

TRIBAL CONSULTATION

NTIA Tribal Broadband Connectivity Grant Program

Transcript To Be Viewed With Published Video

February 12, 2021

0:09

Good morning or afternoon, as the case may be. And welcome to NTIA's Tribal Consultation Session. This is our third and final session on the Tribal Broadband Connectivity Program.

0:22

We appreciate you joining today. It's two minutes past the hour, and I'm watching numbers come in, so it looks like we're still having quite a few people join. So we'll give those folks just an opportunity to get onto the GoToWebinar platform so that they can participate.

0:42

I'll start by going through just a couple of logistics. The session has been opened in listen only mode.

0:50

So, as you've joined, your microphone is muted to be sure that we cut down on any background noise and that everybody who has dialed in or joined via the Internet, can hear the background presentation.

1:08

The primary purpose of a tribal consultation session is to hear from tribal leaders, or their designees, to seek input on this program specifically for this session. We would ask that if you're with the press that you drop off, as this is not a press event.

1:29

We'll start the program agenda with some background on NTIA's broadband programs with our Associate Administrator Douglas Kinkoph.

1:42

Jennifer Duane from the NTIA team, will provide a bit more background on the Tribal Broadband Program, specifically about what's in the statutory language, and then Adam Geisler, who I think some or many of you know from what I've come to learn, will walk us through some of the issues that we are specifically seeking tribal input on.

Adam, we are very thankful, has joined the NTIA team part time, thanks to FirstNet, allowing him to spend some of his time as we pull this program together.

2:24

Once Adam completes his portion of the overview, we'll move to government dialogue and ask you to use the Raise Hand function in the GoToWebinar app.

2:41

That seems to have worked well, and then I will actually take you off of mute to allow all of the participants to hear your question or your comments.

2:54

We do know that the reason we're holding this session that we are in this place is because there are so many parts of our country who still don't have broadband, and that may mean you don't

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have a good Internet access connection for getting onto GoToWebinar, so we will also engage participants who are on audio only.

3:16

In order to do that, we'll have to open up all of the lines, and we'll remind you of this when we get to that part of the session.

3:25

And just ask that folks individually, you know, mute your line from your phone to try to cut down on the background noise at that point.

3:35

And, lastly, just as a word of note, we are recording this session, so if you have any issues with that, feel free to drop off or just know that you are being recorded.

3:46

And, last is that we are accepting written comments at the BroadbandUSA@NTIA.gov e-mail address.

3:58

That e-mail address is provided in this PowerPoint presentation that we'll walk through, and you can download from the GoToWebinar site. It's also available on our website, and I will put the link in the chat box for you to do that.

4:17

But, with those logistics covered, and, now, it looks like the rate of folks coming in has slowed a little bit. We will go ahead and get the program started and I will hand it off to NTIA's Associate Administrator for Broadband Programs Mr. Doug Kinkoph. Doug, over to you.

4:39

Thank you, Laura. It's my honor to welcome you here today.

4:44

In today's Tribal Consultation, this is the final of three, consultations that we are holding on, the Tribal Broadband Connectivity Program that was set up under the Consolidated Appropriations Act of 2021.

4:55

The Act provides 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.

5:06

Congress recognizes that Indian country was hit hard by COVID-19 and determined that a rapid response was needed.

5:14

The Department of Commerce and the National Telecommunications and Information Administration, NTIA, are dedicated to expanding broadband deployment in tribal lands in rural America and promoting digital inclusion.

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5:28

Broadband is vital to education, health, economic and workforce development, culture, public safety, and much more.

5:36

We look forward to your comments for the Tribal Broadband Connectivity Program and how we can work together to solve broadband access challenges in Indian Country.

5:46

We appreciate all the work that tribes and tribal associations have accomplished to expand broadband and create awareness of the detrimental effects of the digital divide. We recognize that

5:57

each tribal government has its own challenges and priorities that are related to broadband infrastructure. We look forward to your comments and how we can make this program meet those needs.

6:08

We are committed to working with you to work on recovery and resilience.

6:11

We know that while these funds are a big step forward for tribal broadband, they are still insufficient to meet all broadband needs in Indian Country.

6:22

Now, it's my privilege to introduce Chief Malerba,

6:25

Malerba—sorry, I knew I would do it

6:30

who will be providing the invocation today?

6:32

Chief Malerba became the 18th chief of the Mohegan Tribe on August 15, 2010 and is the first female chief in the tribe's modern history.

6:43

The position is a lifetime appointment made by the tribe's Council of elders.

6:48

Prior to becoming chief, she served as Chairwoman of the tribal council, and served in tribal government, as Executive Director of Health and Human Services, preceding her work on the Mohegan Tribe.

7:00

She had a lengthy career as a registered nurse, ultimately as a Director of Cardiology and Pulmonary Services, Lawrence & Memorial Hospital.

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7:09

She earned a Doctor of Nursing Practice at Yale University and was named a Jonas Scholar.

7:17

She is Chairwoman of the Tribal Self Governance Advisory Committee of the Federal Indian Health Service, a member of the Justice Department Tribal Nations Leadership Council, a member of the Tribal Advisory Committee on the National Institute of Health,

7:32

a member of the Treasury Tribal Advisory Committee, and also serves as a United South and Eastern Tribes Board of Directors Secretary.

7:41

Please join me in welcoming Chief Malerba for the invocation.

7:47

Thank you.

7:49

Thank you so much for that introduction. I appreciate that.

7:53

INVOCATION

My name is Chief Many Hearts, “Lynn” Malerba. And so I ask that you each pray in your own way.

7:59

And as I offer this blessing in Mohegan. [Traditional Native Language].

8:58

Great Spirit, we thank you for this day, and all of the days to follow.

9:02

We thank you for all that have gathered here. We greet all our relations. We ask for your blessing as we need to speak of matters of importance.

9:12

May we never forget the teachings of our ancestors, and may we honor them whenever we are all gathered together.

9:18

Give us the wisdom to faithfully work to the good of all. Maybe we open our hearts and minds as we share our thoughts today.

9:26

And may we all stand in love for our people. May it be so.

9:31

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And I would just ask for a moment of silence for those who have been so severely affected by the coronavirus, and those who have passed on to the next world.

9:46

Thank you so very much.

END OF INVOCATION

9:56

Thank you, Chief Malerba both for the invocation and the service to your tribe. So, thank you. We appreciate having you with us today.

10:04

Next, I would just like to walk through quickly the agenda for today's session.

10:11

We have completed the invocation, we will now do a quick overview of the three grant programs at NTIA, that has been given from Congress.

10:19

We will then go into a deeper dive on the tribal connectivity and overview of the grant program. And then we'll go into the government-to-government dialogue, and you can see on the agenda the topics that we wish to make sure that we discuss, and then you can always raise new issues obviously. And then we'll go into the logistics and the written response and then we'll close out around five o'clock.

10:44

So, thank you for joining us today. If I can have the next slide.

10:51

Congress issued to NTIA three grant programs, first is Tribal Connectivity Grant Program, the billion-dollar grant program that we're here to talk in detail about today.

11:01

But there were two others also.

11:03

The second was the Broadband Infrastructure Deployment Grants, which is for states and political subdivisions of the State and the provider to bring forth application for infrastructure grants. And there's \$300 million associated with that program.

11:22

The third was the Connecting Minority Community Pilot Program. It's a \$285 million project, focused on HBCUs, TCUs, and MSIs for, basically, digital inclusion, extending the learning on campuses etc. With that those are the three programs that we have and will be administering, but today's session is focused on the Tribal Connectivity Grant.

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11:52

With that, 11:53

let me turn it over to Jennifer Duane.

11:55

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 known as BTOP. She then served as a senior advisor in

12:14

the Office of the Chief Counsel for NTIA providing legal advice and general counsel to NTIA's offices on a variety of telecommunications, information technology, commercial data, and privacy matters.

12:27

Most recently, she served as senior advisor to the Assistant Secretary for NTIA's broadband connectivity [inaudible].

12:36

Jennifer, I'll now turn it over to you.

12:39

Thank you, Doug. And I just wanted to note first that I'm working from home and there's some construction going on in my building. So, if you hear some jackhammering, that's why. I hope it's not as annoying to you as it is to me.

12:52

But I will try to run through these slides quickly, and then I will go back on mute. But, turning to slide four I just want to give an overview of some of the key provisions of the Act that will form the basis of our discussion later on this session.

13:09

So, the first key provision is the eligible entities that can apply to this Tribal Broadband Connectivity Program.

13:19

We have tribal governments, tribal colleges and universities, the Department of Hawaiian Homelands, on behalf of the Native Hawaiian community, Tribal organizations, and Native Corporation, as defined in the Alaska Native Claim Settlement Act.

13:35

Now, given the variety of these entities that are eligible to apply to this program, this is going to be a key topic that we want to solicit your input on. We'll be interested in getting feedback on

13:48

given the scope of these eligible entities,

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how we can structure the program in a way that allows tribes to prioritize their broadband priority, so this will be a key area that we'll want to discuss in the government-to-government dialogue.

14:09

Next slide, please.

14:11

The purpose of this tribal grant program is to expand broadband access and adoption on tribal lands.

14:18

The Act specifies several definitions of tribal lands.

14:23

One is land located within the boundaries of an Indian reservation, pueblo, or rancharia,

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or land located outside the boundaries of an Indian reservation, pueblo, or rancharia by title in trust by the United States, for the benefit of a tribe or an individual Indian, or an Indian tribe, or individual Indian who holds title to that land.

14:49

I won't read in detail all the definitions there on the slide, but just kind of paraphrase an overview of tribal, and also include the region, established for the Alaska Native Claims Settlement Act, the Hawaiian Homeland,

15:07

And then, finally, the fifth component is areas or communities designated by the Assistant Secretary of Indian Affairs at the Department of the Interior, that are adjacent to reservations where financial assistance and social service programs are provided to Indians because of their status as Indians.

15:27

And NTIA will be working with the Department of the Interior on a process to address that fifth component of this tribal land definition.

15:37

Next slide, please.

15:41

I just wanted to cover a little bit, the eligible uses for this grant program. They are pretty broadly defined. Funds can be used for broadband infrastructure and deployment,

15:50

and this includes support for the establishment of carrier-neutral submarine cable landing stations.

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It also includes some adoption activities, including affordable broadband programs, distance learning, telehealth, digital inclusion, and general broadband adoption activities.

16:12

I do want to point out that there is a cap on the amount of the grant funds that eligible entities can use for administrative expenses. That cap is at 2% of the grant funds.

16:26

No more than 2% can be used for administrative expenses.

16:31

And another provision that I want to just point out is for grant funds that are used for new construction of broadband infrastructure, there is a requirement to prioritize projects that deploy broadband infrastructure into unserved households.

16:49

Next slide, please.

16:54

One of the other key components that we're interested in getting discussion on is this notion of equitable distribution.

17:02

The Act mandates that the grant funds are awarded on an equitable basis, and there is a set aside of 3% of those amounts for the benefit of Native Hawaiians.

17:15

So this is a key area that we're looking for some input on, how we can ensure that this requirement of the statute is satisfied, of equitably distributing one billion available for any grant funds.

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The Act also establishes some very aggressive timelines for implementation.

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Once NTIA develops what is the Notice of Funding Opportunity, which will include the requirements for the grant program and open up the application window,

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eligible entities have 90 days to prepare an application and submit it to us.

17:57

There's also a very aggressive timeline set out in the Act to commit and extend the funds that are available on this grant program. So the Act requires that within six months, or 180 days of receiving grant funds, an eligible entity shall commit the funds.

18:18

And there's also a deadline of one year to expend the funds.

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Now, we realize this is a very aggressive timeline, especially for projects that propose to deploy broadband infrastructure.

18:30

So there is a process where the Assistant Secretary of NTIA may extend that period for construction projects, and so we anticipate that we will be broadly and liberally applying that extension process to ensure that

18:49

these construction projects can be deployed and that they can be completed by the aggressive deadline.

18:59

Next slide, please.

19:03

Now, to lead the government-to-government dialogue, I'm going to turn the program over to Adam Geisler.

19:10

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

19:19

He is a member of the La Jolla Band of Luiseño Indians, near San Diego, California

19:24

and has served in an elected leadership role with the tribe running tribal government, and shaping national policy and public health, transportation, economic development, and housing for over a decade.

19:36

And NTIA is very fortunate to have Adam working with us on this grant program and bringing his expertise in tribal matters to bear and helping us shape the rules for this program.

19:46

And we're grateful to the FirstNet Authority for allowing him to split his time between FirstNet and our program. Adam, over to you.

19:56

Wonderful. And thank you, Jennifer, Doug, and Chief Malerba, for the invocation of the opening words today.

20:05

And getting things started off in a good way [Traditional Native Language].

20:15

And I want to say thank you all for that for the leadership in the room, for making time to talk about, really, an exciting opportunity today.

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I'm broadcasting here from my 184 HUD home on the La Jolla Indian Reservation, where

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I'm a citizen and community member. And I welcome you into my house as we have this conversation.

20:44

So, a couple of things to get things kicked off.

20:48

Let's start with the obvious component that I think we need to start off with which, is the discussion about COVID-19 and where the legislation and statute is really founded within.

20:59

I want to remind everybody that this is a unique and very exciting program,

21:05

that frankly has come about as a result of Indian country living through the pandemic and a recognition that there is absolutely a digital divide that the pandemic has shined a gigantic light upon.

21:19

And being a former tribal leader myself, I can appreciate what a number of you are having to balance in terms of running your government and running your enterprises and addressing the public health and community needs of your people.

21:33

Frankly, in one of the most challenging times that we've seen in Indian Country.

21:42

So, today, I do want to just give a little bit of the housekeeping details that we could go over as we start to have a discussion, as we engage in a government-to-government dialogue.

21:54

Again, this is a tribal consultation between the United States Government and those that, those in which the trust responsibility lies, excuse me, I think I have a frog in my throat today.

22:06

But I do want to remind everybody that to keep that in context. What you'll see here is a number of topic areas that we're going to go through in a little bit more detail and talk through.

22:18

And then when we get done with talking about these topic areas, we will open it up and we'll move through the process that Laura was so kindly willing to help facilitate as we do our raised hands.

22:30

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We will start with those on the phone line first out of recognition that there is a digital divide, and that many of you may be in a position that you cannot hop on the GoToWebinar and so you're joining us and dialing in through phones.

22:42

We will start with phone comments, first, in this process, and we'll walk you through how that's going to work.

22:50

So, another component that I wanted to make really clear about the goal of this program is, we know that there's a digital divide, and we know that a billion dollars is a starting point, and probably is far shy from actually meeting the need of what really exists for all of you out across Indian Country today.

23:11

But we're going to do our best to build a program that is going to address the plethora of needs that we have out there.

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And I want everybody to keep in mind that, as we're thinking through the development of the program, and we're thinking through the development of the NOFO that there is an element that I want you all to be thinking about

23:28

in terms of equitability, which is something that we're called to do within the statute of, within 905 under HR 133, which is where this program has been established.

23:41

I also want to point out to you that the goal here is to run this a little bit different, then, maybe some of the other consultations that you've participated in the past.

23:50

Again, as a former tribal leader, I know what it's like to go to a meeting, have a microphone in front of you, you say your piece, and then you come back a year later, and it felt like you weren't heard or understood.

24:01

And the issues continue to be there. Our goal today is to engage you on your comments and your feedback.

24:08

And so, what I'm going to ask is that, as we go through each of these topic areas that you think about it from the context of how you would want to see the program.

24:19

I want to make it really clear that the cake is not baked for this project, which is, I think, something that is so exciting.

24:26

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For everybody that is intending this session and previous sessions, I can earnestly share with you,

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that this is not 100% baked.

24:35

In fact, what we're really trying to do today is ask you, what are the key ingredients to make sure that what we're creating is something that is palatable and frankly, workable for everybody, again, trying to look at that equitability component.

24:49

So if you ask questions, please don't be offended

24:54

if my response to you is, how would you like to define that, or how would you see the program if you were able to write the program yourself?

25:02

That's really what we're here today to do, is to hear from you about how you think

25:07

this program should be developed in a way that can be successful.

25:11

We're all aiming for a successful deployment of these funds, and also at the same time, addressing how can we ensure that that success is equitable, being that so many of you are in so many different places

25:22

with your broadband needs.

25:24

Some of you are ready to build these amazing, gigantic, beautiful networks. Others of you are looking to deploy your 2.5 Spectrum that you just recently received.

25:33

Others of you are kicking around landing stations for oceanic fiber. And then there are some of you that are just purely looking at the fiscal challenges of being able to connect to wherever the services are.

25:44

And then some of you are in a place where the concern really is that broadband wasn't a priority, and now it is.

25:51

And so, you're going through the planning processes and thinking through how you solve the issues of telehealth, education, economic development, digital inclusion, and digital literacy, in your communities.

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26:04

And, so, again, that's the gamut that we're talking about today.

26:07

And how can we come up with a program that can try to suit the variety of needs that are out there in an equitable fashion.

26:16

So, we'll make our way through the topics. And then, obviously, these topics are not to be confining. It's meant to guide the conversation. I'm going to ask that you keep your comments.

26:26

If you can, try to tie them back to these topic areas. This slide will come up once we get done kind of going through them, and then at the end, we also, if you have more than what we're covering today, and there's things that you want to talk about that we haven't talked about, I don't want anybody to feel limited.

26:43

Feel free to raise any additional items or topics that you see that we may have missed in the conversation. Again, we're really here to have that type of a dialogue. And I look forward to engaging with all of you

26:57

here on this Valentine's Eve weekend, Friday. So, with that, if we could, Gabe, could we go ahead and move on to the next slide, please?

27:10

Wonderful.

27:11

So, program eligibility in regard to topic area one. In terms of who's eligible, I think Jennifer did a good job of explaining what is directly lifted out of the statute

27:25

from the legislation, and for those of you that are on this session for the first time, we wanted to get you thinking about some of these items.

27:35

Because the question in terms of eligibility for us is really going to come down to a prioritization discussion and also an authority discussion.

27:46

How are we going to look at the implementation of a program, where there is so many eligible entities? And how do we set parameters so that we know that the priorities of the tribe are being met?

27:59

And so, how would you prioritize those that are eligible?

28:04

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What happens when we get an application from your tribal government, but you're also part of a consortium, and that consortium is intending on applying.

28:14

Should we allow one application, should we allow multiple applications? How do we prioritize if we allow multiple applications? Should there be an authorization process from an entity that may not be the tribe

28:27

if they're planning on applying on behalf of the tribe?

28:31

Again, should there be a limitation to one application? What types of projects should be eligible?

28:37

Again, I kind of gave you an example of the depth and breadth and based on that, what types of projects should be eligible?

28:44

Do you have concepts around how much we should allocate to different buckets?

28:49

Do you think that, in terms of who and what we're funding, are there different buckets that you're thinking about?

28:55

And should there be caps or specific allocations in the way that we set up a program to address those needs?

29:04

Then how should NTIA address the use of federal funds in the same area?

29:08

And this gets to the duplication question that is, frankly, been raised very loud and clear over the last couple of consultations, but how do we treat

29:17

areas of investment, from your opinion that others may have been subsidized already, but maybe aren't meeting the need in your area or you don't agree that they're meeting the need in your area.

29:29

As an aside, I do want to direct your attention to the bottom right-hand corner of the screen.

