> 00:42:40.770  
Okay

Matt Rogotzke 00:42:41.250 --> 00:42:46.579  
Yep, seeing a caller by the name of Tribal Training in the queue next?

Adam Geisler 00:42:56.200 --> 00:42:59.250  
All right. Tribal training. Are you able to come off mute?

Andrea Alexander 00:43:08.880 --> 00:43:09.689  
Can you hear me? Hi, Adam, Good morning, I'm Andrea Alexander.

Adam Geisler 00:43:13.120 --> 00:43:15.789  
Oh, good morning. How are you Andrea?

Andrea Alexander 00:43:15.800 --> 00:43:23.270  
Sorry I don't know why but it should have my name on here. But I guess on a Webinar it comes up with Tribal Technology Training.

We're with T3, so I just want to thank you. I think these questions have got to be really hard for your grant reviewers, because, as Councilman Cagey said, every tribe is different. But, it would be hard to prioritize when the need is so deep. But I guess one thing that comes to mind is that like for the rural Washington state tribes that are really isolated, the infrastructure is not there. So if you can close those infrastructure gaps from the Tribes that are farthest away.

I think that's going to make progress, because we're not going to cover everything. And this is the one chance that we have to put in the most expensive part of the deal, which is fiber in the ground and infrastructure. But whatever way the tribe has

to use to get that connectivity. But again, facing the grant application on the capacity, capability of the team, and the sustainability of the plan, like any deal I think, is really fair and helpful to go forward. And I know when we go down to NTTA next week, one of the issues that they're really stressing is the sustainability of once you put your system in, do you have operation funds to run your programs?

That just seems to be a theme that's really coming up right now. So, I just wanted to add those things in, because we work mostly on right now on digital equity training. But you have to build the capacity of your tribal workforce to run these new programs because the broadband Internet business in digital equity is new to everybody in America, not just tribes.

We're all just learning this together and having that link between doing the project, building process, and building the capacity of your tribal workforce, especially if you're in a rural area. It's really hard to recruit tech folks to move down there. So, I just wanted to make those points and thank you to your team. You guys are doing a really good job. It's got to be tough. We're really happy that you're there. Thank you.

00:45:40.560 --> 00:45:41.890

Adam Geisler

Thank you, Andrea and just to make sure I got that. I think you had a couple of points in there, one in terms of the consideration for priority is that we really place a heavy emphasis on sustainability, and as part of that sustainability that we place a heavy emphasis on workforce considerations as part of that sustainability model. That we are promoting and prioritizing workforce training capabilities and development within the NOFO. I mean that's kind of what I pulled from your feedback. Did I capture that correctly or is there anything else?

00:46:26.200 --> 00:46:27.189

Andrea Alexander

Yes, yes, just add one thing. Perhaps, we don't know what funds will be in the future so perhaps prioritizing those tribes that are in the most remote areas. Those to me have the highest of need. We all have needs. But again, if you're in, Eastern Montana compared to close to San Diego, it's sort of a different game. I think that the rural tribes really have the higher expenses because of the lack of infrastructure of broadband connectivity in rural America.

00:47:04.220 --> 00:47:13.590

Adam Geisler

I got that last point, prioritize based upon essentially how remote folks are, maybe those that are the least likely to receive access into the future because of their remote nature.

Andrea Alexander

Exactly. Yeah, very well put. Thank you.

Adam Geisler

Understood. No, thank you for the feedback, Andrea and good to see you, and I'll see you next week at NTTA. Looking forward to seeing you. Anybody else, Matt?

Matt Rogotzke

00:47:36.900 --> 00:47:46.810

No, not seeing anyone else. But yeah glad we stuck around for a minute on this question to get those comments so that was helpful.

Adam Geisler

00:47:46.820 --> 00:47:53.189

I think it's an early start for everybody. What time is it here in Honolulu? 4:49am. My colleagues on the west coast or in Alaska, I think, are just 6:49am in Alaska at 7:49am on the West coast.

Apologies for the early start here. But we're also trying lessons learned maybe, but we're also trying to have some considerations for our East coast colleagues and friends and tribes. We want to try something new. In hindsight, I didn't realize I'd be coming out here for work, starting this thing off at 4 in the morning. So, hey, we're going to roll with it. All right, well if there isn't any more feedback comments on question number one again, this isn't the end of it.

