



February 11, 2021

Douglas W. Kinkoph
Associate Administrator
Office of Telecommunications and Information Applications
United States Department of Commerce
National Telecommunications and Information Administration
Washington, DC 20230

Re: Comments on Tribal Broadband Connectivity Grant Program

Dear Mr. Kinkoph:

AMERIND Critical Infrastructure, a division of AMERIND Risk Management Corporation (AMERIND), hereby submits these comments on the Tribal Broadband Connectivity Grant (TBCG) Program. AMERIND is a Tribal corporation formed under federal law by three federally recognized Tribes pursuant to Section 17 of the Indian Reorganization Act, 25 U.S.C. § 1524 (a Section 17 corporation). AMERIND's charter, granted by the federal government, provides that it possesses Tribal sovereign immunity.

AMERIND Critical Infrastructure strongly urges the National Telecommunications and Information Administration (NTIA) to consider and incorporate the following comments into its development of the upcoming Notice of Funds Availability (NOFA) and other procedures associated with the TBCG Program.

1. Tribal support: A Tribal resolution or letter of support should be required for any applications purporting to serve Tribal lands.
2. Need, not population: The evaluation of applications should be based on Tribal need – not population – as the law states that there should be an “equitable” allocation of available funding.
3. Duplication of funding: The duplication of funding should be evaluated by eligible entity rather than by geographic area, due to inaccurate broadband mapping data. NTIA should not permit other federal agency promises of future funding (e.g., the Rural Digital Opportunity Fund, or RDOF) to be considered duplication of funding that would exclude Tribes from qualifying for funding under the TBCG Program. Overall, Tribes should be eligible to receive funds to serve their own communities.
4. 2.5 GHz licenses: Holding a 2.5 GHz spectrum license, pursuant to the Federal Communications Commission's (FCC) Tribal Priority Window, should not be a pre-condition for funding.
5. Middle mile fiber: One of the eligible uses of TBCG funding should be for the construction of middle mile fiber, as this is a critical missing piece to bringing broadband of sufficient speed and capacity to meet the needs of Tribal communities.
6. Matching funds: Matching funds should not be required of any applicant, as this is not required under the law and will provide a barrier to entry for many Tribal applicants during the COVID-19 pandemic.

7. Self-certification of unserved status: Tribes should be permitted to self-certify their status as unserved, rather than being subject to carrier-reported data and marketing statements of existing providers.
8. Tribal Internet Service Providers (ISPs): Tribes that already operate their own ISPs should be eligible for TBCG funding.
9. Carrier-grade equipment: Tribes should be encouraged to apply funding to carrier-grade equipment rather than temporary, low-grade solutions.
10. Indefeasible rights of use (IRUs): Long-term IRUs should be eligible for TBCG funding.

Thank you for the opportunity to provide these written comments. Should you have any questions, please do not hesitate to reach out.

Respectfully,



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