29:35

When you read the statute, tribal organizations actually isn't a defined element within the statute itself and that is, in part, because the definition of a tribal organization has already been formulated in US Code 25 USC 5304.

29:51

So if you get a moment, take a look at that.

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29:54

So, again, as you're walking your way through these through these topic areas.

29:59

Again, if you can think about your responses and your feedback and relationship to these topic areas, I would greatly appreciate it.

30:07

Also, for those of you that are just joining us, there is a handout with this PowerPoint.

30:13

We did update the PowerPoint handout that is the area on the GoToWebinar, you'll see a handout section there.

30:21

For those of you that aren't using GoToWebinar, if you're able to get to the NTIA website, all the documentation is listed on there as well. And, again, I just wanted to point that out, for those of you, as we move through these topics, that you can actually still go to the slide and access those slides if you want to formulate your thoughts as we go through the conversation today.

30:42

All right, so let's move on to the next topic area, if we could.

30:46

Regarding equitable distribution, and, again, this is, I think, probably one of the more challenging topics. We frontloaded the tough ones right up front, just to be candid.

30:58

This is a tough topic that we need your help in understanding how we treat the equitable distribution process.

31:05

There's a lot of different thoughts out there about how we thoughtfully deploy the dollars in an effective and meaningful way that is equitable.

31:14

And, again, I've lived through the formula allocation days of IHS or the Tribal Transportation Program or [inaudible] or the FCC formulas that have been used.

31:27

And so, to start this conversation off, we're asking the question, is there a method that you think works, that has worked previously that you like?

31:38

And, in that concept, is there a formula that you like, is there an opportunity to develop a new formula?

31:45

Should we also take a look at potentially a bulk distribution as opposed to just a blanket formula and look at a bulk distribution to all tribes irrespective of size, shape, land, base, status, etc.

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31:59

That also then brings to mind, how do we look at prioritizing

32:05

any type of application in this process as it relates to, should we look at a competitive program as part of this?

32:15

And what I mean by that is, should we also be looking at something that's needs based? There's a lot of need so how do we determine where the dollars go, and do we base that on need?

32:25

And then I guess the last question around this deployment of dollars equitably is there a combination of these efforts?

32:35

Is there a bulk distribution that everybody sees, but can also see a formula component, or also see a needs-based application component, or a competitive component?

32:46

So, again, is there one solution, is there multiple solutions in the way that we should develop this?

32:53

We're asking you the question.

32:55

So, again, how would you see this program if you were us?

33:00

And how would you develop it, to make it impactful for both your tribe and your community, but also recognizing that there's plenty of other tribes that are living through the digital divide today that also need that?

33:15

Should we also be mindful that every tribe looking at maybe a standard allocation for planning or other eligible expenses?

33:23

On a previous consultation, we have had a chance to kind of pick the brains of folks that are doing planning, and I'll be just frank with you

33:33

the way folks are defining the term broadband planning is this wide, and I'm only going this wide because my screen, you can't see my hands any further. Some of you are looking at a 30,000-foot conceptual design.

33:44

You're kind of laying out your partners and then others of you are calling the planning document there's construction or pre-construction related items that are in there and so the costs for doing

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one plan as one individual would interpret it versus how another tribe may interpret it are different.

34:02

So, what are the buckets that you also see that we should look at dividing these dollars up into? Do you see there being multiple buckets?

34:09

Do you not see there being multiple buckets, and how would we lay that out in your opinion? And again, what's an effective way to measure need, as we do all of this?

34:21

All right, let's go ahead and go on to Topic Area three.

34:23

Again, I'm going to remind everybody that the PowerPoint presentation that we're using is in the handout section of the webinar and on the website. If we're moving a little too quick for you, so please feel free to use that resource as we go through the conversation today as well.

34:41

All right. So topic number three. Historic preservation, NHPA, NEPA, and Cultural Resource protection

34:49

is clearly something that we are keeping in mind through the development of this NOFO.

34:54

And I want to make that perfectly clear that there is no intent to get around or remove elements of what are clearly defined within the laws that are in existence.

35:10

However, I'm also going to bring up and make this comment because I have received phone calls about concerns for those that have seen this slide already.

35:20

And I just wanted to bring a point of clarification.

35:23

On bullet number one, when we asked the question do you have suggestions for expediting the environmental process?

35:30

For those of you that have pause right now, please just hear the rest of the thought.

35:36

The intent of the legislation was really coming from the response to Covid, so we're asking that question from a place of not to circumvents environmental processes.

35:47

I know that there is frustration out there about 477 data or,

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35:54

a small cell deployment that has been raised in the past, and that this is a sensitive space.

36:01

And so I want to make it absolutely clear that the place where we're asking this from really is, is coming from a place of how do we get these networks built, because in a timely fashion that is respectful of cultural and environmental concerns but at the same time still meeting the needs of what we're hearing from the communities.

36:22

The kids need access to be able to do their remote learning.

36:24

The telehealth elements, a number of you are going through large impacts that are happening to your enterprises, 50, 60, 70% reduction in revenue

36:35

because you don't have some of this digital infrastructure in order to come back, and to support the needs of your tribe and your enterprises in the middle of this pandemic.

36:46

And so, that is where this is coming from, is do you have suggestions on a way that we can thoughtfully both respect the environmental process but meet the needs that are there today

36:58

that we have heard so loud and clear from so many of you about the needs of the service in your community?

37:05

Also, the other question is, do you have the resources internally today to take on the elements of NEPA and NHPA and the Cultural Resource Protections internally?

37:17

And I'm directly speaking to THPO and SHPO capabilities of your tribe.

37:21

And are you resourced to the point to where you feel like you could be successful in helping to deploy the services in a timely manner?

37:30

It takes dollars and we recognize that so we wanted to get a sense if anybody had thoughts on that, and then what should NTIA be aware of with regards to historic preservation

37:42

and environmental impacts that we can improve upon?

37:47

There's definitely a baseline or a standard. Are there things that we can do better? I think that's a fair question to ask everybody, in this context, especially because this is a brand-new program. It involves so much new infrastructure.

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38:04

There has got to be some best practices that are out there, that kind of blend, the cultural needs of the tribe with the historic needs and the access needs, so, are there things that we can do better

38:16

in the environmental space is the question?

38:19

Then, I left the last bullet, or we left the last bullet on here, with regards to environmental impacts

38:27

from a cultural standpoint, what, as we do this project in this program

38:32

what are the biggest concerns that the cultural leaders of your tribe are going to have with these projects, or with where we're headed, or trying to go in solving the digital divide?

38:45

So that we can get those upfront, you know, so if there are some landmines, excuse the term. But if there are some landmines that are out there that we should know about now, share those with us, please.

38:56

We want to do this in a respectful and culturally appropriate way. And so again, if there are concerns that you have that are just glaring that you want to get on the record today, please use this as an opportunity to share that with us.

39:12

And we'll go ahead into topic area four.

39:16

And before I deep dive into area four, I do want to just follow up on something I just shared. This is an establishment of a record.

39:23

And so, again, that the intent of the government-to-government consultation

39:28

is twofold. It's meant to be a dialogue.

39:31

But it's also meant for us to have a baseline to use to go have that conversation if questions are asked into the future, about did we develop a program that met the needs, or why did we make a decision?

39:44

And so, we use the record that's established here today to help inform the process, just as much as it is to also help be responsive to your needs.

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39:55

I'm out there as you address the needs of your community, running your governments. So, with that being said, let's talk about the unserved area discussion for a moment.

40:06

The Act stipulates that the grant funds be prioritized

40:09

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

40:18

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 the consultation with the Commission to prevent duplication of funding.

40:32

So, for those of you that are wondering what all that means, I'm going to direct your attention if I could

40:38

again, back down here to the box here in the bottom right-hand corner.

40:43

So in order to meet the definition as it's defined in the statute in terms of qualifying service, so is your community unserved?

40:56

They're unserved if they have a download speed of less than 25 megabits per second, and an upload speed of not less than three megabits per second.

41:07

So for those of you that, when I started talking about bits and bytes your eyes crossed, or it sounds like a foreign language, first off, I feel you. And I can appreciate that. There's a little bit of a learning curve there in this space.

41:21

And I am going to just offer a simplified analogy.

41:25

If you're at a point in your community where you're not able to get on and do a FaceTime

41:31

or interact on a platform like the GoToWebinar or the ability to utilize streaming services like a Roku or an Apple streaming or any of those streaming devices, then you probably don't have 25/3.

41:50

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And so just a simple analogy for those of you that are wondering, what the heck is 25/3 mean? That's a basic way to kind of get you to wrap your head around it. And, again, for those that are maybe a little more tech oriented, it's 25/3

42:04

but is that also a good standard?

42:06

Just because it's the baseline, does that mean that it should be the baseline?

42:11

Should there be something that we should be looking for something a little bit higher, is a question?

42:17

The other thing that I wanted to point out was we also want to get your thoughts on latency. There are a number of you that are in really remote challenged locations, and you rely upon wireless-based services or satellite-based services. So you don't have fiber coming into your community, and you're using these other forms of wireless services in order to get your connections.

42:42

And so you're used to understanding and seeing that there may be a delay in the signal we use. That term is called latency.

42:49

And so, how would you look at the definition of latency to support real-time, interactive applications

42:56

from your perspective? Is there a baseline that we need to set there as some of you may be looking at satellite based or wireless based solutions as part of your application?

43:07

Again, what are those thresholds?

43:08

So, how can we ensure that the grant funds are prioritized to the unserved areas on tribal lands because, again, that's what the ask is.

43:17

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

43:22

And I'm going to just, we should have put comma dot, dot, dot and then also who certifies that, should the tribe self-certify, have you been involved in a certification process

43:34

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if others are claiming that they're serving your lands? What are those thresholds that would constitute unserved? Do you have a different definition in your community that you use already that could improve upon the way that we're looking at the needs?

43:51

And, again, making sure that there's an equitable component to what we're doing here for Indian Country. On to Topic Area five, record Reporting Requirements.

44:06

I can tell you guys right out the gate that the goal here is not to create something overly onerous and burdensome.

44:15

Sitting in, again, coming from a place where I've sat in the similar shoes, as many of you, I know that you are juggling. We know that you are juggling your enterprises. The community needs that you have the economic development needs that you have, the response to Covid.

44:30

You've got a lot on your plate, and, frankly, the last thing we want to do is create a program that adds more burden to you in the middle of, I'm sure, one of the more stressful times that you've ever had in the history of your tribes.

44:42

And so, what are things that you can share with us today that can improve and streamline the reporting requirements, while still also maintaining a level of accountability with the funds? right?

44:54

We still need to be able to report back that there is appropriate use of the funds.

44:58

Also, in this same vein, I do want to also raise another element of this, which is, how can we also use either the reporting or the application process to collect and identify what the real need is in Indian Country today?

45:14

There have been some great resources published that are out and about. I've heard a \$7 billion number floated about of the true need. I've heard I've heard a lot of different numbers and seen some statistics that support that.

45:27

However, what one of the goals I think we have here is to really use the application process to wrap our head around what the real need is.

45:35

If a billion dollars is not enough, then what is enough? Or at, least at the time, what does that look like?

45:42

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And, so, how can we use this as a way to also garner that feedback and really hear that directly from all of you?

45:50

And, again, no disrespect to any of the other parties that may be out there that have worked on this in the past.

45:54

But the goal for us is to hear directly from the tribes in addition to and the more data, the better, and understanding where the digital divide stops and starts.

46:05

So, I better read the bullet points. So, how can NTIA establish reporting requirements that are not overly burdensome but sufficiently inform the public on the use of the funds and how much more funds might be needed. So, again, not to be overly redundant. You guys get the point.

46:20

We're really looking again for that feedback.

46:22

So what recommendations do you have for us to be effective in that path?

46:29

So let's move on to topic area six.

46:32

All right. So do you have other input that you want to share that we might not have covered? And I couldn't get away with calling this open mic night, but really, everybody, what we're looking for here is, we know that we probably haven't covered everything that is on your list of concerns.

46:50

So, in addition to the topic areas, what else do you have that we need to be cognizant of for your tribe, for your community, and for this program, to be a success for you, and for others? Because, again, we need to be thinking about that as we develop this.

47:07

So, with that being said, we'll go ahead and go to the next slide. And I'll just go over again

47:14

a couple of housekeeping items. For those of you that are just joining us and if you didn't want to listen to the first few minutes or you're coming from another meeting, as I'm sure many of you are multitasking

47:26

we have the PowerPoint in the handout section on the GoToWebinar application

47:31

there is you see the handouts tab.

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47:34

There is also the information on the NTIA website

47:37

as well, if the PowerPoint is on there, if you want to follow along, or you want to use, go back, and look at some of the previous topics, topic details to provide your feedback.

47:49

But we are now going to go ahead and move into the conversation and dialogue component of this.

47:55

And, again, I'm going to remind everybody that this is a government-to-government consultation, and that when you introduce yourself, can you please say your name, your title, and the tribe that you're representing for all of the elected leaders that are going to be speaking. And I do ask that everybody allow the elected leaders to speak first.

48:17

And then, for those of you that, and I used to do this as a former tribal leader myself, sometimes I wasn't the subject matter expert, and I would delegate that over to an individual that really had the context,

48:31

going into a little bit more detail.

48:33

So for those of you that may be speaking on behalf of your chairperson or your tribe, or your tribe's leadership, I just ask that you give your name, your title, and your tribe, and make it very clear that you have the permission to speak on their behalf.

48:47

Again, with the intent here, to maintain a government-to-government dialogue, between the United States government and our trustees across Indian Country.

48:57

So with that, Laura, if you can go over the housekeeping components on the dial-in. I know it's star six. But you do such a better job at it than me watching you.

49:09

You probably need a sip of water and to rest your voice just a minute.

49:13

Very good.

49:14

So, as Adam said, we're going to move to the government-to-government dialogue section now and we'll be welcoming comments and input from tribal leaders or tribal representatives as he explained.

49:29

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I will ask that folks use the hand raise function in GoToWebinar, and I do see that we have, gosh, four or five folks, lots popping up in the section. And I'll try to give you a little bit of a heads up ahead of that. And then we'll unmute your line.

49:49

And if you are on audio, we will have to unmute all of the lines in order for audio-only participants to speak, and then you will have to individually dial or press star six to specifically unmute your line.

50:11

So, I know that's a lot. We'll keep coming back to it, especially as we get to names or areas if

50:18

we don't hear folks on the line.

50:21

And I do want to recognize if she is still on.

50:28

Chairwoman Malerba if she has comments and thank you again for providing the invocation for opening our session.

50:39

I know that you have had a number of comments on this issue and again, very much appreciate your providing the kind words in the invocation and welcome your comments to open the government-to-government dialogue.

50:58

Terrific.

50:59

I thank you so very much for recognizing me.

51:02

I am going to be speaking on behalf of the United South and Eastern Tribes Sovereignty Protection Fund, and that is an organization that represents 33 tribes from Maine down through Florida and over to Texas.

51:16

So, as the Secretary, I'm pleased to provide this opportunity to provide recommendations to NTIA

51:23

[inaudible] for the award and implementation of the Broadband Connectivity Grant Program, and we did submit written comments with specific concerns and recommendations. I'm just going to cover them briefly.

51:37

First, we think the program has a mandate to award funds on an equitable basis, but in awarding those funds

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we want to remind NTIA, that one size fits all does not fit for tribal governments in Indian Country, especially for our member tribes, because there's so much diversity.

52:00

The allocation of program funds, we believe, should not be done on a competitive basis. The program was established by Congress to specifically target broadband deficiencies that exist in Indian country.

52:11

These deficiencies as you've said have been exacerbated by the COVID-19 pandemic.

52:17

And so we don't believe that competitive processes will result in equitable distribution to tribal nations.

52:22

We strongly recommend that any type of formula allocation be determined by tribal nations as a result of these consultations, and that there is a Set Minimum Funding Award to ensure that smaller tribal nations have access. We strongly urge that there is not a matching fund requirement on Tribal Nations,

52:42

since this program was established specifically in response to the COVID-19 pandemic. We believe that tribal nations should not be subject to burdensome administrative requirements for the use of these funds, including application reporting, audit, and other types of compliance requirements. And we believe that any reporting requirements, mandated by law, must be streamlined, and only the minimum required so that tribal nations may continue to focus on broadband deployment and addressing the Covid crisis rather than on paperwork.

53:13

We also recommend that tribal nations be allowed to access program funds for use in multi-phase broadband projects because we know that there are tribal nations that need support to plan for and build comprehensive broadband networks regardless of their current, access and capabilities.

53:32

Third, our most serious concern in our comments was regarding NTIA's questions on streamlining historic environmental and cultural review processes. We believe these review processes should not be streamlined or bypassed without the tribal nation's consent. It is very important to most of our member tribes. And then, finally, we would ask that you defer to tribal nations for any datasets or measures used in funding allocations including identifying tribal homelands that are underserved, or unserved by high-speed broadband. The tribal nations themselves should be the final arbiters of these measures and should be empowered to challenge any federal data sets, including those on broadband connectivity such as the National Broadband Maps of the FCC and any existing census data.

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54:23

These maps and datasets are incomplete, and in many instances, inaccurate regarding the levels of broadband service on tribal homelands. Historically, those maps and data sets have been used against tribal nations to exclude our eligibility to federal broadband funding. And we don't want these actions to continue to be repeated. And I know that there are many other comments so I will leave my comments there, but I appreciate the consultation, and I appreciate the opportunity to provide these comments. Thank you so very much.

54:53

Thank you, Chief Malerba.

54:55

And just before you hop off, I just wanted to make sure that we heard you correctly.

54:59

So if you don't mind, you made a very clear statement about the award's being looked at from an equitable basis and that it's not one size fits all. So we hear you loud and clear.

55:14

You'd mentioned that, non-compete based upon the intentions of the law to address Covid response, digital divide challenges.

55:22

You had also made a comment about a formula looking at a hybrid.

55:27

So thank you for that feedback the suggestion of a hybrid of both the formula, but also having a set minimum.

55:35

The no match, I actually believe, I actually believe you're the first person in three days of tribal consultation that has brought up that topic. So we hear you on the no match, and I'm assuming that's founded in the intent of the legislation as a response relief package.

55:52

Plus we have great policy people working on these things for us.

55:58

Absolutely. In your response to the Application. I just put in my notes "KISS."

56:02

Don't make it overly burdensome.

56:05

And so you also brought up the access via accessing the dollars in an application process to consider multi-phased that, you know, tribes may which is an interesting point, know, if there's a way that we can look at this program to bring tribes along in the process. That maybe, maybe, you need to do some planning first. Right.

56:25

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OK, and then on the consent side of things, just to make sure I'm really clear on this.

56:32

That, that really, I mean, nobody should, in your opinion, nobody should be doing anything related to applications or coverage without the approval of the tribe in whatever format that is.

Correct.

56:43

So, many times datasets are used that we would challenge, based on our experience, because not every tribe participates in every federal program. And so, the data that you may be using, maybe old data or [inaudible]

56:57

we may be able to share with you that there are some accuracy issues there. And it's not that people intentionally do that. But it's just that tribes are the best ones to tell you exactly know what dataset works and if that dataset is reliable. So thank you for that.