If there's additional feedback that you would like to provide additional feedback on its [TBCPConsultation@NTIA.gov](mailto:TBCPConsultation@NTIA.gov). We have it on the slide at the end. You can send in your comments in written format as well. Again, appreciate the feedback from those of you that chimed in on question number one.

00:48:59.150 --> 00:49:02.550

All right. Let's move on to question number two.

Which really is a target around how we can do better with the next NOFO from both a providing better guidance in the NOFO or documentation. So, here's the question: What type of guidance documentation can be included in, or in addition to the NOFO that would assist applicants in completing their application?

Adam Geisler

I think a number of you, and we sure tried, but I'll also remind everybody, when this program was first launched, we were still heavy into the pandemic, and we weren't able to get out all the sample application materials like we had hoped. Now, with that being said, that would be one of the things that I'd put on the table. So are there things from a document standpoint, that we should be thinking about or any additional guidance that we should be giving. I'll give it another teaser. Some folks from consultation number one had expressed the need to be more clear about certain definitions.

They had mentioned, how do you define sustainability? Or how we define affordability? Or some of those terms. Would it be helpful for us to improve upon, do you know items within the NOFO that you believe need more clarification that would help you in the application? So that is the question. It's a little open-ended. But again, how can we improve the NOFO from support materials? Or are there areas of clarification that were fuzzy for you?

I'll lay one more item out there, which is related to mapping. A number of applications came in, and rightfully so, because we were under a very tight timeline. But the maps that came in for the program, a lot of folks sent in JPEG files or PDFs.

There's others that sent in very detailed shape files through ESRI or through other platforms that had real detailed data sets.

This upcoming window is going to be a six-month window. So, I'll also say that those data sets that we use, where we have that detail, we then use that to go deconflict. We have to make sure we're not duplicating any federal funding with our partners at the USDA and the SEC. Treasury is in the space as well now, should we be requiring a more detailed level of documentation in the NOFO when it comes down to mapping, is another component of this.

So, are there definitions that we need? Is there sample materials that we should be providing? And then on the mapping front, is it too much to ask if we were to ask tribes to give us again six-month window more detail in terms of the file types that we're looking for as you submit your infrastructure proposals. So I'll pause there for a minute. I know I'm talking too much. I promise I'll stop fill in the space here. So with that, Matt. How are we doing in the queue? Do we have anybody that is up for feedback?

00:52:40.030 --> 00:52:59.299

Matt Rogotzke

Not yet on that. I do see there's a fair number of phone call in listeners as well. Now, I think it was \*9 if they wanted to speak, they just said that. Yeah, we can give it a moment for folks to raise hands.

00:53:01.270 --> 00:53:16.490

Adam Geisler

Perfect, all right, so \*9 so you can be put in the queue. Carole will be able to manage that. So how are we doing on the phone side, Carole?

00:53:18.000 --> 00:53:21.360

Carole Garner

I do not have any raised hands yet.

00:53:23.840 --> 00:53:24.959

Adam Geisler

We'll give it just a moment here. Oh, put this other item out there. A number of the other programs that are administered, both actually here within the NTIA, and also with the USDA and the FCC also look at the fabric maps for census tract data. Do you think it would be too onerous or do you think now is the time to also look at requiring census tract data or fabric map data as part of the mapping components. As you submit your proposal to demonstrate which census blocks you would be providing service to. So that's another thing that maybe that will help spark conversation. Maybe not. I think we all need our coffee this morning.

00:54:36.140 --> 00:54:52.549

Adam Geisler

All right. Well, we'll leave this question up for maybe one more minute of awkward silence. Hopefully not. And if there is no feedback again, written feedback can be provided through the [TBCPConsultation@NTIA.GOV](mailto:TBCPConsultation@NTIA.GOV) inbox. Just please, in the subject line put a Tribal Broadband Grant program. I might have to work on my standup routine this morning, Matt.

00:55:34.220 --> 00:55:36.279

Well, we will going once, going twice, okay. We will go ahead and move on to question number three.

All right, so question number three is: How can we do better from a tactical assistance standpoint at NTIA?

You know, in round one we had that ninety-day window, that three month shot clock right out the gate. We had a brand-new team, frankly, I think there was three or four of us, and eventually five, to really do technical assistance and outreach, and we did a lot in terms of working with your respective regional organizations.

00:56:37.100 --> 00:57:04.150

But you know one of the questions that we had here is, we now have a small but mighty team of fifteen people, which I'm really excited to share. We have folks located in pretty convenient spaces, as again, the entire team is actually out in the field. And so, one of the things that we've been talking about is in-person technical assistance workshops regionally, and if that would be a benefit as an example. But are there any other things that we should be doing? You know, more webinars in terms of being able to provide more technical assistance with the upcoming NOFO. So are there any things that we could do to improve technical assistance, to improve and ensure timely complete submissions. Again the raise hand feature, If you'd like to provide feedback, \*9 to indicate to Carol that you have an interest in providing comment.

00:57:40.930 --> 00:58:00.629

We'll hang out here and again, Mr. Haas, I would also say that this would be an excellent time if you have feedback on areas of improvement in general. If you're prepared to provide that feedback, if not respect and understand. If there's another form or format, that you want to provide that in as well. So how are we doing in the queue Matt?

Matt Rogotzke

00:58:09.760 --> 00:58:16.989

Same story, where we can just wait for a few folks or a few minutes on this one, too.

Adam Geisler

I will share that one thing we are looking at doing from a technical assistance standpoint is standing up a tribal broadband leaders network. We did hear quite a bit of feedback from many tribal nations about the communication, and I'll be the first to acknowledge that there is definitely room for improvement on how we message and socialize in terms of the progress or the hiccups or bumps that we're running into as we do our program implementation.

A lot of you said, Adam, what's taking so long, how come you aren't telling us or socializing that more frequently? So, one of the things that we are going to be doing is standing up the tribal broadband leaders network to have a monthly touch point, to disseminate information and program updates. Not only about the tribal broadband program, but the other programs that NTIA is administering. Then we also are going to be bringing our partner and sister agencies, such as the USDA, the SEC and Treasury to also ensure that this is a forum and a place that people can get



as much information about tribal broadband funding opportunities and/or receive technical assistance straight from the various agencies.

00:59:58.900 --> 01:00:03.289

So put that out, that is one thing that we are intending to do. Again, how can we do better on technical assistance? We'll leave this question up for maybe about another minute or so while you collect your thoughts. If you just want to submit written comment, that's all good, too.

01:00:35.260 --> 01:00:39.320

Matt Rogotzke

It looks like we have Mr. Cagey with the hand up for this one.

01:00:39.330 --> 01:00:42.430

Adam Geisler

All right, Councilman Cagey, please. I think we got to bring them off a mute there.

01:01:09.560 --> 01:01:11.749

Henry Cagey

When you say technical assistance, is that to fill out the application for this funding or is this for once you get the funding is there assistance for that as well?

01:01:12.370 --> 01:01:30.680

Adam Geisler

This one's really around, we will definitely be providing technical assistance to folks that receive an award from the program which we're going to be making several hundred awards when it's all said and done. When you look at full awards and equitable distribution to five hundred thousand.

01:01:30.690 --> 01:01:49.370

Adam Geisler

This question is really about helping people through the application process to ensure a timely and complete submission. I'll just say that the window before, it was short, ninety days. There are a lot of folks, who said Adam what took so long. There were a lot of applicants that submitted applications that technically were submitted, and the application, the 424, was submitted, but they were still missing some major components that we worked through in the curing process. So this is really focused on: how can our team be helpful to you in completing the application or providing assistance and guidance on completing the application?

01:02:17.380 --> 01:02:30.590

Harry Cagey

I think the hard thing for us is in the beginning was what do we apply for? You got all these federal funds that broadband supported. And what are we supposed to do? Do we wait for you guys to let us know or not know, or do we go to other funding streams to look at? You know that's been frustrating part for at least what I've seen. What do we do first? Do we wait for this to happen, or do we chase other money? That's been kind of frustrating to the leadership on what do we do? Because we see all these announcements come out. Do we wait, or do we keep going with other streams?

01:03:02.180 --> 01:03:11.919

So that kind of assistance helps, as well. Should maybe some assessment of should the tribe apply or get other funding that will support this. You know their

application, your application will cover so many things. But now, maybe some assistance and other resources may be needed to finish the work.

Adam Geisler

01:03:23.550 --> 01:03:24.580

Okay. So I'm definitely hearing the feedback that one thing that we can do is improve upon, how we're communicating and what we're communicating. Because I can completely appreciate, the grant applications take resources. It's not just about the human capital, but also the actual dollars.