57:14

Understood. And I think you just rounded out the last

57:17

thing I wanted to confirm which was, tribes being able to set their own definitions of unserved or validating that coverage because of the concerns about the FCC maps and other resources that are out there that tribes don't agree with. So I just want to make sure that I captured it correctly and I again want to thank you for the invocation this morning and your comments.

57:40

And I appreciate being able to do both. Thank you so very much for holding this.

57:45

Thank you. Thanks. Thanks to everyone. Have a great rest of your day.

57:48

Thank you and you too.

57:50

All right, Laura, let's go ahead and we'll move on to the next speaker, please.

57:57

Absolutely.

57:58

So, I have Melvinjohn Ashue. I apologize if I've misspoken the pronunciation.

58:08

I'll let you say on behalf of the Hoh Indian tribe. If you'll give me one second, I will be unmuting you and let you introduce yourself, your title, and the tribe that you're speaking on behalf of.

58:24

And your line is open.

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58:27

Thank you. You got it right my name is Melvinjohn Ashue. Good morning. On behalf of the Hoh tribe, I want to thank you for hosting these consultation sessions. We appreciate the agency's efforts to conduct meaningful consultation before finalizing requirements for the Tribal Broadband Program.

58:45

My name is Melvinjohn Ashue a representative of the Hoh Tribe.

58:49

Just a second here, just pulling up my points here.

58:55

The Hoh Tribe is located in the north-west Coast on the Olympic Peninsula of Washington State.

59:00

Our reservation at the mouth of the Hoh River is densely forested with creeks, beaches, and pristine wilderness areas.

59:07

The area is also home to one of the largest temperate rainforests in the country, and we receive an average of 140 inches of rain annually.

59:16

The tribe cherishes the unspoiled beauty of the traditional homeland but recognize that the landscape in undeveloped areas in climate make infrastructure projects extremely difficult.

59:29

These challenges have left our area without a modern terrestrial high speed broadband connection.

59:35

We are currently working with local public utility districts to do feasibility and engineering studies into building out broadband.

59:43

In order to achieve an equitable distribution, NTIA should develop funding criteria that look at a range of factors in order to ensure tribal projects are examining and recruit objectively.

59:56

Need: the primary basis for distribution should be based on need. Need is multi-faceted determination, which should include health and safety, existing infrastructure, location density, and economic considerations.

1:00:12

NTIA should also allow for maximum flexibility in the types of projects that the grant will fund and not require matching requirements which have historically capped economically disadvantaged tribes from being awarded Federal grants.

1:00:28

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Thank you again, and we look forward to working with Commerce on building out broadband in our area.

1:00:36

Well, thank you, Mr. Ashue and for joining, and I think a lot of people have seen some of the incredible work that you're doing up in the northwest region.

1:00:47

And I want to thank you for your comments.

1:00:51

Absolutely recognize the geographic challenges that your tribe in particular faces with the variety of climate and topography issues that are out there.

1:01:02

I just want to make sure your thoughts are correct and loud and clear on making sure that projects that, the feasibility of those projects are correct, and that we're funding things that are going to be successful. Is that, essentially, the intent of that, of your comment, there?

1:01:20

I just wanted to make sure I got some clarification around that.

1:01:23

So the goal from your feedback is making sure that we're not just things that [inaudible].

1:01:35

I'm sorry, I didn't get your whole question.

1:01:39

Sure, so you'd mentioned making sure that in the application process, that, as we review projects that we're looking to fund that the feasibility of those projects is really analyzed.

1:01:54

I was hoping you could just give me a little bit more in terms of when you're saying, for us to review and look at the feasibility of those projects.

1:02:01

I'm hoping you could expand a little bit more on what your thoughts are on what needs in your mind, what would make a project eligible or feasible? Like, what are key components or things that you think we should be thinking about that need to be there in order for us to be funding these things?

1:02:29

Yes, OK. Go ahead. Sorry.

1:02:35

So, if I'm [inaudible] right, I believe it's mostly, if so, area select Hoh Tribe doesn't have an alternate internet service provider. We have one service provider and that's it.

1:02:51

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We know that there are other tribal nations that have a couple of different options to choose from, not to say they shouldn't get it, but it does mean as far as tribal nations without any service, they should kind of be put up to the top where we don't have any other option to go through if that's what I'm understanding correctly.

1:03:17

OK, all right, and again, I just wanted to get some clarification on that because we're going to be using these comments and consultation as a basis to [inaudible] the NOFO. And so I just wanted to make sure I heard you clearly on the concern.

1:03:35

Additionally, you had mentioned some evaluation criteria based on need, and you had mentioned health, location, and economics as some of those criteria.

1:03:47

So in your mind, is it your position that we should be

1:03:53

We should be really looking at an application that checks multiple boxes, because I think that kind of ties back to what are the eligible uses of the funds.

1:04:03

But you kind of put it in a way that said, well, if we're going to build a program, that program should be all encompassing that looks at health, location, and the economics that are going to be generated from those items. I think you had education in there as well.

1:04:18

So I just wanted to make sure I was understanding in terms of the evaluation of need, the criteria from your perspective that you think we should be looking at.

1:04:31

Yeah, and I think, I don't think if you can't check off those boxes, you shouldn't get funded.

1:04:38

But also, if we can check off as many of those boxes as possible for the funding to kind of bump [inaudible] get bumped to the top or get funded.

1:04:54

More specifically, to cover the health and safety or the education aspects of it.

1:05:01

We do have, you know, some Internet access.

1:05:06

But when most of our members can't even do, you know, do the classes, I think it was brought up on the different Webinars on where kids were not being counted as present because of the amount of times they were being kicked off. So, then we have that same issue.

1:05:26

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So, the same thing with testing, if there's any online testing that they were required to do, they would time out before the test was even completed. So they would get an F or a 0 because it was not completed completely.

1:05:42

So, just making sure that like you said, having a 25 minimum, but that should also go towards latency as well, to be able to acquire, make sure that there's enough service to be able to do a test, or to be able to do a Zoom or even

1:06:04

have a decent conversation with the health representative.

1:06:07

I think you bring up a good point Mr. Ashue about the 25/3, and it being sustained.

1:06:15

So when you made your comment about the latency element of it, just because you, and I just want to make sure I'm understanding you correctly, just because the network may hit 25/3 at any given moment during the day

1:06:27

it sounds to me like what you're saying is that it needs to be a sustained 25/3, so as more kids get on, or you have your telehealth, that it's a sustainment of 25/3, not necessarily you can hit it at any given time.

1:06:42

Is that kind of what you were getting at? I just want to make sure I was understanding you correctly.

1:06:47

Yeah, that's exactly what I was talking about.

1:06:52

Our current ISP, or you know, previous ISP

1:06:54

you get this much service. I think in the whole reservation there was like three megabytes per second but at any given time, you're not even going above one megabyte per second.

1:07:09

So we're ranging definitely between point three and point seven, which isn't even close to what you were being charged for. And ideally, it should be if you're telling us three megabytes it should be at the very minimum three megabytes.

1:07:26

So.

1:07:28

Perfect.

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1:07:29

Well, Mr. Ashue, I want to thank you again for your time and your feedback and your comments, and, again, for those of you that are going to speak, I am going to ask that we have everybody make their way through and get comments. But also, as we get closer to the end of the day, if there's something that comes up, or you see an important point that you want to come back. And feel free to also raise your hand as well, like, this isn't I'm only going to listen to you once. Or, we're only going to hear from you once that, the goal really here is to make sure we give everybody an opportunity to share.

1:07:58

And if there's more ideas that come out of that that you want to share in a second round, we're going to absolutely entertain that today.

1:08:05

So, again, thank you for your time, feedback, comments.

1:08:09

You guys are doing some incredible stuff up there and appreciate you sharing your perspective. Thank you.

1:08:16

All right, Laura, All right.

1:08:18

Yes, I just for a heads-up, I have the next three, so that you'll know. [inaudible] Chairwoman Andrews-Maltais, I believe.

1:08:30

I'll let you pronounce it correctly when we unmute Glen Gobin second after the Chairwoman and Jana Ganion.

1:08:41

So I will go ahead and Chairwoman Andrews-Maltais, unmute your line.

1:08:51

Chairwoman should be live. Thank you. This is Chairwoman Andrews-Maltais calling from the Wampanoag Tribe of Gay Head Aquinnah in Massachusetts. I'd like to thank you for hosting this today. And through this series of consultations, it's, heartening and very encouraging to be able to be here and have the opportunity to share our thoughts and ideas and perspectives and concerns. Also, I'd like to thank Chief Malerba from the Mohegan tribe for that wonderful invocation. Some of the points I'm going to be reiterating, I'm sure, but we're looking at equal distribution for tribes.

1:09:31

And that is one of the most important things that we find that a lot of the agencies do miss. And, as Chief Malerba said, all tribes should be getting some level of base funding because all tribes are in need no matter where their locations are within the lower 48, Alaska, and Hawaii.

1:09:52

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And one of the issues that we have uniquely in the East is that if you were to look at it, it does not seem like the East has a need. Well, that couldn't be more from the truth. We live on Martha's Vineyard.

1:10:04

However, we do not have fiber optics. We are constantly impacted by weather conditions. So if it's too cold, too hot, rains too much, snows too much, we lose power connectivity and everything else.

1:10:17

So, what we're looking for is really as much equity as possible. Maybe looking at with that formula, to take 50% and equally allocated amongst all the tribes as a base. And then use the other 50% weighted for those tribes that have unique situations or higher challenges that they need to face.

1:10:37

And within that flexibility, you can go from being able to plan all the way up to implementation, however it is, and also to ensure that this is just the start of funding. Because, as we know, we have a lot of well-meaning programs that are implemented in through the federal program, in the federal system.

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However, we get started, but then the funding runs out.

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Then we have to stop all of that forward motion, so we want to make sure that it's sustainable as well.

1:11:05

The other thing we want, I wanted to mention is that, with the base funding, the tribes would be able to utilize and implement what they need to.

1:11:13

I was also really heartened to hear that there is consideration for tribal historic preservation offices and ensuring that that is clear that there are line items in those budgets that are afforded to those THPO offices to do their critical important work for the identification, protection, and preservation of sacred sites, ceremonial sites, and other cultural sites that need to be protected within our tribal lands, and also getting to and from our tribal lands for that connectivity.

1:11:45

The other thing I wanted to mention is that, and I agree with Chief Malerba that it should not be competitive.

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We should be looking at these as the need throughout Indian country, as it was expected.

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And, once again, maximum flexibility, essentially embracing the concept of executive order [inaudible] 13175 section six to implement and empower the tribes.

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If we determine something is necessary, then we need to be able to do that and work with any federal agency to embrace that, to provide those waivers, and/or understand and accept our policies, procedures, and guidance.

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We'd also like to reiterate zero match Unlike municipalities, states, and other governmental entities, we do not have tax spaces. So, whenever there is a match, it's an additional burden on the tribes. You have to take money away from one pot to

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put it in another.

1:12:37

And I'd also like to reinforce tribal data is the only accurate data.

1:12:42

We're constantly being misrepresented, mischaracterized, and miscounted in all of these formula distributions because of the incorrect or obsolete data

1:12:53

that is constantly being applied to tribes. Lastly, I just want to thank you again. And if anything does come up, I will certainly raise my hand again. But in the interest of time and brevity, which is not me, I just want to make sure that we are able to really impress upon the need for flexibility.

1:13:10

Because, like we said, if we were to look at what appears to be on a map, we in the East should be covered redundantly, we have one carrier and landlines. So we'd like to get away from that as much as possible. Although we have some abilities for other accessibility

1:13:29

it does not get through to our community. The tribal offices are one thing, but our community is something different. Our community is dispersed outside of our tribal lands as well, and that's another consideration that we have to worry about in the East

1:13:42

because far, far less people can live on tribal lands, and particularly when your cost of living is 133%.

1:13:51

You know, it's very difficult to keep people in a destination tourist resort where everybody lives on expendable income, from the uber wealthy. So thank you very much for your time, this consultation, and your consideration.

1:14:05

Thank you so much, Chairwoman.

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1:14:07

Before you go, I did have a couple questions, and then I just wanted to re-affirm and comment on it.

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The first thing I just wanted to make sure that I understood correctly was that, you spoke very passionately about there being some sort of an equitable distribution, irrespective of formula because of just the fact that there is a need. So everybody should get something.

1:14:33

And what that looks like, you didn't offer a dollar amount and I won't put you on the spot to do that, but I just wanted to say that we heard you on that, that I understood you correctly, correct?

1:14:42

That's what you were getting at.

1:14:45

Thank you. Yes.

1:14:47

In fact, what I was saying is that, you know, the allocation that Congress has set aside, taking a percentage of that and you generally find that, you know, if you take 50% of the allocation that Congress provides that gives a good, a good considerable amount for tribes to be able to work with.

1:15:06

And then the other portion would be for those weighted areas of tribes

1:15:10

that have those unique situations that, you know. This is going to be a start, but it's certainly not going to get them there, and others will, it'll get them where they need to be but also allow them the ability to look forecast and now actually plan further down the road for what their expanded needs would be.

1:15:27

And we've used that pretty successfully in a couple of other lump sum allocations to the tribes. In one of the things that, you know, I felt very strongly about is when they do that, it almost pits the tribes to compete against each other, which is why we do not like competitive grants. Tribes should not be fighting with each other for the same dollars, so, therefore, it levels the playing field with one respect in that everybody gets something and feels whole to a certain extent [inaudible]

1:15:53

Then, the other portion goes to where those unique challenges in the financial challenges, like you have up in Alaska, or those large land-based tribes, that simply do not have the ability to connect in 10, 15 miles. They are talking 200 miles; it's a significant difference than for us in the East to connect.

1:16:12

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So, those are the types of considerations that we want to make sure that are brought into the decision-making process for additional monies.

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But also not to leave any tribe out because every tribe is suffering from it where no matter where they might live, you know, because the families are the ones that suffer.

1:16:31

That makes absolute sense, and I appreciate you providing that feedback and clarification.

1:16:37

And, again, I think, you know, part of this, you may be wondering why you're a former tribal leader Adam, don't you get it? I absolutely understand what you're saying.

1:16:43

And part of, again, the process is just making sure that others that may not have heard these words before, or that may be reading this transcript later, understand where you're coming from on behalf of

Absolutely.

Out on Martha's Vineyard.

1:16:58

I mean, you did bring up, I think, another interesting piece to this, which is self-certification and frustration. You had mentioned only having one carrier option, and they don't really seem to be, at least from your feedback.

1:17:10

It didn't seem as though they were meeting the needs, the connectivity needs of the tribe.

1:17:15

And you also mentioned the challenges of those that are off reservation that you're wanting to serve as well because I imagine that you didn't get all of Martha's Vineyard when your land was allocated. So you have a segment of your membership, it's living off reservation.

1:17:33

I did hear that.

1:17:34

And one of the questions that I have for you is, do you see this as an opportunity for your tribe to become your own internet service provider, and are you looking to compete against them, or are you looking to use this as an opportunity to partner with your local carrier?

1:17:51

Because that is one of the things that we're kind of trying to wrap our head around, is how many tribes are just so frustrated that they want to go do their own thing because the need hasn't been met? Or how many tribes are we working with that? They see an opportunity for partnership

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with the local carriers in their area and they want to foster that relationship.

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Where do you see yourself in that? Or maybe there's another box that I didn't mention.

1:18:15

Well, ours is a little bit different where with, because we're such a small tribe and we have minimum capacity, it would be hard for us.

1:18:24

One of the things that stuck out when I was in the office in other capacities was, I had asked for fiber optics and I said we're a government, we have money to pay. There was a program back in the early 2000s, to help tribes get connected to fiber optics. And the company just kind of laughed and said it's never going to happen.

1:18:42

You know, it's going to be too expensive to bring it up to that end of the island not going to happen, you know.

1:18:46

So at that point, it was kind of, we've been doing workarounds, but we're looking to have our own. I don't think we have the capacity, the capability to because the 2.5 Megahertz, all those spectrums are all taken up. And, in fact, they've taken up redundantly.

1:19:03

It's just that not everybody wants to be on the island providing services.

1:19:08

So it's a very big monopoly with regard to things.

1:19:12

So, the company that does provide services here at that end of the island specifically. We've got the one.

1:19:19

And so, therefore, you know, we've worked well with them. And we've done some workarounds, but again, those workarounds have been mainly in the office.

1:19:27

We've got boosters and everything else, you know, short of having our own dish on the roof to be able to drive to drive consistency,

1:19:37

consistent connectivity, but as I mentioned, if it gets too rainy or too windy, or too hot, we're out of communication.? And then we have to wait until it subsides, or we have to figure out or wait for them to come up and

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fix it, and then we're back online again. And I certainly appreciate and understand. There are tribes that don't have any and empathize fully with the students that are trying to do a test

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1:20:04

and they run out. Oh my goodness, I couldn't think of anything worse. It's stressful enough.

1:20:07

And then they have to deal with that, and while it wasn't an issue for us through all these years, because we're closer.

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However, now, with our student's tele-education,

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now, our individual family members are facing that same challenge that the other tribes, the other tribal children, have been facing in the more remote locations.

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So I think that you, Chairwoman,

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I think you highlight just the depth and breadth of the need that's out there, that everybody really is in a different space even when there is access,

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accessibility. Sometimes it isn't necessarily the access that's creating the divide.

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There's other barriers.

1:20:46

And I think another thing that I caught in your feedback just now was the fact that that you were not eligible for the 2.5, because the spectrum was already licensed in your region.

1:20:56

And so, as you explored that, it wasn't an option for you.

1:20:59

And so, you see this as an alternative. This funding mechanism is an alternative way to still address those connectivity needs. Did I hear that correctly?

1:21:08

Yeah. If it's something that we can, you know, be able to apply that in, because we have to be creative. We're very unique, on an actual island, you can't drive of course. You have to take a boat or plane.

1:21:20

And we get our electricity and everything else from the big old cable in the ocean.

1:21:24

You know, so we have different challenges.

1:21:27

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But every tribe's uniqueness has their own set of challenges in building and the flexibility within this program to be able to meet those challenges with the parameters, being that it is for the connectivity of your tribal members in your tribal community to be able to have the expectation of consistent and good quality Internet connectivity and accessibility.

1:21:56

Well said.1:21:58

Thank you so much, Chairwoman, for entertaining some of my questions and just clarification. And, again, it's to help educate, I think, everybody on the line each time we're having these sessions. It's good to hear from where the tribes are at in this space.

1:22:14

And I really want to thank you for giving your perspective and your thoughts today during the consultation. So, thank you so much for your feedback. And, again, if you have other ideas, please pop back on.

1:22:24

But thank you,

Thank you very much. And I've been on the other side, too, as an advisor. So, I appreciate the work and the efforts that you're putting in. Thank you, have a great afternoon.

1:22:36

Thank you, Chairwoman.

1:22:37

All right, Laura. I didn't write down the next name.

That's fine. No worries, I'm trying to give people the heads up. So it looks like Jana Ganion [lowered her hand. So I've taken you off the list. I have Glen Gobin next. Then Jeremy Yepa, if I'm pronouncing that right, and Mark Springer.

1:23:00

So Mr. Gobin, I'll be opening up your line.

1:23:07

And Mr. Gobin, if you could give us your name, title, and the tribe that you're speaking on behalf of, your line is open.