01:03:54.480 --> 01:04:08.269

I can. I can appreciate not wanting to have to chase a bunch of funding mechanisms. So, I hear you loud and clear that you know one thing that maybe we will be able to do is provide some more guidance or assistance around the status of applications to give you more insight. I hear that loud and clear, and then, from an assessment standpoint of what to apply for. Do you have any suggestions for us on the forums? Is that something that you think we should leverage, for example, ATNI as a partner, to try to conduct that type of an assessment or to provide that type of assistance? Or do you think that we should be going tribe to tribe? Is there any guidance that you'd have on how you think we should try to approach that.

01:04:48.610 --> 01:05:00.360

Henry Cagey

I think it would help if we understood, I didn't fill out the application and our people did, but it would help if we understand what this funding is going to cover and not cover. Understanding a little bit more of what other things the tribe needs to think about. Because right now, as I understand what we're doing as, we're putting in fiber. But you know, what else do we have to do, and what is this money going to cover for the nation? Is there other funding that's not going to be covered. I don't know. Like I said I was asking about cell towers and why aren't we going to get any help with cell towers, and it doesn't sound like there's any funding that can do that. So you know, I still want cell towers for our reservation.

01:05:41.290 --> 01:05:54.840

Adam Geisler

You can definitely use these dollars to install cellular cell towers. But one thing that we always have to be careful about, and the Federal Government is really mindful about not duplicating investments. What I mean by that is a lot of times, if they're already running fiber to a home. It's really difficult to get subsidy for cellular to serve the home as well. They kind of view that, as from a commonsense standpoint. Something always fails right. So, it's good to have, you know, two options to connect, whether it's fiber and cellular, but really from an investment standpoint, because the need is so big, the government really shies away from duplicating those investments. So, you can absolutely apply and go after it from a cellular standpoint if that's the solution that the tribe would want to pursue. But I hear you loud and clear in terms of we need to be, from what I'm hearing for you, Mr. Cagey, and correct me if I'm wrong, is that we need to be more specific about eligible uses of those funds. So that way, you know what other buckets of funding you need to go after that aren't that where the need isn't going to be met through the TBCP program.  
Is that what I'm hearing?

01:07:06.100 --> 01:07:13.799

Henry Cagey

Yeah. Well, one of the big needs for Lummi is law enforcement and emergency response and getting that in place as well. I mean the fiber was going to help a lot for the homes and things that their government used to do. But law enforcement still depends on the connectivity, for you know, first responders. I don't know if that's part of it or not. And I'm still asking that. Where does first responders fit in on this all this funding?

01:07:38.740 --> 01:07:56.610

Adam Geisler

So I think maybe one of the things that I'm going to take away from this feedback is from a technical assistance standpoint, you know, leveraging our team to really help think through. We got to be careful, right? We can't. We have to be careful on how we do our technical assistance, but really think through with each applicant what all their priorities are, right? Because there is absolutely a way of trying to. We want to make sure that whatever solution you're putting in meets all the needs of what you're trying to address. So if you have a need for, as I've heard you say earlier today, student access, public safety access, I know economic development is a huge priority for you and obviously governance. You know, I think that that one of the things that maybe we should be exploring, and correct me if I'm wrong, is how my team can come in and help support you in thinking through those components of the application, so that you're not leaving anything on the table or being explicit about what we can't do, and helping you get to other federal funding mechanisms that can support those pieces that we can't do. Do you think that would be helpful?

01:08:56.450 --> 01:09:15.160

Henry Cagey

Yeah, I think that would help like, I said in the beginning, you know when things started here, and what I've seen was that you know the big thing was a FirstNet, and that was all we heard for a couple of years. It was FirstNet this, and all the things it was going to do for the first responders and then it kind of died. If you don't see anything on what happened, we thought we were going to see the connectivity for our law enforcement. But, as far as I can see, it never happened. They said AT&T got the contract, but AT&T does not work out here. So that still leaves the nation vulnerable for our responders to send out what they need to do. But, like I said, FirstNet was the beginning of what I've seen on all this whole effort where it began. I don't know what happened to FirstNet. Where it went.

01:09:52.450 --> 01:10:06.680

Adam Geisler

They're still out there. Their tribal team came over to NTIA, the Office of Internet Connectivity and Growth. But you know, I'm glad you raised the nexus about where public safety fits in this dynamic because it actually is a conversation that has popped up quite a bit in many of the technical assistance we are providing around NOFO number one. So, you know one of the things, Councilman, that I that I will do is get you back in touch with the POC's over there. Jackie Miller Wearing is still charging in leading up the tribal engagement efforts.