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We can't hear you. So I don't know if you're on the phone; you may also need to dial star six

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as we cannot hear you.

1:23:45

Let's give him just a minute.

1:23:49

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And if not, then, Mr. Yepa, we'll go ahead and open up your line, and I'll ask Mr. Gobin if he can type something into the question session, and I'll try to get back to you that way.

1:24:08

All right.

1:24:12

Jeremy Yepa, your line should be open now.

1:24:19

Good afternoon. My name is Jeremy Yepa. I am the IT Director representing the Pueblo of Tesuque in New Mexico.

1:24:27

First off, I would just like to thank NTIA for hosting the consultation session and working to ensure that the tribal broadband program is reflecting the needs of Indian Country.

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Just to give you a brief background, Pueblo Tesuque is 1 of 19 Pueblos in New Mexico.

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We're 1 of 8 Pueblos in northern New Mexico located seven miles

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North of Santa Fe. Pretty much our landscape consists of higher elevation, high desert, pinyon juniper. We do have some parcels up in the Sangre de Cristo Mountains, which are composed of mixed conifer.

1:25:09

It presents a unique situation, whereas there are some providers here that use satellites, but because of the unique landscape, some of our residents are, most of our residents, aren't able to get good service.

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The tribe is also part of the Ready Net Network, which was a

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middle mile provider that was developed under the American Recovery and Reinvestment Act several years back.

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It covers a bit of northern New Mexico, however, the potential of the broadband network has yet to be realized as most of our homes here on our reservation are not connected to the network.

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We hope to be able to connect all the homes so that our members have full access to education, economic, and health care opportunities.

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The tribe was also awarded our 2.5 gigahertz spectrum license, and we will also need resources and technical assistance in order to fully deploy that network.

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And as you've heard on these calls, you know, there's no one size fits all to close the digital divide in Indian Country.

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So we urge that, to allow flexibility in that each tribe can use the funds in the most effective manner.

1:26:47

In terms of ensuring equity, we urge the agency to prioritize rural areas in those areas that struggle economically.

1:26:55

Pretty much, that's it in a nutshell. Thank you again and we look forward to working with Commerce on building our internet infrastructure at the Pueblo Tesuque.

1:27:06

Thank you, Mr. Yepa I've been to Tesuque before They are just north of Santa Fe and you guys have a beautiful community. Congratulations on the somewhat new gaming operation that you guys were able to launch.

1:27:23

I know everybody always focuses on gaming; you guys have a rich culture as well, and I just want to share with you that I've been to Tesuque before, and you have a beautiful community.

Thank you.

1:27:36

I love northern New Mexico. And so, I think, you brought up a couple of comments here that I just want to make sure that I captured.

1:27:44

So, Ready Net, I've actually been to the pop site in Espanola before and had a chance to tour that and I can absolutely understand it and, first off, I guess I should congratulate the work of the tribes in order to start the process of bringing network connectivity to the Pueblos.

1:28:01

And I think that you're a great example of where tribes may have started in the process, but need another pot of money to finish, or take it to that next phase in your plan

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1:28:14

and so is one of your priorities, I hear, is making sure that connectivity to the homes is something that you want to see as a priority through all of this.

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But I do have a question with regards to where you possibly see the Pueblos, at least in the in the Ready Net Consortium

1:28:35

in the application process and maybe you guys aren't at a point to share today, but I will ask. Do you see each individual Pueblo or maybe Tesuque in particular, applying individually? Or do you see an application

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kind of coming in, jointly amongst the Pueblos as a consortium?

1:28:55

Have you guys' kind of thought about how you're going to approach that?

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And what I'm getting at is, if you're seeing two separate apps, if we see two applications coming in, one that maybe some of the tribes are supporting through Ready Net and then maybe two Tesuque sent a separate application and individually, how would we treat that?

1:29:15

And that's kind of what I was, where I'm going with this is what, where are you guys thinking about your application? Or what are those considerations? And then how would you recommend us looking at that?

1:29:28

If we have an individual Pueblo application, but then, the Pueblo also may be part of a consortium that is going to be applying as well.

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So wondering if you had any thoughts that you may be able to share with us on that Mr. Yepa, [inaudible] and, if not, understandable, too.

1:29:43

I can appreciate that as well, but I thought I'd ask.

1:29:46

OK, that's a good question on the Readiness

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Consortium is a multi-jurisdictional entity. So that includes non-native entities as well.

1:29:58

It includes the City of Espanola and three of the local counties.

1:30:04

So I think that we decided that we were going to look at this individually as tribes and pursue funding as individual tribes.

Understood, that's helpful.

1:30:20

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And then the other question that I wanted to ask you was that, if you're looking at an individual deployment, are you looking at both lighting up your 2.5 and running fiber, or, I guess, I'm kind of wondering, where do you see the 2.5 component in your overall planning process?

1:30:42

I think we're kind of looking at the 2.5 kind of as a bridge to actually obtaining the actual fiber to each home. I mean if we could expand the fiber network, you know, that would be ideal.

1:31:01

But right now, I think, you know, our main concern is, utilizing either network to be able to provide connectivity to the community.

On the fiber side,

1:31:17

I'm going to just ask an environmental question because it's definitely relevant when you're talking about structures that go back to the 1500s

1:31:26

in the Pueblos. Do you see fiber as something that would be adopted or accepted by the communities that you're in?

1:31:36

Because I know how sensitive, especially when you start going into the old village locations, do you see fiber being a reality given the historic nature and the environmental and cultural elements?

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Or do you see fiber going to a certain location

1:31:53

and then, using point to point

1:31:56

or microwave or radio solutions with the 2.5 in order to actually get the service to the community members?

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Actually, the fiber build-out is actually one of the top priorities for the Pueblo government.

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There is fiber currently to the main village, which is the traditional village. And it terminates at meet me points.

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It is from that point that we wish to expand to the homes and the pathway to each home is already, there's a pathway of disturbed land, so getting the cultural assessment and all of that doesn't seem to be a big hurdle.

1:32:42

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OK, that's helpful, and I, again, I want to thank you Mr. Yepa for the feedback. I heard you loud and clear on the urgency of flexibility with the way that we're going to implement the NOFO

1:32:57

or develop it and then absolutely heard you on your concerns about the economics and taking the economics of the tribe into consideration as an area of assessment in terms of priority and an unmet need. So I heard you loud and clear on that.

1:33:14

Is there anything else you wanted to add before we wrap up the comments section with yourself?

1:33:21

No, I just wanted to thank you again for, you know, the consultation.

1:33:25

And, we appreciate it very much.

1:33:29

Absolutely. And thank you. And the Pueblo of Tesuque for the time today and providing your feedback, thank you.

1:33:37

Thank you, have a great afternoon.

You too.

Thanks.

1:33:41

All right, Adam.

1:33:42

I'm going to try again and see if I can unmute and if we can hear Mr. Glen Gobin.

1:33:57

Hello, can you hear me?

1:33:58

Yes.

We can now.

I need greater bandwidth to train me how to use this technology that we have here.

1:34:10

Alright.

Mr. Gobin, if you could, your name, your title, and the tribe you represent, and thank you for the joke, it's good,

Well, good afternoon or good morning, depending on where you're at.

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1:34:24

My name is Glenn Gobin.. I'm the Vice Chairman of Tulalip Tribes in Washington State.

1:34:30

And I want to thank you for the opportunity just to share a few comments that we have on this program.

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And none of these are in any particular order. And I want to make another statement, though, that I am certainly not the expert on this issue.

1:34:43

But I've seen much changes in our tribe through the years and understand the need within the Act.

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It describes tribal lands to be served and provides for funding of services that are near adjacent or contiguous areas to the reservation where financial assistance and social service programs are delivered to Indians. This is an important statement.

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And we strongly urge you to require each application, submit a tribal resolution from a tribal government or Alaska Native village that ensures that the monies are, in fact, going to be spent in Native communities.

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In terms of equitable distribution, this, we believe, should be based on need as well.

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Needs should take into consideration of tribes who are providing government services to their members, and no money should be given to any organization that isn't going to provide direct way to Native communities.

1:35:49

A process needs to be established that you ensure through some mechanism that ensures that the money is going where it's intended.

1:36:03

Now, and so, you talked about it briefly in your explanation, but we do see it challenging to spend by the deadline of December 21.

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And so

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that's going to be challenging given that we're still in a hearing process.

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And we're in February of this year already

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coupled with the fact that the supply chain interruption that has been, we see as a result of Covid, has been having major impacts across the board, on all aspects of trying to get and receive services or get materials. So, this is going to be very challenging. So I'm hoping that you'll be able to advocate for a change in that or provide for an extended deadline

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

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We generally support this but ask you to take into consideration tribes like Tulalip.

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Through the years, our tribal leadership has invested in providing a fiber optic ring around our reservation. It took away dollars from service programs that were needed elsewhere.

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But we looked to the future and saw the need of our membership to

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go into this new technology way of learning and access to

1:37:32

the outside world, basically, and function in that manner, and invested in that.

1:37:38

But it came at a huge cost to us. Because we have that, we still have not been able to put that herringbone or fishbone network through the reservation to provide that same service to all of our members that are out there or the isolated communities. So we still have a need in those areas.

1:37:59

And so, and then even in some of those areas where we can't go, some of them are being provided by the old network providers, the telephone companies, the old hard wire system that does not support the new technology.

1:38:16

So even if there's unserved areas, we have underserved areas as well and ask that you take that into consideration.

1:38:29

We don't think necessarily that shovel projects should be prioritized.

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Many tribes haven't started projects because they don't have funding.

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This grant funding will allow them to start down this road.

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If, however, this funding is seen as one funding pool, that multiple applications could be funded through, you may want to look at multiple applications from the tribe to be considered on a rolling basis.

1:39:00

As, for example, a tribe may apply for a feasibility grant that should start and finish within 60 days, then apply for a technical assistance grant to complete engineering and planning, followed by a final deployment grant. So long as there are funds, all applications sent should be considered reviewed and potentially funded.

1:39:24

Too many times that we find access to a number of grant programs that allow us to study projects only

1:39:31

to be left sitting on the shelf because there's never enough funding left to complete the project that you spent the study to study the project.

1:39:41

So a way to try and ensure that once you are receiving funding, you have the ability to finish a project to actually fulfill the needs of the membership.

1:39:52

We support and recommend that applications for funding that address job creation, training, and digital literacy

1:39:59

be awarded additional points, as long as it doesn't penalize tribal applications that don't have these components.

1:40:09

Again, at Tulalip, we've already invested our own money towards these efforts, but still have those unserved areas and even areas that are being served because of Covid.

1:40:26

They have increased bandwidth pressure.

1:40:29

So, like has been brought up, the ability for children to access and stay online, to complete their schooling for the day sometimes gets challenging.

1:40:40

When you have multiple people accessing those lines, the bandwidth capability becomes challenging, even in my own home, when my grandkids come over, and they're trying to do their schoolwork.

1:40:51

And I'm on Zoom, and I'm doing tribal leader meetings, and it gets very challenging because of interruptions that continually take place.

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1:41:03

So, the application needs to fit the need of the tribe in a global perspective, and not be limited to a single project, and not be limited to just residential, but also for economic opportunities.

1:41:18

I just wanted to finish off by saying that every tribe has need, no matter what level or where they're at in this process. Every tribe has need and should be able to receive funding to start to address that need

1:41:32

they have if they are to continue to improve upon what what's already in place in the census classification that designates reservations.

1:41:44

In our case, one half, literally, one half of our reservation is designated as urban, the other half is designated as rural.

1:41:53

And so, this is always a stumbling block across many of the federal programs using that census classification. And tribal data

1:42:03

needs to be used in determining these factors

1:42:08

In a checkerboard reservation when you have many non-members living, non-Indians living on reservations, they're counted in the census portion of that population data, but we're not necessarily servicing them. We're trying to service our membership and meet their needs to keep them up to speed, as this world continues to grow around us.

1:42:29

So thank you for the time, and our ability to share these comments.

1:42:35

Well, Mr. Vice Chair Gobin I wanted to thank you for your comments on behalf of Tulalip.

1:42:48

As a side note, you have one of the most beautiful tribal administration buildings I've ever walked into.

1:42:59

You have an incredible view and such beautiful lands up there in the northwest, and, I want to, just hat's off to the all the work that you've done with the fiber ring as a starting point in your community.

1:43:12

But, obviously, that still isn't enough.

1:43:14

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So, just to recap that I understood your comments, you started talking about a requirement of a tribal resolution as a standard to meet to ensure that the dollars are going to those that are going to directly serve the community.

1:43:31

And that you're, you want to make sure that we're very cognizant of that. So, I heard that loud and clear.

1:43:35

And we definitely have that noted. You also stipulated a concern about the timeline within the statute and I would say that we would echo and understand your concern.

1:43:49

I don't know anybody that's ever completed a construction project in 12 months when the standard is 18 to 24. And in this space, it's typically been longer than that. So, we hear you on that concern as well. I also think you pointed out an interesting piece to that, which is even if all the stars aligned for this process, you still have access to supply chain issue that you're working within and trying to address as well.

1:44:17

And so, duly noted as another reason that you've raised with this.

1:44:22

It goes just beyond, it's not just the timeline issue.

1:44:26

In terms of construction, it's the lead time for the items. That is a very relevant consideration being that it doesn't matter what you order right now due to Covid.

1:44:37

It's 's a delay so we hear you loud and clear there.

1:44:41

You talked about the delineation of unserved versus served areas in your community and underserved.

1:44:49

And I think that gets back to an earlier comment that we heard about, just because it may at any given point in the day, get 25/3

1:44:57

doesn't mean it's sustained at 25/3 and it gave the example that you're getting on a tribal leader call and then your grandchildren or children are trying to do homework and now that network speed comes down because you're both on it and it's a bandwidth issue. And so we hear that.

1:45:14

You also talked about, I'm looking at adding points, the evaluation process for those. So not penalizing anybody.

1:45:23

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But I think you bring up a good concept around looking at education training. And digital literacy is some of those foundations where if applications are addressing those items that we should look to. Maybe add additional points for those that have gone the extra mile, especially with the education component and the workforce development and training that you had mentioned.

1:45:47

Then lastly, in terms of self-certification of what is served or isn't served or what's rural or what's urban.

1:45:54

The way I understood what you were saying, Mr. Vice Chairman, is that, ignore all of that, and listen to what the tribe is going to say, in terms of self-certification, because, you know where, you know, where the service is and isn't. And those that may think they do, don't. And so while the census may be good, in some ways, in your particular instance, it doesn't encapsulate

1:46:16

the nuances of your tribe. You brought up checkerboard as an example, and other spaces.

1:46:21

So, I just wanted to make sure that I heard your comments and concerns correctly. I just want to validate that with you. And make sure that I didn't misunderstand anything.

1:46:30

So, did I capture that?

1:46:33

Yes, you did pretty well. The fact that the dollars are intended to help tribes service their communities.

1:46:43

So you should be using that data that encapsulates that, not necessarily, the non-Indian population. The tribe has needs and are trying to service that. So, use the tribe's data to make some of these determinations of what's rural and what's urban.

1:47:01

Understood.

1:47:03

Is that, Mr. Vice Chairman, before we move on, is there any other comments or thoughts you might have before we move on to the next speaker?

1:47:13

Well, I probably have many, but I'll hold off for a while. But, and thank you for taking the time and come and visiting our facility and for your comments.

1:47:21

Oh, absolutely. It's one of the joys that I've that—

1:47:24

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I've been, frankly, had a privilege to do working in my other capacity to go see a lot of the communities that I see on the line today, and it's been a blessing to do that. So thank you for allowing me over. And enjoy the rest of your afternoon if I don't hear from you anymore. Thank you.

1:47:41

Take care.

1:47:43

All right, Laura.

1:47:47

Yes, I'm here. I've got quite a few on the line.

1:47:50

So, as a heads up, I've got next up there, Mark Springer and Myron Lizer.

1:47:57

Cynthia Toop. What was the first name, Laura, I'm sorry?

1:48:02

Mark Springer.

1:48:06

And I'm just trying to let folks know that I see that because there's quite a bit of activity. And, again, if I'm not calling your name and you have a question, feel free to ping me in the question box and I'll try to let you know where I've got you in the lineup next

1:48:23

I've got you in the lineup, but I've got Mark Springer next, Myron Lizer, Cynthia Toop,

1:48:32

and Terri Parton,

1:48:34

Parton.

1:48:35

So, give me a minute.

1:48:40

I'm sorry. And then I also have Tyson Johnston after that.

1:48:44

So, Mr. Springer.

1:48:48

Your line should be open now.

1:48:51

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OK, thank you. Good morning, my name's Mark Springer, I'm the Executive Director of the Orutsararmiut Native Council in Bethel, Alaska, where it's a balmy 36 degrees just in time for our Husky 300 Sled Dog race this afternoon. We ought to chalk it up for this consultation and to Chief Malerba

1:49:10

for her invocation. It's always important to start meetings, especially meetings like this, where we're talking about the future with words to the Creator.

1:49:23

ONC is a federally recognized tribe in Bethel, Alaska, which is a community of about 6000.

1:49:30

We have a tribal enrollment north of 3000, and growing, between 1500-1700 of those tribal members reside here in Bethel.

1:49:43

The challenges of just good Internet access in rural Alaska, as I'm sure many of you know, has gone from insurmountable to still very steep. Here in Western Alaska and most of rural Alaska, were served by one carrier.

1:50:07

That carrier is unregulated by our state commission.

1:50:13

The majority of their revenue[inaudible], is E rate and Rural Health Corporation funding from the FCC and their delivery is mixed.

1:50:27

It's fiber optic cable, Anchorage, and across Cook Inlet, then on to a local network

1:50:38

that extends deep into Western Alaska called TERRA

1:50:45

The consumer pays a very high price for nothing near either unlimited Internet service or 25/3 Here in Bethel, we have 10/3 so we are unserved as is most of rural Alaska.

1:51:03

I agree with everything everybody has said so far, especially [inaudible] about no matching cost. Thank you very much. We knew that 100%, particularly in light of the fact, that I don't think there will be any indirect allowed on this. There may be hope [inaudible].

1:51:30

I also agree with the Vice Chairman's comments about, possibly, a three-tiered system of funding.

1:51:41

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I was hoping that I chatted in the last comments that funds should be allowed to be for hardware and/or engineering, and particularly to allow tribes. And we are one of them that have received a 2.5 Gigahertz Spectrum License.

1:51:58

And there are quite a few in Alaska now that have. We need to be able to implement delivery through that spectrum, over the course of the next few years. Otherwise, we're going to lose it.

1:52:10

And I think we know that spectrum is very valuable. I hope that the NOFO will recognize that many tribes have 2.5

1:52:20

Gigahertz Spectrum licenses, allowing loss while at broadband speeds.

1:52:25

Again, the principal constraint is getting that broadband in the middle mile to us and to the communities.

1:52:38

Let me just look here really quick, we're very excited about[inaudible]

1:52:46

half a billion there and dividing it equally among tribes, who have got a commitment to use it, would be okay. Let's have some competitive component to this.

1:53:02

I hope that, again, there'll be a recognition that we have places that have got a mixed carriage situation in getting the bandwidth actually into communities.

1:53:15

[inaudible] Here in Bethel our last mile currently uses cable modem and in other copper, DSL.

1:53:21

Even for even for commercial users, there's some fiber but not many of the institutional users are

1:53:29

necessarily on the fiber.

1:53:30

I am kind of excited about the idea of cable landing stations.

1:53:36

We are looking, we do have some domestic submarine cable in Alaska now on the North Slope, the slope running down into the Nome area.

1:53:49

We do have in Western Alaska and on the Aleutians, some locations would also be amenable to having landing stations.

1:53:58

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And if in the NOFO the best thing that can be done there, is in maybe just offering development funding for cable landing stations carrier neutral without a time limit on when they would have to connect. Because it could be, you know, five years, 10 years, maybe less, that we have some of that.

1:54:20

So that new cable coming that way.

1:54:22

But I think it's very important that tribes, in particular, have the opportunity to develop that really super critical infrastructure. The more landing stations

1:54:33

we have in Alaska, you know, the easier it's going to be to get that broadband around.

1:54:42

Another component that has been touched on is the critical importance to both economic development and workforce development.

1:54:50

So I just want to finish up with one of my favorite quotes about the Internet, it's from Pekka Tarjanne who was the Secretary General of the International Telecommunications Union from 1989 to 1999. He said the information economy is built on the three most abundant resources on Earth: Sand, Air, and Human brainpower.

1:55:18

And, you know, we all have that. Our brain power is equally distributed.

1:55:29

We have enormous opportunities to develop our youth into the information economy, especially out here in Western Alaska, where, you know, they certainly live in in the digital age, but they don't participate in it from an economic standpoint except their parents paying to get that access. So, I'll leave it at that. I appreciate this opportunity and we'll be happy to answer any questions you have. And certainly look forward to that NOFO coming up.

1:56:05

No, absolutely, Mr. Springer, I do.

1:56:07

I want to say, thank you for bringing, I think, an Alaskan perspective to the dialogue, at the very least.

1:56:15

You unpacked a lot there, and I think everybody realizes, I mean, frankly, we could easily spend the entire billion dollars in Alaska.

1:56:22

We probably wouldn't solve even half the problem.

1:56:27

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But, recognizing that Alaska is complex and that some of the more traditional solutions that we see in the lower 48, sometimes just aren't feasible based on topography.

1:56:39

And you mentioned a lot of things. You mentioned microwaved shots.

1:56:43

You had mentioned some of the fiber opportunities.

1:56:45

But you also mentioned the oceanic cable landing stations as well.

1:56:51

And I think the question that I have for you and maybe others that are on the line from the Alaskan contingency

1:57:02

is there a dialogue going on about partnership, or how you can leverage each other's resources? You do a lot of things and consortiums up in Alaska.

1:57:13

And so, I guess, do you have any recommendations for us

1:57:18

if we see maybe a particular village that submits an application, but they may also be part of a larger consortium that has an application coming in.

1:57:27

How do we prioritize that? Or do you even see that as something from what you're hearing

1:57:33

from those that you engage with in Alaska? I guess that's my first question and then I want to recapture some [inaudible] on the other items, but I think that's the biggest question I have for you.

1:57:45

Sure. Sure. Thank you. Yes.

1:57:48

You know, the 2.5 gigahertz spectrum licenses are big leverage. They are real big leverage. We have a couple of firms here in Alaska

1:57:57

they're putting up a geosynchronous satellite, and they're investing in a very significant, very significant Earth station in Takotna, and we've already started talking to them about the possibility of partnering.

1:58:13

And as far as consortia go, yes, particularly in light of the fact that the eligible entities include Alaska Native corporations and Native organizations.

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1:58:22

So, we could see, I wouldn't be surprised to see, some of our regional health corporations applying for this in cooperation, in consortium with surrounding villages to try to reduce their costs. Let me just tell you.

1:58:40

The school district here in Bethel pays \$60,000 a month to get 12 megabytes to each village site.

1:58:53

So, I think there's going to be some consortia opportunities. Each region has got a strong nonprofit that represents the villages in various ways and does compacting with and for them. So, I think that I wouldn't have any problem in seeing

1:59:12

a consortia opportunity recognition points in the NOFO. You know, we wouldn't consider that to be, you know, competitive impediment for our applications, if we weren't going to join in. But, yeah, we have small villages that do have the 2.5 gigahertz licenses and have huge needs. So, yes, I think, I think recognition of consortia would

1:59:39

be very advantageous for us.

1:59:42

OK, I appreciate your feedback on that because that's just the reality of what we're going to be fielding or potentially fielding through this application process.

1:59:52

And so, I think you offered a helpful suggestion around the consideration of, again, I can hear everybody saying it in the feedback so far. Don't penalize others. But if there is a way to maybe add some additional points for consideration

2:00:07

when you're looking into the consortium's or, you know, check all the boxes, education, health, digital equity, workforce training.

2:00:16

It's kind of like, the more you can check those boxes, maybe, the more we look at that as a more, not necessarily complete application.

2:00:23

But we're getting, more from that to help weigh the weight, the considerations.

2:00:28

So that's really helpful.

2:00:30

You also mentioned the larger barriers. The larger barriers to connectivity being middle mile, which absolutely is, I think, we all can see that based on the geography of Alaska.

2:00:41

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But I wanted to pick your brain about something else related to the other critical infrastructure that is often needed to support these types of networks.

2:00:51

And that is power.

2:00:53

And I'm coming at it from a firsthand experience that I had landing on a bush plane out in Kodiak at the village of Akhiok.

2:01:02

I'm saying it wrong Akhiok, my friends from Alaska. I know I'm going to get e-mails, forgive me.

2:01:08

Got it. You got it.

I got it, OK.

2:01:11

And I remember coming into the village and the first comment that was made to me, I started talking about broadband opportunities and my mind was so far past.

2:01:21

You know, I'm thinking about broadband, that I didn't stop to realize that a lot of the villages were running on generators.

2:01:27

And so, the concern that came up in that village was, we're all about trying to figure out how to bring broadband, but what does that do to power infrastructure, because if one more person floods their phone and the whole village goes black?

2:01:38

And so, I guess my other question is really related to, you know, what's your take on other critical infrastructure needed to support the deployment of broadband?

2:01:49

How do you view that as part of your application or how would you like us to view that as part of your application process?

2:01:57

Sure.

2:01:58

This situation, the electrical situation, certainly is not as dire as that. On the carriage from Anchorage to Western Alaska and other places, you know, it's a mountain top repeater site. They get refueled every year, critical infrastructure. There's the helicopter.

2:02:21

The impact because we've already got, you know, the principal carrier here in the state that is

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2:02:29

deployed around rural Alaska.

2:02:33

You know, they've got cell phone stations and microwave repeaters in just about every village right up and down the Kuskokwim River where they're able to get up and down the Yukon. There are some places where it's just a bridge too far.

2:02:56

But, you know, the critical infrastructure is really, it's really the human resources.

2:03:01

You know, you can put in some fairly simple infrastructure.

2:03:06

We got a demonstration of that here, back in I want to say maybe 2003, 2004.

2:03:15

A fellow by the name of Jim Stevens, who's a, an entrepreneur in Alaska came out and

2:03:22

he built out a wireless Internet distribution network here in Bethel and had wireless service available.

2:03:31

You could go around, and everybody had this piece of pipe hanging [inaudible]

2:03:36

on a little white box on the top of their house, and as I recall, those are kind of mesh systems.

2:03:43

So, he had an earth station in town and a single antenna and pushing it out to the farthest regions of Bethel.

2:03:51

So, we know that you can do some effective things with just a few people working on it.

2:03:58

But, you know, the human resource is part of the part of the infrastructure, the management of a system, especially, if it's going to be a consortia thing. You know, you want to develop it so that you're continuing to develop that

2:04:15

technology workforce, the business backend.

2:04:20

But, as far as non-existent infrastructure, it's really the last mile part.

2:04:32

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So, because, if we go, for example, if we go with the company I was mentioning, they would have, you know, an earth station here, we'd have to live with a little bit of latency, but they say it would be fast.

2:04:45

They say that would be what the big carriers are bringing in terrestrially.

2:04:49

And that's great, you know, so understood.

2:04:54

Well, Mr. Springer I want to thank you for just indulging me there and the others on the NTIA team for

2:05:02

getting a little bit of a deeper dive into some of these issues.

2:05:07

And I just want to thank you for your participation and the suggestions that you've offered

2:05:11

in terms of the distribution, in terms of how we look at the allocation of funds in an equitable way based upon need, you definitely made that very clear. And then also, having flexibility with the time constraints, as well. And then the self-certification component that you've raised

2:05:30

which, I see, it seems to be a thread, or an undertone of all the tribal leaders and representative's comments today. So, I want to thank you for your time and your feedback today. Thank you.

2:05:43

Well, thank you.

2:05:44

Not a problem.

2:05:46

All right, Laura.

2:05:47

Let's the next, please.

2:05:51

All right, so, right now, I have Myron Lizer, and then Cynthia Toop and Terri Parton, and

2:06:01

Tyson Johnston. Give me a second, and Mr. Lizer, I will unmute your line.

Go ahead.

2:06:12

Alright, thank you.

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2:06:15

Hello, from the great Navajo Nation Window Rock, Arizona. Thank you. Appreciate that.

2:06:23

On behalf of the Navajo Nation, I am pleased to participate in today's tribal consultation to provide our comments and recommendations on the Tribal Broadband Connectivity Program.

2:06:34

I am the Vice President of the Navajo Nation, and it's so great to be able to contribute and to be a part of this. But we are in receipt of the Dear Honorable Tribal Leader letter dated on February 2, 2021, from the National Telecommunications and Information Administration, NTIA. And we are concerned that the last virtual tribal consultation session is being held today with written comments due yesterday, on February 11, 2021, at 6:00 PM Eastern Standard Time.

2:07:09

This will have a detrimental effect on tribal governments and other stakeholders who want to submit or update their written comments based on what we learned today

2:07:19

in today's virtual session.

2:07:21

Please extend the written deadline for written comments to February 12th of this year, at 11:59 Eastern Standard Time. And so, I guess before I proceed, I just need confirmation that written comments received today will be recorded.

2:07:42

[inaudible]Mr. Vice President, thank you for joining, and thank you for pointing that out. Yes, for those of you that saw the Dear Tribal Leaders letter, I do want to apologize on behalf of the team at NTIA, for the confusion.

2:07:57

You're absolutely correct that we are going to be receiving comment through close of business today, and for those of you that may have that concern, know that we're going to be accepting those comments.

2:08:10

I know that Mr. Doug Kinkoph, who spoke earlier, the Associate Administrator for NTIA. I know he's going to work that in his closing comments, but thank you, Vice President, for bringing that up.

2:08:26

We are aware of it, and for those of you that have that concern, we're going to your point, and your recommendation, Mr. Vice President, to accepting feedback through the end of today.

2:08:38

And also understand that, the intent here is to not shut down the feedback. We do want to receive it. We do need to have a line in the sand at some point.

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2:08:47

More because of the timeline to get the NOFO out before the end of February, and we wanted to make sure that we had enough time to review the comments as well. But, to your point, well taken, we've got to make sure that we have all the consultations first before we close that window.

2:09:06

So, we hear you loud and clear and apologize for the confusion for everybody that's on the line around this topic. And, again, I know, Mr. Kinkoph will address this at the end, for those of you that may not heard this dialogue. So, thank you, Mr. Vice President, for raising the issue. And hopefully, that provides a satisfactory response at this time.

2:09:26

OK, thank you, Adam, I appreciate that. And so, I guess, at this time, otherwise, I'd have to read all five pages of it for you right now for the record.

2:09:37

No, understood.

2:09:39

Well, I was going to say, which I was definitely prepared to do, but, again, thank you. Very appreciative of that.

2:09:44

So, right now, I just wanted to highlight the equitable distribution, which a lot of our other tribal leaders will be enabled to allow, and it's very eloquently, but the phone connectivity and Internet access should be fundamental rights for all. I think we would all agree that to that an Indian country needs a lot of connectivity, but nowhere is that need greater than in remote

2:10:06

large land-based tribes like the Navajo Nation, where the majority of the population lives in widely dispersed communities that are served by Federal, tribal, and non-governmental agencies at facilities that still do not have access to broadband and/or struggle to provide broadband service plans that are that are very slow, expensive, and outdated.

2:10:29

And so, the Navajo Nation urges you to implement the one billion dollars by using a formula that reflects the intent of Congress to provide these funds where they are needed most.

2:10:39

A competitive process would only be counter to the intent of Congress, but it would also undermine the opportunity for tribal communities who need connectivity the most.

2:10:50

These are the very places Congress had in mind when they authorized these funds and whose people would be unfairly disadvantaged by a competitive grant process during a pandemic that is ravaging the most vulnerable and under-resourced among us.

2:11:05

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And so again, I'm very appreciative of all of that you do, Adam, and everybody at FirstNet and all those on this call here. This has been one of, just again, opportunity.

2:11:19

I also want to commend the other tribal leaders, what they do for their nations, bringing about the needs to our federal family, our congressional partner in the delegations there as well.

2:11:33

But the power in others, in our lives, which you are part of here for tribes, this is extremely important.

2:11:40

Meaningful tribal consultation seems to be the vernacular of the day, but what does that look like?

2:11:46

Relationships and recognition and the proverbial squeaky wheel gets the grease mentality. Here is certainly the theme. But I say that a strong relationship is the best mode of true partnership.

2:11:59

This combats the out of sight, out of mind, holding that most of us don't even know we miss.

2:12:05

My point here being is we appreciate you and this Tribal Broadband Connectivity Program opportunity to the utmost.

2:12:11

Real participation is one where we are able to influence those decision makers that will make the decisions for us and so, thank you for allowing the Navajo Nation and Tribal Nations

2:12:24

help you help us. So, with that, I think I'd like to close and thank you again, Adam, for all you do.

2:12:30

I want to also just before I, I guess, give it up here is the methodology.

2:12:37

I guess that we were kind of talking about the need, the percentage of structures lacking connectivity here on the nation 60% of those that need that.

2:12:49

When we're talking about or especially now in this pandemic, it has exposed the issues very greatly that we observe here on the Navajo Nation. Our K through 12 schools need enhanced and distance learning capability for over 83,000 students and our [inaudible] to colleges for 4000 post-secondary students here. Which is less than 10% of whom have to have access to a fixed internet. Somebody earlier made mention of having 25/3, and having that be sustained, I think, because you, Adam, reiterated that, but as more people get online at any given time, especially

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now we have telehealth, telemedicine, streaming. This is a vital way that our tribes put out real-time information through social media platforms.

2:13:44

And then all of those students that I just said, 83,000 plus and 4000 post-secondary students, all students taking classes online, you can imagine, we are bursting at the seams here of our capability right now.

2:13:59

Lastly, [inaudible] population. I think 20% of that should be put in consideration for the enrolled members. I guess that does kind of speak well of the Navajo Nation that we are, you know, are amongst the largest tribal and tribal enrolled. Tribes, federally recognized tribes, and then lastly land based, right. That should also be part of the proposed methodology going forward. So, again, Adam, I thank you for your time, and we will have this written submission here given to you later today.

2:14:42

Wonderful [inaudible] Mr. Vice President

2:14:45

and, again, I want to thank you for your comments.

2:14:49

I do have one question for you, and it's regarding how you see the nation in managing the application process. Right.

2:15:03

So, you had mentioned that you have two universities, you had mentioned the, you know, over 83,000 students, so there's clearly a large education component that you've raised as part of your comments.

2:15:16

So, do you anticipate the nation having one application that encompasses all of those areas of need or do you see bifurcated applications coming in?

2:15:27

Maybe one directly from the nation and then something separate from the colleges or the health arm of the tribe?

2:15:34

And, again, the reason I'm asking is because we're trying to balance how we prioritize in those instances where applications come in.

2:15:44

And maybe there's a duplication thing that we have to keep in mind.

2:15:49

And I want to be respectful of

2:15:50

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what the wishes of the tribes are, first and foremost. So, I'll pause there. And if you have a response, [inaudible] I understand that, too.

2:15:59

Well, for the order of things and for true, you know, unity here, we have our Washington office there in DC, and everything usually comes through and then goes out to our federal family and the Administration. So, we do want to, I guess, consolidate things as best we can but I know our BIE [inaudible] schools are also separate from us. And so, it may be a multi-faceted approach here, but knowing, I guess, maybe some constraints, I guess I speak to that. That you know what I said earlier about having the relationship. We are so huge, 27,000 square miles about the size of West Virginia in education, health. Oh my gosh, you know, we could go on and on and list for you all of the, I guess, known bottlenecks and known areas of where, you know, we could be segmented [inaudible].

2:16:57

When you talk about bifurcation, so, I again, I want to be able to give you a succinct answer here, our schools know what they most need and, you know, structurally, they are separate and apart from the mother government, if you will, so, as much as I want to say, we want to have one unified voice here from the Navajo Nation being so large, we do have those silos, so to speak.

2:17:24

So, we will try to mitigate the, you know, I guess at the risk of being segmented for your need and we know you're there to help roll out these resources, we wish to give you all of the information as best that we can.

Wonderful!

2:17:44

Well, Vice President, again, I want to thank you.

2:17:48

For those of you who haven't had a chance to meet Vice President Lizer or President Nez or see the Navajo Nation, again, it's been one of the largest joys in my career to be able to see so much of Indian Country.

2:18:01

And the Navajo Fair, if you've ever get a chance to go out and check it out is one of the coolest things that I've ever seen.

2:18:08

It's also a great opportunity to see where network connections

2:18:13

really have been pushed to the max, and where a small city, essentially, is congregates on Window Rock that just exacerbates those needs.

2:18:24

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So, I can only imagine what the pandemic has done to your network or network access and absolutely understand traveling from [inaudible]

2:18:33

all the way up to the Bennett Freeze region, the complexities that you are working with as a whole related to infrastructure, with access to water, and access to roads and access to power.

2:18:44

And so, I can appreciate, just know, Mr. Vice President, that you have somebody here that can appreciate the challenges that your community faces, as well as many of others that are on the line who may not be from Navajo, who are facing the same issues.

2:19:00

Know that we hear you loud and clear.

2:19:02

We know you're juggling a lot, and we're going to do our best to have a thoughtful program developed to meet the variety of needs, so I appreciate you giving your perspective on some formula suggestions and some distribution suggestions related to population need, land base, and we absolutely will take that into consideration, and I want to thank you again.

2:19:22

Thank you, Mr. Vice President.

2:19:24

Thank you, Adam.

2:19:27

Alright, well, Laura well, I should also say and thank you to the Navajo Nation, for joining us today.

2:19:35

Laura, if we could move on to the next speaker. This is great. We're doing good guys.

Yes, we are.

2:19:43

So, Cynthia Toop, if I'm saying it correctly, I am trying to make sure we can unmute the lines so that we are able to hear you.

2:20:00

Let's see, I think I have opened your line.

2:20:05

Yes, Hi, this is Cynthia.

You can hear me OK?

2:20:08

We can, Cynthia, if we can get your name, your title, and the tribe you're representing.

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Ok

2:20:15

Yesterday, a letter was sent from our chair and forwarded to NTIA so that I can represent the tribe in this consultation. My name is Cynthia Toop.

2:20:25

I'm the Shoalwater Bay Tribe Planning Department grant writer.