I'll also put this on the table that a number of you that are running fiber. There is definitely not here to speak for any individual industry, but a lot of times the major

expense for most of the carriers and going anywhere is running that backbone, that middle mile fiber to a location, the construction I'm going to say this with a grain of salt, but the construction of cell towers is usually the least expensive component when carriers are looking at bringing service into a region. And I do think that maybe one of the things that our team can talk about in these technical assistance workshops or as we're engaging in that six-month window for tribes that are really thinking about the cellular piece is how we can set tribes up in a way, again, we can't force industry to the table. But, how can we help tribes think through designing a network that would entice the carriers to come and bring service within the respective communities. So again, if you're laying out all the fiber, and all they need to do is install a tower that takes a huge expense off the table. In fact, I think a lot of them would prefer to just have to do the tower, or even just lease space on towers. So you raise a good point, and I'm happy you brought that up, and one of my takeaways is, I want to make sure I can get you connected back in with the right POC's at FirstNet. We have some great folks that are still there that I know would be helpful. Thank you. Thank you. Appreciate the feedback. This that was great.

01:12:25.770 --> 01:12:30.279

All right, Matt. Do we have anybody else in the queue?

01:12:30.420 --> 01:12:45.589

Matt Rogotzke

Not seeing anyone, but noticing Maci put a lot of great resources in the chat. So she's been handling a lot of meetings. So folks take a look at those. There's a lot of great resources that NTIA is putting out. Yep, but no other comments for this I'm seeing.

01:12:52.300 --> 01:12:56.760

Adam Geisler

All right. Well, we'll give it fifteen more seconds. Then we will transition on to question number four, so we'll give it just now twelve more seconds, and then we'll move on to the next one. Alright, let's go ahead and move on to question number four.

This is a big one, and I really would like your feedback on this particular question, all of the questions, obviously, but this is an important one, because I do believe that it has impacts to the availability of resources. I've heard from a number of tribes as we've been doing our curing for round one, around concerns about being able to access resources because of supply chain disruption as a result of a whole host of things. One of the, there was an amazing benefit that came from the bipartisan infrastructure law, two billion more dollars. But there were also some nuances which included Build American, Buy American provisions. We call the BABA Act. Yeah, BABA, I have kids. So that makes me think about my newborn. But the BABA Act essentially has put in place a requirement for all of the infrastructure equipment essentially, to be sourced domestically, which is great. I think that is a great thing to see. However, we all know that the availability of fiber, or the availability of some of the equipment that many of you are looking at is not currently available domestically or was bought up six months ago or a year ago or at the beginning of the pandemic.

01:15:01.780 --> 01:15:17.760

So the reason why I'm putting a lot of emphasis on this particular question is because, depending on your feedback, it will drive whether or not we require any applicant to source one hundred percent of their equipment domestically, or if we request a waiver from OMB to give maximum flexibility to tribes to source their equipment based upon what is available that meets your needs. So this is a big deal. It's a big question. It's going to drive whether or not we seek an exemption from OMB to the Build American Buy American Act.

So with that I will go ahead and pause, and I'm hoping that we can get some feedback from those of you that are willing to provide feedback on this topic again. Very important that we get feedback on this particular item because it has to do with seeking a waiver from OMB. So I will pause there. Matt, how are we looking in the queue?

Matt Rogotzke 01:16:08.750 --> 01:16:15.680

Sure, quick hand raise from Mr. Evan Cutler. I've seen just him in the chat so far.

Adam Geisler 01:16:18.340 --> 01:16:19.929

Great. Mr. Cutler. Oh, here he comes, there we go. There we go. Good morning.

Evan Cutler 01:16:31.900 --> 01:16:34.379

You know, we're still morning over here.

Adam Geisler 01:16:34.700 --> 01:16:40.950

All right. Well, Mr. Cutler, Can you go ahead and just let me know who you're with.

Evan Cutler 01:16:40.960 --> 01:16:57.679

I'm with the Red Cliff Band of Lake Superior Indians outside of Bayfield, Wisconsin, like way up north.

Adam Geisler I have absolutely been there, and I do have a goal of driving on the lake when it's frozen at some point.

Evan Cutler 01:16:57.690 --> 01:17:10.289

Oh, I totally added that as a bucket list when I got here, and people were telling me about that.