2:20:31

The Shoalwater Bay Tribe is located in a remote coastal area in Southwest Washington, and we have a membership of 450. I'm going to just go into a little bit about the situation here. We have geological hazards, that include sea level rise tsunami hazards, and [inaudible] I think, I have your frog, Adam, some Cascadia Subduction Zone. Currently the conditions forcing the relocation of the tribe is the erosion of the berm that currently protects the reservation. A declaration of a state of emergency was issued in December of 2019, and again in November of 2020, by the Tribal Chairwoman and Counsel, for the rapid erosion of the berm. The tribes are working on

2:21:26

relocation plans and recognized the need for planning and implementation of providing connectivity to the new relocation site. The site is just over 4000 acres in the hills that adjoin the reservation. Some of this land is in trust and the rest is in the process of being put into trust.

2:21:50

To that end the Shoalwater Bay Tribe respectfully requests that the following be taken into consideration. We're advocating for a two-tiered approach.

2:22:01

Tier one would consist of a standard formula rate for planning funds, and the minimum of \$100,000 to each applicant to plan for development.

2:22:12

Any funds not awarded under the Tier one allocation would then be moved to Tier two and Tier two, even though that wouldn't affect us right now. We would like to see a consistent weighted method of allocation for shovel ready or existing projects for the remaining amendment of funding. We understand that this funding may be open to other entities that support the advancement of tribal communities, such as tribal colleges, organizations, and corporations. But just for the sake of discussion, if all federally recognized tribes were to receive a standard allocation of \$100,000 for planning, it would still provide over 900 million for project funds.

2:23:00

So, the Tribe feels that this approach would not only help us to achieve our project readiness for future funding opportunities, but this method would benefit other tribes that are in the same stages as we are, and as well support the tribes that are implementing our infrastructure projects.

2:23:19

Thank you for taking this into consideration.

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2:23:23

No, no, absolutely, and thank you and the Shoalwater Bay Tribe out of Washington for providing your comments. And I do want to pick your brain for a second.

2:23:36

You had offered up a two-tier approach that that kind of was centered around,

2:23:41

you'd use the number of \$100,000 allocation related to planning.

2:23:47

If we were to take an approach like that, would you limit it to just planning?

2:23:53

And the example that I'm giving would be, there are some tribes that maybe have a plan, or the issue isn't, necessarily, access, it is affordability.

2:24:06

So, would you see there being a broader opportunity to look at, maybe, things beyond just planning, as long as it's maybe an eligible use of the funds?

2:24:16

Do you see that as something you would incorporate in that Tier one concept?

2:24:21

Because I hear you loud and clear on the second piece, which is, you know, save the money for infrastructure, because that's really the, it sounds like what you're saying, is solving the digital divide long term.

2:24:32

But the equitable portion that you brought up around, everybody, getting something, \$100,000. You know, how would you, would you broaden your understanding or use of those funds to all eligible activities, or would you just keep it to planning?

2:24:46

Well, I guess, you know, we were looking at it from our point of view that we needed to ensure that there's planning dollars so that we are ready in the future. I think, the tribe

2:25:00

definitely, you know. I hate to speak for them without them being on the phone.

2:25:05

But it's my sense that Shoalwater would certainly support anything that's going to help tribes in any of their endeavors.

2:25:17

We just wanted to make sure that there was a base amount that was set aside for planning.

2:25:24

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So, in the future, we would be eligible for some of these infrastructure funds, because, obviously, without a plan, you're not ready for that segment of a project. That's really what we were looking at.

2:25:44

That makes sense, and I appreciate the clarification, and the thoughtful suggestions that you've brought forward in terms of the tiers.

2:25:53

And I ended up, and you've probably heard some of the other dialogue today, I'm not sure if you were on the other discussions. But there does

2:26:01

seem to be a trend here of some sort of an allocation.

2:26:05

I mean, we've heard that loud and clear from those of you on the line today, of an upfront allocation of some kind.

2:26:10

And how we reach that number, whether it's formula or direct, seems to be what, at least, some are supporting today on the line.

2:26:18

And really looking at a multi-phased approach, so we hear you loud and clear on that.

2:26:23

I mean, I want to thank you and best of luck on the erosion issues. I can't imagine

2:26:28

what that has got to be like, going through some of the impacts that that is having to your tribe, and the environment, and even potentially cultural resources. So, I want to wish you

2:26:39

well, and good luck with that. And before we wind up, I just wanted to check back in. Is there anything else that you wanted to add to your comments or thoughts or point of clarification before we move on?

2:26:52

No, that's it. Thank you so much for your time.

2:26:56

Wonderful. Well, thank you.

2:26:58

Thank you, and again, thank you so much to the Shoalwater Bay Tribe out of Washington for your participation today. I want to thank you.

2:27:15

Great, thank you.

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2:27:17

All right Laura?

OK, next up, I have Terri Parton.

2:27:24

And then

2:27:27

then Nicole Borromeo,

2:27:32

and Carroll Onsa. I wanted to let everybody know that I've got you on the list, if I didn't call your name and you do have comments to add, please put them in the answer or the chat box.

2:27:49

But I'm going to unmute and make Terri Parton's line open.

2:27:56

You should be, why now?

2:27:59

Can you hear me?

2:28:01

Yes. Good afternoon. My name is Terri Parton and I'm president for the Wichita Affiliated Tribes in Southwest Oklahoma.

2:28:08

Our tribe has approximately 3400 tribal members, and I just had a few comments and then I want to just kind of concur with some of the other comments that were made. The Wichita Affiliated Tribes, with all this pandemic stuff and everything had never really looked at broadband or anything in this 2.5 gigahertz spectrum came up and we ended up applying for that. We just happened to have some people that were that were available to help us apply for that. Broadband is something that we wanted to get into, but didn't they don't have the expertise or anything. And so, we have the same people helped us get the BIA National Tribal Broadband Grant. So, we did a feasibility study and everything.

2:28:54

And then they did a presentation to us about the build-out and stuff and we realized we didn't have enough money or couldn't allocate that much money to building that out because it would take away from, you know, other resources and stuff. And so.

2:29:09

We take those steps are fixing to do a survey and we hope to be able to apply this grant that's coming up. And one of the things that we thought we would be able to do is apply for the USDA Reconnect grant but whenever we tried to look at applying for that, you had to have almost like a business entity set up to be able to apply for it. So, that hindered us and everything.

2:29:34

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And so, what we would recommend is that, so I've been on both ends where we've got things planned out now and we can be able to apply something.

2:29:44

But we also been on the part where we didn't know anything about broadband and so doing the feasibility study, I think there should be money set aside for people to do that.

2:29:54

I mean, that's very important to get an idea of what it's going to cost you to build things out. But there should also be a priority for those that have already gotten things planned out and are ready to go. It's just not being able to build it. When schools shut down and we tried to get people to go home

2:30:11

and telework, we didn't realize that we had so many people that didn't have access to internet. We've got the internet around, but even when they take the Mi-Fi boxes home, and you can only get one bar on there, and then you've got multiple kids or families, people in your family working, you can't operate off of that. And so, you know, we learn that whenever we shut down. The priority should be given to those that have applied for those 2.5 gigahertz licenses.

2:30:38

Because if we apply for them and we can't get the funding to do anything with them, then it's kind of pointless to have that license.

2:30:46

And then also to tribes that have showed dedicated interest to provide broadband to their tribes, a history of planning and infrastructure, and then, you know, that they've already got it.

2:30:58

You know that they've got it planned out, but again, I also see the need for the feasibility.

2:31:02

So having a layered application process where there's a certain amount given to those that need feasibility, or those that need the build-out or even beyond that. I think that's important. Chief Malerba mentioned not having matching funds and the non-compete. I totally agree with that and not making the application overly burdensome, because that determines [inaudible] a lot of the smaller tribes that don't have the resources to hire grant writers and stuff to not

2:31:28

apply for those fundings and they may not have the people around like us. We ended up getting consultants that help that are experts in that.

2:31:41

So, that helped., I know there was some mention about having joint applications or consortiums.

2:31:52

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I think it's very important that you get the tribes to submit a resolution or a letter of support to be part of those organizations that are applying on their behalf. Because a lot of times our people do not get served when they get those dollars

2:32:08

and/or they serve a certain group of people, and our people get left out.

2:32:15

I think that's probably all my comments at this time.

2:32:22

No. Why? Madam President.

2:32:25

I first just want to say, thank you for bringing an Oklahoma perspective.

2:32:30

I realize you're not speaking on behalf of all the tribes in Oklahoma, but you're one of the few that we've actually heard through the consultation process so far.

2:32:38

And I think that you bring up a couple of key considerations, and I just want to make sure that I captured them correctly.

2:32:46

You led your comments with pointing out that you have had real eligibility challenges with other funding mechanisms. In particular,

2:32:55

you had mentioned the USDA Reconnect program, and how there were some impediments or eligibility issues that you were faced, because it's set up, as you mentioned, more for entities that may have more of a business operation or separate entity to manage and take on those funds.

2:33:13

The second component that you had raised, as you talked about, it sounds like you're in agreement with this tier idea or having multiple buckets. So, you're not saying just put it all into one bucket, but you're saying there really needs to be some thought to

2:33:28

those that need feasibility work or planning to really think through what the right solution is to solving the digital divide and meeting them where they're at.

2:33:38

But at the same time, also setting aside a pot of money, or looking at a tiered approach to where, for those that have done the work, whether they are a large, or maybe, have more financial resources available or not, if they've done the work

2:33:54

and they have projects that are ready to go, that they shouldn't also be held back from being able to solve the digital divide challenges that they have.

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2:34:00

So, I heard you say that, and then you also mentioned that

2:34:05

some of the things that you're thinking about as a recipient of the 2.5

2:34:11

Window Allocation Spectrum that would help [inaudible] is that you have an intent in deploying those services, because you're seeing those impacts in your community, as you guys have gone to a Virtual Platform as a result of Covid.

2:34:24

So, I definitely have that as a point of consideration for the 2.5 elements and thinking about how that fits into this picture.

2:34:33

You echoed the comments of no match and a simple, keep it simple, application and reporting process, and then I think you also hit on one really important comment

2:34:46

that we've heard quite a bit, which is the concern that others may apply, on your behalf, and you not know about it,

2:34:55

and that concern is really housed, in that, then those services don't get to your community.

2:35:02

And so, just so did I capture your comments, correctly, or is there anything you wanted to clarify

2:35:09

President Parton before we move on?

2:35:14

No, you captured them. Thank you.

OK, wonderful, any other comments you have before we move on to the next?

2:35:22

No. Thank you.

2:35:24

Not a problem. Well, thank you for joining us today.

2:35:28

Alright.

Alright, so let's see Tyson Johnston, we have you up next time. Give me just a minute and I'll unmute your line and then Nicole Borromeo, I have you up next.

2:35:45

And, Mr. Johnston, your line should be open.

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2:35:50

Hello. Can you hear me, OK?

2:35:53

We can, Mr. Vice President, how are you today?

2:35:56

I am doing very good, thank you, Adam.

2:35:59

Not a problem. I'm happy to hear your voice.

2:36:02

Yes. Well, first off, thank you, Adam. All of our federal partners that are listening in today and I especially wanted to acknowledge our Chief, Lynn Malerba for opening this session in a good way.

2:36:14

I always love her leadership and her spirit when she opens these spaces. It's very important that we do that, so I raise my hands to her. I also want to commend the many tribal leaders for their important advocacy today.

2:36:28

And all the testimony that's occurred up to this point concurs with many of these comments.

2:36:33

And it is very powerful when our tribal leaders are able to gather, especially in these uncertain times that we all face.

2:36:42

My name is Tyson Johnston. I'm the Vice President of the Quinault Indian Nation.

2:36:46

We're located in the southwestern coast of Washington State. These last 10 years we've made significant investment in increasing our capacity in-house and as well as building out our own broadband network and infrastructure to better serve our communities.

2:37:02

You've heard really strong testimony today and it's the same for Quinault that this pandemic and even prior to the pandemic, there's been systematic inequality and lack of infrastructure to properly support tribal nations for everything under the sun -

2:37:19

proper medical care, emergency management, education, etc.

2:37:25

We're a very rural located nation. And so, these issues are especially important to us.

2:37:30

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And that's why we've really, you know, have tried to champion owning and operating and developing our own infrastructure as kind of, another cornerstone of our sovereignty.

2:37:41

Today, I made comments previously and earlier in the week and today I want to kind of underscore some additional comments, particularly around eligible uses, unserved areas and one item of additional feedback.

2:37:55

And so, just getting started, the language of the Act, and Section 905 C5, [inaudible] it supports the intent for the program to be principally utilized for broadband infrastructure deployment, including support for the establishment of carrier neutral submarine cable landing stations.

2:38:15

Quinault is advocating that NTIA consider the deployment of program guidance specific to the broadband infrastructure deployment

2:38:23

and the establishment of carrier neutral submarine cable landing stations and taking into account the relevant potential cable's industry demand, ability of the applicant to complete the project quickly, and capacity of the project to produce sustainable revenue.

2:38:39

Carrier neutral submarine cable landing stations are the only project type that are specifically referenced in the Act.

2:38:46

In order for all the other eligible uses that, you know, this program can be used for, this infrastructure is necessary to stand those up.

2:38:54

It supplies a huge pipeline of bandwidth at a global and regional scale, 250 terabytes per second, three times the data of the entire catalog of the Library of Congress per second.

2:39:08

Partnership with private industry is essential to make this happen. I mentioned earlier in the week, you know Quinault is one of the few tribes that has adjudicated treaty rights to the ocean itself. And so, we're very interested in actively developing opportunities in this industry.

2:39:23

And we've learned from our work so far that we must take into account industries, timelines, and what's needed to make their respective business cases, because of the large investment that's required in connecting different countries together. Tribal participation in this industry from what we could see, so far, would be a global first, tribes transitioning from customer to provider. We view that as a component of data sovereignty.

2:39:51

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Prioritizing tribally owned and operated submarine cable landing stations allows for tribes to transition, make that transition, but also allows us to provide Internet to, not only ourselves, but the non-native populations in the rural parts of the counties that we occupy on a significant scale that's economically efficient.

2:40:14

Specifically, carrier neutral submarine cable landing stations will finally have given us the ability to secure our own data and access issues going forward, and ensures secure broadband access is provided to countless unserved households that are currently left out of the mix.

2:40:33

Moving on next, on the topic of unserved areas for tribal lands and unserved households, we are asking that NTIA facilitate tribes being able to exercise their sovereignty and self-determination to self-certify the extent to which the proposed project serves underserved tribal land.

2:40:55

The use of the service provider maps as previously discussed to determine the underserved areas in our view, is unacceptable and would arbitrarily exclude tribal lands that are currently underserved.

2:41:08

The private sector has effectively claimed and divided tribal lands, which we're kind of coining as a modern-day digital land grab without actually being required to provide meaningful service in many of these areas that are so desperately underserved.

2:41:25

We're going to also make requests to our tribal partners on the line that we seek a separate tribal consultation with the FCC on this issue, if necessary.

2:41:35

It would really be a tragedy in my mind if 100 plus tribes were arbitrarily excluded from accessing these funds, just because companies like AT&T, or Verizon, Space-X, or other major telecoms were given rights on tribal lands without our knowledge or express consent.

2:41:54

NTIA must reject the service provider maps and Federal Government data which purports to demonstrate the unserved households. The Service Provider Maps and Federal Government data that outlines these areas, populations, and households are really prohibitively inaccurate. The maps were created without any tribal input of consultation with tribal governments

2:42:19

in the first instance, this alone renders these maps created without any consultation and in a complete absence of free, prior, and informed consent useless.

2:42:30

Further, they provide an inaccurate portrayal of actual services being provided to tribal citizens and communities, and I believe that's been stated by several others prior to me today.

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2:42:40

This inaccurate data has continually inhibited tribal development and broadband services and their use here, would significantly exasperate the digital divide facing Native communities.

2:42:51

Tribes must not be cut out from eligibility to even seek funds, just because Comcast or some other provider got funds on the World

2:42:59

Digital Opportunity Fund Map on Tribal lands, RDOC maps, and other similar census data. We're advocating that that be shelved with respect to tribes until 2024.

2:43:11

This will allow tribes a window of opportunity to access and utilize the funds as intended by Congress through a self-certification process.

2:43:19

The nation strongly urges NTIA to allow an applicant tribal government to self-certify the unserved households that will be served by a proposed project with its own data and maps.

2:43:31

Tribes that are sovereign governments are in the best position to be able to identify their own unserved households.

2:43:38

Further, we're asking that we shouldn't limit middle mile development, especially if it's necessary to support future last mile deployment

2:43:47

even if the project only results in a hub or meet me point on tribal lands, with no current last mile solution to the homes. Tribes need the opportunity to explore the best last mile solutions mesh networks point to point or fiber to deal with checkerboard or other infrastructure barriers.

2:44:05

Tribes can't be expected to invest in the last mile solutions in the absence of any viable middle mile solution when there's no viable pipe in place to support the last mile of deployment.

2:44:16

This should include all impacted households as the Act

2:44:19

dictates and should not be limited to tribal members or households on tribal lands only, you know, arbitrarily fencing us in, through these geographic line making, don't limit it to tribal lands or construction location. They need to really consider the end result of the entire resulting network.

2:44:41

I guess, to close on some additional feedback, we wanted to raise a point about preventing duplication.

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2:44:48

We believe this cannot be interpreted solely as the equivalent to the RDOF. Clear language and intent of Congress contradicts this interpretation.

2:44:58

The eligible service area and Covered Broadband Project is specifically never used by the Act.

2:45:05

Duplication even, is never defined by the Act and is only really referenced once from our analysis. So, moving forward, this shouldn't be an extremely narrow interpretation tied to the recipient entity and not the census areas.

2:45:22

Finally, Quinault also concurs with the suggestion that authorizing resolutions of tribal governments accompany applications for this resource.

2:45:31

I really want to thank everybody for providing all these opportunities. I'm supported by a really great team and staff. At home, I'm no mean means an expert on these issues.

2:45:41

But we have a lot of people here that are working hard to not only create better infrastructure for Quinault Indian nation, but really supporting our region and our treaty area. So, thank you for this opportunity to speak and I'm open to taking any questions or for clarifications [inaudible].

2:46:01

Well, thank you, Mr. Vice President, and I do want to thank you for your attention to the topic.

2:46:07

You have attended all three of these consultations and, again, I want to just send my appreciation for the amount of feedback that you provided, because you've hit on a lot of really important points. You started with making sure that we understood the importance and gravity of what an oceanic landing station means to the Quinault Tribe.

2:46:37

But you also coupled that with a basic fundamental principle that without the 250 terabytes per second capabilities of what those cables are able to do, you don't have the larger middle mile access components.

2:46:53

So, you I think the way I understood it as you view those landing stations as a critical key Nationwide to solving the broadband and digital divide issues. Did I hear that correctly? That's how I understood you teed it up.

2:47:17

Might be trying to come off of mute.

2:47:23

Well, while we're working on the mute issue. Additionally...

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I'm unmuted, I'm sorry.