Adam Geisler So you're up there by Superior thanks for being on with us this morning. Thank you. And then I'm, assuming you do have permission to speak on behalf of the tribe. Is that correct?

Evan Cutler 01:17:10.300 --> 01:17:12.569

We do.

Adam Geisler 01:17:12.580 --> 01:17:13.730

OK beautiful. All right, go for it.

Evan Cutler

01:17:13.740 --> 01:17:25.670

To answer the specific question I would recommend, I'm drawing from my old consulting days. Is that to authorize a specific resource or say a specific list of resources as part of the grant authorization for activities to be done, whether it's installed fiber like Red Cliff, or to buy networking gears, buy computers for kids, or whatever the choice has to be. Those activities need to be related, recommend that those be related to the resources that you're allowed to go get to. And the reason why I'm saying that in this particular case, for example, fiber build implies switching. It implies routing. It implies a gear from Cisco, or anything of that nature. And so with, as you mentioned earlier, the supply chain disruption, or manufacturers that may not be in the US. Because the cost of assembly is, you know, better for the companies overseas. Those specific tasks may not be capable of being built here in the United States. That being said, labor, on the other hand, or contractual support, even if it's a remote option pending on the task at hand is more than likely could be without the need of an H1B or an overseas vendor to do the programmic work for you, because there are plenty of programmers that are willing to do the jobs. In my case, in our case we have a physical labor in terms of installing fiber, and so naturally the contract has to be here. You have to be here to make that work. But I think that if you tie the manufacturers to the expected tasks that you're authorizing for applications, you'll know whether or not you're able to Build America Buy America and fall in line with that capability

01:19:27.700 --> 01:19:37.569

Adam Geisler

Great point, and what I will say is, I think, that a number of manufacturers have acknowledged that they're not in a position today to fully meet that right and you guys have all probably heard on the announcement of the CHIPS program to address semiconductor chips domestically right? A lot of that is manufactured apparently in Taiwan and in other places. But you raise a really good point about availability of resources and thinking through. What are we going to require? Making a distinction between what we know and building the requirements based upon what we know to be available as opposed to things that we know will never, well shouldn't say never, but likely not be available even when it comes time to implementation, which makes me ask a follow up.

01:20:27.400 --> 01:20:44.460

What we heard, day one, during the consultation was feedback about, also Homeland security related items. Where one individual had said, look we want maximum flexibility to buy what we need to buy. But we also need to balance that with the security components that come along with that right? For example, if you're erecting cell towers and putting these up, they should probably be sourced domestically as opposed to from overseas or certain manufacturers that have been in the news that I think everybody is aware of. That probably would not pass the past the test for federal dollars in general, right because of the security components of that. Are you along the same lines of thought? Where, maybe, there's a way to approach this. That maybe that's what you're saying earlier? I'm just trying to make sure I can really put a pin on it.

01:21:26.730 --> 01:21:41.679

That we are very specific about certain things that we're going to require, but we give maximum flexibility in others. For example, fiber availability, or something like that where you're not necessarily having to worry about some of those security constraints.

01:21:41.690 --> 01:21:44.540

So if I follow the government standards, the .gov style government standards, because I don't know about the other bands or tribes, but we've been authorized the .gov linkage to the government's domain as well, and as a result that does have some implications in security, because anything that's .gov is automatically scanned, as an attempt as a potential attempt attack point.

That being said, if you follow the Gartner Magic Quadrant for security implementations and security and network equipment, Cisco, HP, Dell, or any of those. You're going to notice that, in spite of the fact that most of those are still built overseas or still constructed overseas. Even Apple iPhone is still constructed overseas. They're still on contract by the vendors, for military and governmental organizations, because they're just the most secure ones we have. And I think what was it? Seven or eight years ago? No, more than that, I apologize. A virus scanned software. Kaspersky was picked up as a vulnerability to government systems because of who made it. So, I think that as long as we pay attention to how the government sees, how the Federal Government sees, what is worthy of DoD, or DoE, or even Department of State, or just straight up the Federal Government. They're current active contracts. They have to go through those security standards to protect classified information, and that's the standard that I go with.

01:23:35.180 --> 01:23:47.230

And so if the military says, "Hey, we're going to use Cisco equipment", because that's the only thing we can trust our top secret equipment to, then that's the first one I'm going to start calling on. That being said, again the top right of the Gartner Magic Quadrant, they're all still being built overseas.

01:23:52.470 --> 01:23:57.520

But I would like to amend that with one last statement, you could also say, hey, look, we need you to find an American source. If you can't and you show that, and I do the legwork on my side as an applicant saying I need this piece of gears for this application. There is no vendors. We've tried these. Here's the ones that are available. Then that would show at least the leg work that says, hey, we tried. You know what I'm saying?

01:24:25.380 --> 01:24:44.480

Yeah, no. I think you bring up a good point. Where maybe it doesn't have to be a stringent of a waiver, but that the waiver is done in a fashion that you know we require some level of attempt before we permit non- domestic sourcing. These are good points. I really appreciate, Mr. Cutler, the feedback. I think that you've definitely given us a few things to consider about our approach that I think both gives maximum flexibility but is also keeping in mind the security nature of the

Evan Cutler

Adam Geisler

business and still finding a way to make that work. So I appreciate you giving the various examples.

So just to recap, you know you're looking at consideration of maybe authorized list of resources or activities, and be specific about those. Look to DoD related contracting provisions and standards. Give some flexibility for folks to be able to try to meet the bar, the threshold. But if market and industry demonstrates it isn't there, we shouldn't hold people up from being able to provide reliable affordable broadband and Internet service is kind of what I'm taking away from this. So is there anything I'm missing there that you want me to correct?

01:25:53.200 --> 01:26:10.780

Evan Cutler

No, but it did inspire one last thing, this leads back to question three. If you do find people who put in their stuff, and they found a vendor, and they found a manufacturer, and it works. If you could publish that somewhere so that others can go and find. Hey oh! That other tribe found this guy! Let's go talk to him.

01:26:13.380 --> 01:26:33.209

Adam Geisler

As you know, coming from the contract role, we always have to be careful about promoting any one vendor. But I'm almost wondering if maybe the play on that is, we don't promote the vendor, we promote the tribe. So right, instead of saying, here's the vendor to use. We say, here's a tribe who figured it out, maybe you should talk to them. Anyways, that that's another good point. I'll have to think about how we can do that and do it appropriately. So, Thank you.

01:26:41.430 --> 01:26:49.060

Okay. Thank you. To the Red Cliff Band Of Chippewa Indians, up there on Lake Superior. Looks like Matt. Who do we have next?

01:26:53.740 --> 01:26:57.029

Matt Rogotzke

Yeah, Mr. Cagey again, is next up in the queue.

01:26:57.610 --> 01:27:08.490

Adam Geisler

All right, Mr. Cagey, from your perspective, what do you think we should be doing in a relationship to the Build America Buy America provision moving forward in NOVO two?

01:27:08.500 --> 01:27:15.310

Henry Cagey

So let me understand the statute, Adam, is it that within the statute, there is a process for a waiver? and is that granted by OMB or is that granted by you?

01:27:19.660 --> 01:27:35.370

Adam Geisler

It's granted by it both. There is a review and approval process that we have to go through with OMB. But because technically our department is the one providing the final waiver, formally it is us but there's a process.

01:27:41.040 --> 01:27:45.839

Henry Cagey



So under the executive order, there's already a process for waivers. Right? So, the executive order does allow the tribes to ask, request where as needed.

01:27:54.100 --> 01:28:13.380

Adam Geisler

So part of why we're asking this today is to try to be preemptive. You can really do this in two ways. You can ask the question ahead of time, or wait until you run into the situation and then leverage the E.O. at that time. So, do you think that it would be better to hold off, see if folks can hit the threshold, and if they can't, then seek the waiver?

01:28:22.780 --> 01:28:36.969

Henry Cagey

Yeah, I mean, Tribes should have the ability at this already to ask for waivers. Right? We've done it a few times, and there is no reason why this shouldn't be a request from you folks. But the tribe really itself should be doing this instead of your organization. All right. So, they already have the ability to go in and ask for waivers as needed.

01:28:45.950 --> 01:28:46.980

Adam Geisler

Right, No, fair point. We have debated this and definitely why we have it up today. So I think you raise a good point that there's more than one way to go about processing or addressing any barriers that may happen. Again, not as a bad thing, just based on availability of what's out there in the market, as you know. As the digital economy really starts to get its foothold here, bringing things back state side. Good point, anything else you want to add, Councilman Cagey, on that topic?

01:29:22.000 --> 01:29:31.210

Henry Cagey

I think that's it. Like I said, it's just that you got to remember we are a sovereign nation, and also we want to maximize our sovereignty as much as we can.