2:47:32

It's literally the word of the pandemic I think at this point. It happens every day, multiple times a day. Go for it. Just let me respond to your point. I got muted by accident. I don't know how that happened but, no, you're absolutely correct. This infrastructure is essential to supporting a lot of these other projects and innovations that tribes are considering for their homelands. And so, that's definitely the point that we're trying to make in our kind of work that we've done here in our region. The last cables to really land in Washington State, have last been built in back in the late 1990s, early two 2000s. And so, the infrastructure, you know, once it's permitted and connected and built, really have short lifespans and in the grand scheme of things like, these are, we're looking at 25-year cycles. And so, in Washington, or approaching the life end of a lot of these existing cables, and in addition to, you know, the necessity for more because of the higher need that exists in today's day and age. So that's exactly the point that Quinault Nation is trying to emphasize.

2:48:37

Perfect, I'm glad I understood that correctly. And, again, and thank you for validating that at home in terms of the, again, for the record [inaudible] consultation today.

2:48:49

You know, you [inaudible] a couple of the treaty rights that you had mentioned.

2:48:52

We hear you loud and clear on your concerns related to the self-certification of the unserved areas that you take issue with,

2:49:02

the current FCC maps, as you don't feel that they represent accurate coverage and you mentioned, in part, because those are provided by the carriers and not necessarily certified or validated by the tribes.

2:49:16

You also mentioned the interest to consult with the FCC.

2:49:20

Obviously, we're not the FCC, as I know you understand, but I can appreciate why you shared that today as well because it does come back to the mapping issue, the duplication issue.

2:49:33

You also offered some considerations around RDOF and holding off until 2024 for using some of that information to allow the infrastructure that's currently in the pipe to be built out or using some of those determinants.

2:49:46

You also mentioned not limiting the middle mile solutions.

2:49:52

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And I'm hoping that you could expand upon that a little bit.

2:49:55

I'm assuming that what you're getting at is, you know, if you're bringing this landing station, into Quinault you clearly want to be able to then take the fiber off of Quinault and start serving those that maybe have not been served by other carriers despite maps or other things.

2:50:11

So, I'm assuming that that is really what you're getting at, when you're talking about not limiting the middle mile deployment, but I'm hoping maybe you could give me just a little bit more in terms of a better understanding if I'm misunderstanding or clarifying that a little bit more on the middle mile.

2:50:32

Did we put you back on mute again by accident? Let's see.

2:50:36

Someone keeps muting me. So, I keep saying that [inaudible] I'm speaking and I'm losing my train of thought. I'm sorry but, yes, that is where we're coming from.

2:50:48

This funding amount, you know, I think you referenced it earlier, I don't know if there's an accurate figure that's out there. But, you know, the need of Indian country and the need of the United States is going to far exceed, you know, what's been allocated. And so, if we are only limiting ourselves to, you know, the last mile type of construction, it doesn't give us the opportunity to develop our infrastructure and, you know, finish that later, whether it's through public private partnership or through tribal resources in the future.

2:51:18

So, that's why we're kind of asking to, you know, make sure there's flexibility for that as much as possible.

2:51:29

I'm sorry.

2:51:31

No, that's fine. I think that, again, I just wanted to get clarification on what you meant by that.

2:51:39

Because it's, you know, your intent, from my understanding, is not to be limited to just the last mile, but to take the infrastructure off the reservation in order to serve potentially other tribal communities as well.

2:51:54

So, that, makes a lot of sense, and I appreciate your feedback there.

2:51:59

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And then you also, I think your final comment had to do with tying the funds to the recipients, in particular, and making sure that we have that as funding priority, which comes back-to-back the self-certification or validation that we're not applying the funds on your behalf

2:52:19

without your, not even knowledge, but consent or approval.

2:52:26

Is there anything else, Mr. Vice President that you wanted to share to maybe correct my understanding or to add to the conversation before

2:52:34

we move to the next speaker?

2:52:36

I think just kind of going back to your last question for further clarification, you know, the argument of, you know, last mile versus middle mile projects.

2:52:47

We just don't want to have that limitation be in place and be used to discount the number of unserved homes and communities that the solution impacts. So, that's more where we're coming from, I guess, for further context. We want to not have that be discounted because of, you know, the potential impact that on projects middle of the road could help and develop in the future.

2:53:14

Understood.

2:53:16

Well, thank you for the clarification.

2:53:19

Again, Mr. Vice President, and from the Quinault Nation, for your feedback today. And I mean, frankly, your input from the last three sessions, it's been very helpful.

2:53:29

So, I just, again, want to thank you for your time. And as always, feel free to add additional comments that you may have.

2:53:35

And then you're welcome to jump on later [inaudible].

Thank you very much.

2:53:43

All right, Laura OK, so I'm trying to keep track of a few things.

2:53:50

One is that earlier Chairwoman Norma Contreras had her hand up. And I want to be sure that I didn't somehow overlook you or that somehow your hand was inadvertently taken down.

2:54:11

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I'm not quite sure how to find out if that were the case or not.

2:54:17

The list that I currently have in keeping track is Nicole Borrromeo, Carrol Onsaе, and Jana Ganion.

2:54:30

Then I had Augustine Fernandes, Charles Osteen, and Crystal Hottowe added to the line. So those are the hands that I have up now and with that Ms. Borrromeo,

2:54:48

I open your line.

2:55:00

All right, Ms. Borrromeo your line should be open now.

2:55:03

OK, they just told me I was unmuted. First of all, I want to give a huge shout-out to Adam.

2:55:08

You are doing a fantastic job there, my friend, and also kudos to the whole NTIA team.

2:55:14

This has been one of the most, I think, productive, tribal consultations that the Alaska Federation of Natives has participated in. The amount of work that you did on your end and especially in terms of summarizing the law was much appreciated. So, you are the new gold standard. Go out and tell your colleagues and the other federal agencies. My name is Nicole Borrromeo. I serve as the Executive Vice President and General Counsel for the Alaska Federation of Natives. If you're unfamiliar with our organization, we were formed in 1966. We are the oldest and largest statewide native membership organization in Alaska. Our members include regional and village, for profit corporations established under the Alaskan Native Claims Settlement Act, regional non-profit organizations, and Tribal consortia the contracting compact to administer federal and state programs in accordance with the Indian Self-Determination and Education Assistance Act. And then, we also have the largest membership of tribes in the State of Alaska with 165

2:56:11

federally recognized tribes. We are dedicated to advancing and enhancing the political voice of the Alaska Native community on matters of mutual importance, including awards under the TBCP program through the Act. In terms of what NTIA asked for comments on, turning first to eligibility.

2:56:35

We do appreciate the broad definition of eligibility under the Act, including our ANCs which in Alaska own more than 44 million acres of land. It's important that they are included, and we want to make sure that they are given the full weight of benefit of an eligible entity.

2:56:52

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The agency asked about preventing duplication of fundings. One idea that we had was to give greater weight to joint applications and score them higher than a single entity submission. This will help ensure that the project is funded, rather than multiple competing entities. And, in terms of previous federal funds for broadband programs, we don't believe that in and of itself, should prevent in otherwise eligible entity from receiving an award under the Act. But, NTIA should look at a number of criteria, including, but not limited to, the amount of funds that were previously received, use of those funds, funds needed to complete the project, and whether the application is being submitted by a single entity or multiple entities through one submission.

2:57:42

We agree with previous commenters that to ensure tribal government priorities are represented, one way to do that very easily is to seek a resolution of support from any respective tribes that are impacted by a project.

2:57:55

In Alaska, our tribes are quite used to that, when they partner with ANC's and tribal organizations, and the lower 48 tribes are as well.

2:58:04

Turning next to the second item, equitable distribution, this is going to be a little harder for NTIA. And we do appreciate that this is going to be difficult in practice, but it is fair to try and do equitable distribution.

2:58:20

We liked many of the comments that have already gone before us and what we would suggest for the Agency to consider is splitting the funding between a \$500 million block grant program for tribes, with each tribe receiving a per capita allocation based on its population. And small tribes receiving a minimum amount. And the other \$500,000 to be competitively bid through a grant program that focuses on a number of criteria including poverty and unemployment. Additional consideration would be whether or not the Native community has broadband, to the extent that that broadband is offered and the speeds of which it is offered. We're going to submit written comments that go into that a little bit more, but we think that, in the interest of fairness, that is probably the best model to get that funding out, if it's some sort of hybrid model.

2:59:17

Historic preservation and environmental assessment, that's the next area that we wanted to provide comment on. This is going to be especially challenging for our tribes in Alaska, because we have a very short construction season that spans just 4 to 5 months in a good year. But yet, we have a large landmass. By example, the state is more than 20% of the entire nation in terms of lands. And in some areas of the state, we're going to be starting from ground zero, building out a viable internet system.

2:59:46

We also have a complex nature of federal land ownership, state land ownership, and private land ownership, meaning that lengthy discussions are going to need to proceed any build-out. A lot of

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our land, 60%, is owned by the federal government as public lands, and those are going to require special protection.

3:00:03

We think that one way to overcome the challenges associated with this specific criteria would be to focus on low earth orbit satellites. And deploying that capability in terms of partnerships that focus, especially with the US military. We think that there's some avenues there. And then there are special funding mechanisms in Alaska that we can take advantage of that the lower 48 might be able to as well, depending on where they're located. And by that, we're speaking about the Denali Commission. We'll provide specific comments on that because it is unique to Alaska. And I don't want to take up too much time. And I know there are several people after us. The next area that NTIA requested comments on was underserved areas.

3:00:51

And we absolutely believe that underserved areas should be prioritized. Criteria to be considered, among others, would be whether or not the native community has no broadband access,

3:01:03

whether it has limited access for schools, libraries, health clinics through the Universal Service Fund, and whether or not there's limited access in homes that is below the average broadband speeds. Turning next to the requirement portion.

3:01:20

AFN does not favor an unduly burdensome requirement reporting process. The Act calls for a basic narrative and certification of TCB compliance. In our view, that is all that is really needed.

3:01:35

However, to the extent the agency believes that more reporting is required, please exempt confidential propriety in commercial information and consider just requiring the passage of this routine audit which tribes, tribal organizations, corporations, and the like are used to passing on a routine basis. Finally, on the last section that you requested comment on was on tribal land.

3:02:01

In Alaska, under the Act, this is defined very broadly to include pretty much the entire state of Alaska, regardless of who owns the land, that is appropriate, based on our unique circumstances. And we hope that land ownership is not seen as a barrier to an award in Alaska. By example, if the feds or the state or private landowners own the land, provided that the landowner consents to the project, and that it does further broadband service to Alaskan Native peoples and communities.

3:02:31

We do have a very lengthy eight-page comment, so we appreciate the clarification, Adam, that these will be welcomed until the end of the day. And this is a supplement to the comments we filed earlier this week. Thank you.

3:02:49

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Well, thank you.

3:02:53

Very succinct

3:02:56

comments and I do want to thank you so much Ms. Borrromeo

3:03:00

and, I'm going to say this wrong, so you can correct me, but you might as well say your name one more time.

3:03:06

for me if you wouldn't mind, your last name,

It's Borrromeo and others that work with me on other committees for the federal government know I also answer to Her Royal Highness.

3:03:19

I can remember that just I just got to remember that the Romeo, but Ms. Borrromeo I want to thank you for the comments, and it's always good to have AFN feedback in any process. You know that the history of the United States, the history of tribes, and its relationship with the federal government is unique.

3:03:37

And there are a lot of different make-ups that make up Indian country today

3:03:42

and so, I do want to recap some of the things that you've pointed out.

3:03:46

I appreciate your considerations around joint applications and the consideration that you suggested about joint applications may be having some more weight.

3:03:57

And it makes— and I'm tracking the likelihood of a joint application means the likelihood of more that are unserved, that there's a stronger likelihood that those would be served

3:04:09

and that we shouldn't be limiting it

3:04:11

and that your suggestion was not to be limiting it to some of those other items which may hold back tribes.

3:04:19

Also, you had mentioned the need for a resolution for support.

3:04:23

And, I do want to just get your thought on this, is the issue at hand really centered around the tribes being able to validate those that are applying on their behalf?

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3:04:37

And the reason why I'm asking that question is some tribes right now in the pandemic, a resolution just isn't even a possibility.

3:04:44

It requires an act of their whole general membership and due to safety concerns or technology barriers they're not able to convene to get a resolution.

3:04:52

So, I guess the question that I have for you on this particular comment is it purely just a resolution, or is it whatever form of consent that is needed from the tribe that the tribe could provide?

3:05:07

Just a quick question.

the latter would be preferable. It doesn't have to be a formal governmental resolution from the council. But, in Alaska, I have to be honest, we don't have a lot of instances where a tribal consortium will come over on top of a tribe, and apply, and try and take an opportunity from them without consulting the council in the first instance and appearing before them asking for their partnership in the process. But it was one of the areas that NTIA did ask us to comment on so that we thought that was one of the solutions.

3:05:37

But since I haven't submitted our comments yet, yes, I'm going to take up that language about the resolution and just say any form of governmental approval would be fine.

3:05:50

All right. No, that's helpful. I just wanted to understand if there was anything in particular about a resolution, but it's more about the author, about people not applying without you knowing about it, so I just wanted to get clarification on that. So, thank you.

3:06:01

Yeah, exactly, it's just what our tribes are most comfortable with and used to up here.

3:06:07

Understood. On the 50-50 is kind of how I wrote it down,

3:06:12

you also provided recommendations on block grant, that 50% of the funds went towards a block grant, with a standard minimum for the, maybe the smaller tribes, based on a formula that that wouldn't necessarily to keep them

3:06:26

also receiving benefit, if maybe the formula isn't always the best way, you know, small land base or population.

3:06:33

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You'd also mentioned that a second half of the funds be looked at in terms of, of a kind of a competitive basis, or really, the way you described it.

3:06:41

And I think we're using this term, competitive, and based upon need, it's kind of interchangeable in, at least the way I've heard tribes describing it today on the call. But you brought up some interesting components around

3:06:55

looking at the level of poverty and unemployment and how the access to also comparable speeds are all things that need to be taken into consideration

3:07:07

when we're looking at, if we were to look at weighing out an application, or a competitive or needs based application, that we consider those ideas.

3:07:16

So, I hear you loud and clear on that.

3:07:19

You also brought up the environmental challenges, and, frankly, the construction windows that you face in Alaska.

3:07:29

Again, nothing is like Alaska to the in the lower 48. Once you've been up there, you'll understand that.

3:07:36

And so, again, very, very unique from the Alaskan perspective about you really are thinking about how do you deploy this in the limited window that you have to actually go out and build anything.

3:07:46

And so that's absolutely noted here.

3:07:49

I appreciate your comment about the partnership and the dual.

3:07:52

I call them a two-fer, but I would say some people say the bang for your buck. But you brought up a partnership with the military

3:08:00

and possibly looking at considerations in this process, where an applicant is not only solving the issue for their tribal community needs, but where they can demonstrate that the infrastructure may complement other needs of surrounding partners, whether it be DOD or maybe county or state or even maybe neighboring tribes. And so, I appreciate the comment there. I'm looking forward to seeing your feedback on the Denali Commission.

3:08:26

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You also have had some comments about compliance and reporting and you're absolutely right.

3:08:33

Every tribe goes through an annual audit, you know, where a certain amount of their programs are pulled, irrespective, it's a requirement it goes into the clearing house.

3:08:41

I mean, I think that you offered an interesting suggestion as a way to address the reporting, the financial reporting considerations. I don't know where that will go, but I think it's definitely something that we should consider and explore, and so I thank you for offering that.

3:08:58

Also, you brought up not letting the determinants of tribal, of the definition of tribal land, or whether or not is it is formerly held in trust or not be a determinant or something that limits the ability to meet those that are unserved because of the complexities, and I think that you very eloquently pointed that out.

3:09:20

There are surface and sub-surface rights challenges in Alaska, clearly.

3:09:24

There's a lot of jurisdictional and unique elements that I think that we do need to be cognizant of as we develop this NOFO. So, thank you.

3:09:32

Is there any other points that you wanted to make or points of clarification as I kind of went through in recap?

3:09:41

Is there anything that I missed, or that you want to restate for clarification?

3:09:45

No, no, you got it all. Thank you.

3:09:48

Wonderful! And thank you again for the kind words at the beginning and the support. I'm sure our team here at NTIA, is grateful for that type of feedback.

3:09:58

It's nice to hear sometimes about all the challenges we have, and it's great to hear that this has been fruitful for you. So, thank you.

3:10:06

Oh, yeah, for many others too, we still have a long line after me. So, I do want to wrap this up. But, in all seriousness, if you can just replicate what you're doing across the other Federal agencies, we would greatly appreciate it for consultation.

3:10:20

Appreciate the feedback and thank you again for your time today. Thank you.

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3:10:25

Thanks.

3:10:28

All right, Laura. So, I'm just going to apologize again. I'm struggling a little bit with keeping track of everything

3:10:37

but I've got Carroll Onsaе, Jana Ganion, Chairwoman Norma Contreras, Mike Williams Sr., Crystal Hottowe, Augustine Fernandes, Charles Osteen,

3:11:01

And I'm going to see if I've got more after that. But I'm going to open up the line, Carroll Onsaе.

3:11:11

And your line should be open.

3:11:34

It says attendee is self-muted.

3:11:37

Carroll,

All right, let's try again.

Let's try again, Carroll name, title, and tribe you're representing please.

3:11:52

OK, good afternoon.

3:11:54

My name is Carroll Onsaе, I am the President and General Manager for Hopi Telecommunications Incorporated.

3:12:01

HTI is wholly owned by the Hopi Tribe, and is determined a tribal organization, and today, I am speaking on behalf of Tribal Chairman.

3:12:15

Chairman Nuvangyaoma.

3:12:19

OK, my comments are, you know, throughout the day, people have been making comments on these bases, so my comments are probably more supportive of the comments made prior.

3:12:34

3:12:36

First of all, Hopi is open to multiple applications from Hopi.

3:12:45

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The reason for this is that the need for say, for the tribal or government and for example, HTI provide proper and appropriate services may be separate.

3:12:59

So far, the applications are not.

3:13:04

Distribution of the fund should be on a formula-based formula basis based on need for planning,

3:13:12

construction, operations, and maintenance activity should not be competitive,

3:13:21

non-competitive.

3:13:24

[inaudible] should be less prohibitive.

3:13:27

Each tribe is that a different level of broadband buildout and have specific needs.

3:13:34

For example, a build-up project may not have been planned for prior to COVID-19 and due to lack of funds are not fully completed.

3:13:44

These type of projects should not be ruled out.

3:13:49

Projects must be given time for full build-up, not on some arbitrary short timeframe.

3:13:58

All cultural and environmental practices of the Hopi Tribe must be preserved through this process.

3:14:07

The program must respect the appropriate federal tribal, and environmental regulations on tribal langs.

3:14:16

The 25/33 speed is

3:14:19

now a standard across the telecom industry.

3:14:24

The fund must target those individuals who are not connected. Due to a lack of infrastructure and affordability.

3:14:36

It is now more critical that broadband build out is

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3:14:40

not only to react and battle against COVID-19,

3:14:45

but for raising the technology standard for building strong communities and local economies and perhaps to be better prepared for the next chapter.

3:14:59

Reporting must be streamlined and not cumbersome

3:15:06

for the reason of consistency and timely submission.

3:15:10

Through this process, a record will be established that truly reflects tribal data.

3:15:20

That's all I have, and thank you for the time to make these comments and look forward to

3:15:25

benefitting from this opportunity.

3:15:33

Well, I want to thank you, Mr. Onsaе for the words on behalf of the Hopi and I thank you for also making clear that you have the permission to speak on behalf of the tribe.