01:29:34.730 --> 01:29:36.679

Adam Geisler

Understood. All right. Well, thank you for the feedback. How are we doing, Matt? Anybody else in the queue?

01:29:40.610 --> 01:29:50.529

Matt Rogotzke

Nope. Not at the moment. But yeah last question. So, hang on for a little bit before wrapping up, I guess.

01:29:53.800 --> 01:30:13.050

Adam Geisler

Wonderful. All right, so we'll give it maybe one more minute. Again, question number four. Should the Tribal Broadband Connectivity Program be subject to the to the Build America Buy America act domestic sourcing requirements for materials and equipment? Additionally, how does the Build America Buy America impact your ability as an applicant to complete proposed projects? You know again, do you believe that sourcing equipment domestically may create delays in your ability to implement the project that you're seeking funding for. We'll give it about thirty more seconds.

01:30:43.980 --> 01:30:52.529

Matt Rogotzke

We maybe go back a few slides, Adam posted in the Q.& A. Just to repeat the four questions. Because we have a slide that shows all four.

01:30:56.150 --> 01:30:58.340

Absolutely. Yep. I do see that we're having a few more folks that have joined us. And again, we have been consulting upon the four questions here today. Should NTIA consider prioritization of new projects in the tribal broadband connectivity program? And if so, how?

01:31:22.270 --> 01:31:39.129

The second question was: What type of guidance or documentation can be included in, or in addition to the NOFO that would assist applicants in completing their application. Item three is: How can technical assistance from NTIA be improved to ensure timely and complete submissions.

01:31:39.140 --> 01:31:54.540

Then number four is the one we've just been covering, which is: Should Tribal Broadband Connectivity Program be subject to the Build America Buy America Act. We call it lovingly BABA domestic sourcing requirements for materials and equipment. If so, how would that impact an applicant's ability to complete the project?

01:32:00.070 --> 01:32:01.139

So, if we don't have any other folks that raised their hand to speak, Matt, I think what I'd like to do is we'll go to the final slide. Today is not the last day to provide feedback or comment.

01:32:18.920 --> 01:32:33.870

I just want to reiterate to everybody that we do have one more consultation on these questions. That is slated for this Friday. It's going to be a little bit later in the day. It's going to start Friday the 16<sup>th</sup> here at 1 P.M. eastern, so that is 10 A. M. Pacific. That is, 9 A.M. Alaska, and I believe that is 7 A.M. Hawaiian. So with that I also remind everybody you can provide written comment to the [TBCPConsultation@NTIA.GOV](mailto:TBCPConsultation@NTIA.GOV). We are going to have a cut off at 6 PM eastern on the 16<sup>th</sup> to conclude the window, which was actually opened up for comment when we put out our Dear Tribal Leader letter on August 18<sup>th</sup>. So, we've had a good month to provide any written comment, and we would still again encourage you to do so.

01:33:23.780 --> 01:33:43.340

Lastly, in relationship to resources. I'm going to encourage you to check out the Tribal nations page on the BroadbandUSA website. If you guys haven't checked it out in a moment. There's a lot of great resources on there. We have a toolkit to look at in terms of your thinking about getting into the broadband space. Some things to consider as a tribe, and really to help you walk through step by step in thinking about your planning processes. We also have an up-to-date tracker of the announcements, and a map of where all the awards are occurring.

Adam Geisler

Adam Geisler

01:34:02.170 --> 01:34:21.989

It's also where we house our tribal consultation transcripts and recordings, as well as the consultation summary report, which is a summary of what we've heard during consultation, and the actions that the program and the department has taken in relationship to that feedback so a lot of great resources there.

01:34:25.970 --> 01:34:51.450

Lastly, and I really mean lastly, this time I want to thank those of you that joined us here the early birds for joining us on this consultation again. Councilman Cagey would thank you for the invocation this morning and your active participation today. I want to thank the other tribal leaders that are on. Maybe you didn't share, but it's important that you're here.

01:34:51.460 --> 01:35:09.790

I'm looking forward to seeing any written comments that you have, and for the rest of the team that is on. Thank you for pulling this together and with that we are going to go ahead and move forward and concluding our tribal consultation today. So thank you to Carole, Matt, Maci and the NTIA team. Isabel for helping to support this, and again, Friday, one more time. Hopefully we'll see you there if you didn't have a chance to share today. Thank you again for joining us. Everybody have a great rest of your day. Thank you.