3:15:45

I really appreciate you opening with that. And I thank you for that.

3:15:50

There's one thing in particular that, there's a few things that you raised related to the formula recommendation and even looking at the pots of funds, based upon planning construction and O&M,

3:16:03

and we hear that loud and clear.

3:16:05

You also made some points about keeping the use more or less flexible and not limiting, keeping a broad definition of eligible uses of those dollars

3:16:18

given the needs being so vast, and I absolutely hear that loud and clear. With respect to the cultural recognition, and preservation of, and recognition of Federal and tribal regulations absolutely here, your position on wanting to make sure that those are upheld, respected, and treated appropriately. And I thank you for making sure that we have that on the record.

3:16:44

It's always important to never just make assumptions and to re-iterate things.

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3:16:49

And so, I want to thank you for that.

3:16:51

One thing that you pointed out that we've heard in other consultations up to this point

3:16:59

but I do want to ask you a little bit more about, you'd mentioned raising a tech standard for the Hopi Community.

3:17:08

And, when you talk about raising the tech standard and preparing for the future, are you also envisioning as part of the solution or even a potential element of your application, something related to workforce development and workforce training?

3:17:27

And the reason I'm asking that is because you can provide infrastructure and you can even provide money for replacement of equipment.

3:17:38

But, obviously, there's a workforce component to this for those that are wanting to jump into the ISP space, such as what you're doing out there with Hopi.

3:17:47

So, do you anticipate, or would you also see a need for a workforce development component of this when you're talking about raising the tech standards, I think, was the words that you used in a clarification?

3:18:00

Yes, absolutely, you know, what the HTI charter, it talks about, through the telecom technology, it would raise standards for availability of the technology on the reservation to improve the economy on the reservation, jobs, being able to do commerce, you know, outside of the reservation.

3:18:29

So that would lead to job creation and so forth. And absolutely

3:18:35

one of the key components to this build-up, as we talk about technology.

3:18:43

Understood. And again, I want to thank you for the clarification and just making sure that we understood where you were going when you talk about raising tech standards for the future

3:18:53

and how you see that for Hopi.

3:18:56

The last component that you brought up right which I can absolutely appreciate

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3:19:01

being a former tribal leader myself and actually having my hands on grant programs and submitting narratives and 425s for the variety of funds that all tribes receive,

3:19:12

I can appreciate your feedback about the need to keep a real record but to keep it simple and, if not, we [inaudible] an overly burdensome process on tribes especially in the middle of a pandemic.

3:19:26

Is there anything else you wanted to add to that?

3:19:29

No, not at this time. I thank you again for the opportunity.

3:19:34

Wonderful. Well again, Mr. Onsa, I want to thank you for the time and for Hopi's presence today and for your insightful feedback. This has all been great and I appreciate the dialogue from everybody.

3:19:48

But again, Mr. Onsa thank you for participating.

3:19:55

Alright, Laura.

Very good. yes, Jana Ganion give me one second and I will unmute your line.

3:20:06

Your line should be open now.

3:20:08

Terrific. Can you hear me OK?

3:20:12

Yes we can.

3:20:13

Great.

3:20:15

Well, it's a pleasure to be here and listen to all of these wise words.

3:20:20

My name is Jana Ganion. I'm speaking today as an authorized representative for the Blue Lake Rancheria Tribe in Northern California and on behalf of Chairwoman, Claudia Brundin. We, too, applaud the NTIA convening here. And echoing Nicole Borromeo's remarks, and others, compliments to your facilitation Adam.

3:20:44

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The Blue Lake Rancheria has e-mailed comments to NTIA for entry into the record. So, this will be a subset of those comments.

3:20:52

We just want to echo what others have said, that each tribal nation will have its own set of urgent broadband connectivity needs, and context.

3:21:02

So, in addition, the 574 federally recognized tribes, and other tribal entities have jurisdictional authority over their lands and that would include broadband development projects.

3:21:16

Because of this, each federally recognized tribe, regardless of size or other characteristics, will need a meaningful amount of base funds to make progress on broadband connectivity strategies and projects.

3:21:31

For these reasons, our strongest recommendation is to set a standard amount for allocation to all 574 federally recognized tribes and combine that with a formula to distribute the remaining funds. We have details on that which I won't go over here.

3:21:48

I think there's plenty of great ideas that have been forwarded in these comments verbally and probably in written form as well.

3:21:57

One model is the tribal funding allocation formula under the Volkswagen Diesel Emissions Environmental Mitigation Trust for Indian Tribe Beneficiaries.

3:22:12

This was designed by tribes to solve for population, location, and other different characteristics to achieve the most benefit for the most tribes.

3:22:23

The allocation formula can be easily reviewed

3:22:26

as a possible template for a TBCP methodology.

3:22:32

And the other part of that that we've found, really, sort of, productive in terms of streamlining grant application and distribution of funds, is that that process really created an application where the tribe submits a project consistent with its allocation funding amount

3:22:59

and eligible uses, and such grant applications are presumed approved if the criteria are met, including alignment with the program's eligible uses, which seems to be what we're trying to get at here.

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The allocation, then, application approach seems to really ensure equitable inclusion of the smaller federally recognized tribal nations and/or those with less internal capacity.

3:23:32

It will also increase the efficiency of application processing and fast track the distribution of the TBCP funds so that tribes can get to work.

3:23:43

They'll know exactly how much funding they have and can scope projects accordingly.

3:23:49

It would also set up a presumptive approval of these projects in alignment with sovereignty principles and jurisdictional authority.

3:23:58

With this methodology, tribes would also have greater confidence in prioritizing broadband connectivity projects within there, kind of amazing scope, of other needs.

3:24:11

COVID-19 is still a context for broadband development. Initial COVID-19 relief for tribes was fairly delayed and inequitably distributed.

3:24:21

The smallest tribes received negligible support.

3:24:25

And this TBCP is an opportunity to ensure adequate resources for all tribes to make progress on broadband connectivity.

3:24:36

We recommend a minimum of 30% of the one-billion-dollar funding to be distributed as a base non-competitive standard amount

3:24:46

divided equally among the 574 recognized federally recognized tribes. this would equate to no less than \$523,000 for each federally recognized tribal government.

3:24:59

Likely uses of this base application, which has been a question, I think, throughout our broadband infrastructure deployment, and adoption activities, including planning, contracting with consultants, specific feasibility and engineering for projects, actual broadband construction, and digital inclusion efforts among other eligible uses.

3:25:21

And just to respond to the question in the prior comment, yes, workforce development, training, and education programs are a part of the broadband strategy, for, certainly for the Blue Lake Rancheria Tribe and our region.

3:25:40

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I will skip to, I think, one of the takeaways, because I think other people have really made the other significant points that we echo in our comments.

3:25:58

But because of sort of the broader society's now foundational reliance on internet and cellular connectivity, we're seeking not just minimal service, but equitable service on par with others, on the order of a thousand megabytes per second per gigabyte.

3:26:18

There are extremely large bandwidth fiber broadband backbone projects being built in our region.

3:26:25

These include the potential Digital 299 project and the Pacific Undersea Cable and Local Cable Landing, and the Blue Lake Rancheria and other regional tribes here must have the resources to literally connect otherwise the digital divide widens.

3:26:42

Arguably, there's more of a digital divide between 0 and 25 than 25 and a thousand.

3:26:50

So, since the COVID-19 pandemic, I just want to reiterate that we understand there will likely be perpetual need for distance learning, telehealth, e-commerce, and other services that tribal governments support and provide.

3:27:06

I will just say, lastly, that, all tribes, again, have their unique broadband situation, and we look forward to how the structure and the allocation

3:27:23

formulas take that into account to make sure that all tribes benefit from this much needed source of funding. Thank you.

3:27:35

Well, I want to thank you, Ms. Ganion, and also the Blue Lake Rancheria.

3:27:41

You guys have probably been able to tell, I try to work in, you know, some component of when I've been there because I've been all up and down the California coast, and I have stayed at your facility before. I've been on your lands and kudos to you, by the way, for the renewable energy projects that you guys have been pulling off

3:28:02

in terms of really solving a holistic approach in the way that you exercise your sovereignty. It's pretty neat to see what you've been doing.

3:28:09

You raise a lot of really interesting points of consideration, and I am going to just recap them, and I realize that you have a submission that you're going to be making.

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3:28:21

And in terms of the base allocation component, it sounds like you're, in that same frame of thought of, there should be some base.

3:28:31

And, with that base, there needs to be eligible uses around planning, feasibility, engineering, construction, workforce development, just kind of all the eligible activities to do what you need to do with that money.

3:28:43

But yet, you're also reserving a balance for those that may have a larger need as well.

3:28:50

And I think that you also bring up an interesting point, which is, is that it's not necessarily you don't view that any of this as a competitive application base.

3:28:59

You're really viewing this, as it's presumed approved, as long as we're making sure the application is complete, and not so much that it's about accepting or rejecting applications but making sure that the applications have a thoughtful way to administer the dollars. And so, I appreciate you sharing that. And if I'm wrong, you can correct me, but that that's how I understood that. You even gave an example of \$523,000 per tribe

3:29:25

and that leaves a balance to do some of the larger projects.

3:29:30

And then you also brought up, I think, another thing that we haven't heard anybody else say, and I think you said it really nicely in your description, which has to do with the equitable service delivery, that service delivery needs to be equitable, from your perspective is how I heard it.

3:29:45

And, I haven't heard anybody quite explain it the way that you have. The hard part is getting from 0 to 25, 0 to 25 down, or excuse me, 25 down, three up.

3:29:56

That's the hard part.

3:29:58

Once the infrastructure is in place to deliver that level of service, getting from 25 up to 100 or more really isn't as big of a challenge from the way that you described it. And so, I want to thank you for that feedback.

3:30:14

We will also take a look,

3:30:16

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if it's part of your comments, you would suggest to taking a look at the Volkswagen diesel formula allocation distribution. I think that is something that's worth taking a look at our end. If it's another formula or concept that we should explore, we want to do that.

3:30:32

So, we will take a look at that, and I want to thank you for offering up so many creative solutions in your dialogue.

3:30:39

So, is there anything that I misunderstood or that you wanted to get clarification for on the record?

3:30:45

And then also, is there anything additional that you may want to add that maybe came to mind here in the last few moments? Before we move on, I just wanted to make sure that I offered that.

3:30:56

No, thank you. That was a good summary. I'll just say that my point about the level of service, the 25/3 being treated as "served" status is just grossly inadequate.

3:31:12

And we've heard that from most tribal nations who have made comments at this venue. So, there's a lot of details in there, but I think that those things have already been outlined. And, I'll just say, thank you for the comments on our distributed energy resources, our clean energy strategies.

3:31:39

And, I'll add to that, you know, energy sovereignty, electrified transportation, and other infrastructure re-organization to increase efficiency and overall resilience all have broadband connectivity at their core.

3:31:55

So, those two things are aligned in a way that they haven't been before and it's not sort of overtly stated,

3:32:04

I think, in this, the eligible uses, but I just want to bring that up.

3:32:09

The other thing that's not overtly stated is broadband connectivity that supports emergency communications and emergency operations center functions.

3:32:22

We had several public safety power shut off events where the grid was shut down to prevent wildfire from grid infrastructure.

3:32:34

And when those events happened, the telecommunications, the digital connectivity went out in a matter of hours.

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3:32:44

And so regardless of sort of requirements or agreements, what happens in the real world is that tribes do not have, they are underserved with respect to these crucial emergency communications including 911 that are increasingly fulfilled through broadband fiber.

3:33:08

And I'll leave it there and, again, thank you for convening this consultation.

3:33:14

Absolutely. Great, great closing comments and considerations.

3:33:19

We have it noted that the 25/3, while it may be that the line in the law, in the statute, it's still necessarily doesn't mean that, well, I think your terminology was grossly inadequate.

3:33:29

So, we hear that. From a personal standpoint, I absolutely understand the concerns about the power shutoffs. We see the same thing here in my community in Southern California.

3:33:40

And so, it's an alarming thing when you can't communicate when your whole community goes dark.

3:33:47

And so I appreciate you adding that flavor to the context of this conversation

3:33:53

because there is an element of that, when we're talking about solving the digital divide and the needs, and there's a public safety side to that, too. So, thank you for raising that.

3:34:03

We're going to go ahead and move on to the next speaker. And again, I want to thank you for your comments, Ms. Ganion, and the Blue Lake Rancheria, for participating today and we look forward to seeing your written comments as well. So thank you.

3:34:18

So, Adam, I just want to, excuse me, Chairwoman Norma Contreras did let us know that she had a conflict and so was not able. They will be submitting written comments for us, so we'll move on and see if we still have Mike Williams, Sr.

3:34:42

Chief of the Akiak Native community.

3:34:48

And I know it's been a long afternoon so it's

3:34:52

entirely possible.

3:34:57

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All right. I'll look for you in the chat or the questions box and in the meantime.

3:35:05

Crystal Hottowe, all right.

3:35:12

Yes. Go ahead, your line is open.

3:35:15

Good afternoon.

3:35:17

Just doing a sound check here.

3:35:19

We hear you loud and clear, Ms. Hottowe, happy to have you on from Makah. [Traditional Native Language].

3:35:29

Good afternoon. This is Crystal Hottowe coming to you from the Makah Nation. We're located on the very tip of Northwest Washington State. We're as far Northwest, as you can go on the lower 48, and before you even say, Adam, I know this is one of the most beautiful areas you've ever been to.

3:35:44

You've said it often, but I know that mine is the best, anyways. So, I do thank you for this opportunity. I commend you, first of all, both Laura and Adam. You guys are both doing great jobs on this.

3:35:58

I've sat on this is the third one now that I've been participating with, and I do admire the ability to be on camera this long. It can be tiring to me, I think, so great job guys and so, with that said, I am the grants writer for my tribe. I've had the honor to be the grants writer for a cumulative 12 years now, and I am speaking on behalf of my Tribal Council with their permission.

3:36:31

So, to begin with, our location determines what services are available to us. So, the remoteness, as well as the landscape, does provide a lot of limitations for us. It's prevented industry from being able to provide services to us, equitable and affordable services at that. These are significant and have also prevented infrastructure buildouts in the past. We have two large bodies of water in our region, as well as an international water border. And we're also located in very close proximity to a national forest and a national park. So, these add complexities to robust buildouts for both fixed, wired, and wireless networks for our area. In most cases, hybrid networks that rely on both wired and wireless networks are going to be necessary for us and, most likely, all tribes. So, with that, we encourage NTIA to be internet delivery neutral.

3:37:30

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One of the big things that happened with us was when we upgraded our network in 2014, it was a tribal investment. We paid for that through tribal hard dollars.

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Unfortunately, it disqualified us from applying for additional funding from traditional government sources such as USDA.

3:37:48

So, we do recommend that NTIA does not disqualify tribes for previous efforts with infrastructure construction.

3:37:57

A provision for providing free Internet access to residents for a period of 24 months is essential for tribes to respond and rebuild effectively and safely from the pandemic.

3:38:07

My next point now is the current FCC and USDA definition of served v. unserved is problematic as it does not present an accurate representation of actual services received.

3:38:21

So, that's the whole, if you have one person on a Census block that has broadband service and the entire Census block is considered served, that's a big problem.

3:38:33

Additionally, the introduction of satellite Internet companies will create more inconsistencies within the maps of service

3:38:42

if the census block definition continues to be utilized. We actually do recommend that a different definition of served v. unserved and even underserved is developed and put into the NOFO.

3:39:00

We strongly believe that the projects that have engineering, environmental, and leasing be completed, i.e., shovel ready, should be prioritized. These are the ones that you're going to see the fastest construction with.

3:39:13

We also recommend that NTIA coordinates the leasing easements and right-of-way processes with BIA to expedite the process as there's a very tight timeline built within the legislation, and I also want to put a pin in that timeline. I'm going to circle back to that.

3:39:29

The other thing, too, is middle mile infrastructure construction and backhaul subscriptions are going to be essential to the deployments of these networks. And they should be allowable as well.

3:39:43

One of the things that I have not, I mean, I've heard other people talking about it is the potential to, and not just potential,

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3:39:52

I mean, it's a very real thing right now, is the supply chain disruption.

3:40:00

That, in correlation to the actual timeline that's built within the legislation and when you're adding construction projects into this, that's going to create a bit of a, you're going to have bottlenecks that happen.

3:40:17

And so, with that, not only that, on the timeline, but we also encourage NTIA to mandate a contingency line item equal to five to 10% within the budget for all applicants because we do anticipate an increase in costs associated with our own network construction due to increased demand for supplies nationwide and foresee this will be an issue for all tribes. Just to give you an idea, fiber right now is on back order.

3:40:46

And we experienced a delay in a fiber deployment project this last Fall.

3:40:53

Fortunately, it was only like a three-week delay for us, but we were kind of on that front end of the supply chain disruption.

3:41:02

We also recommend that NTIA does not require a match. To give you an idea of what the Makah Tribe has been up against is, when we were first developing our broadband projects, it was going to cost us nearly a million dollars just to be able to chase the money.

3:41:23

That's a lot of engineering, a lot of feasibility studies, and so that was really problematic for us. So those are from the tribal point of view. And I failed to also say in my introduction that not only am I a grants writer for the tribe, I am also the co-chair along my other, my co-chair is also here with me today. She's in queue, Denae Wilson. We are the co-chairs for the Affiliated Tribes and Northwest Indians Telecommunications and Technology Committee.

3:42:03

We also have created some talking points, as well, as a result of numerous meetings that we've had with tribal leaders and our committee.

3:42:14

So, one of the big things, is the fiber landings, and that has been discussed before. These fiber landings are established on ocean shores

3:42:22

oftentimes, they're directly adjacent to tribal lands or tribal harvest areas.

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Wherever these landings occur, and if they are adjacent to, or on tribal lands, all neutral parties should be made aware that access to fibers should be allowed at no cost to the tribe which is about 4 to 6 strands.

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3:42:38

Tribes should be notified and given the option to connect to these landings or the lines that extend from these landings.

3:42:45

Affordable broadband programs Providing free or reduced cost broadband service, we would like to point out that no other carriers asked to provide long-term, free, or reduced cost broadband connectivity. If NTIA will be requesting such commitment from tribes, a time limit should be established such as 24 months.

3:43:06

Furthermore, preventing disconnection of existing broadband service.

3:43:11

If the requirement of funding application requires tribes to prevent disconnection of broadband service, NTIA will need to work with the Enforcement Bureau to ensure that all carriers are held to the standard.

3:43:22

Tribes should not be required to operate above and beyond commercial carriers.

3:43:27

Distance Learning. Tribes have had to adapt reservation service delivery options, and, in some cases, are spending higher than standard commercial rates for broadband for students.

3:43:36

Applicants should be allowed to provide documentation of actual connection costs as a part of their applications to justify why they need to build their networks over previously funded Federal projects.

3:43:49

Telehealth.

3:43:50

Many IHS clinics and systems are lacking in telemedicine equipment, software, and procedures.

3:43:56

Tribes should be allowed to expand these services in conjunction with the clinics and apply for the necessary funding to adopt new technologies and methodologies.

3:44:04

Digital inclusion efforts. Tribes have lacked broadband and devices to connect and are, in some cases, behind in understanding how to use modern technology. We've heard that time and time again. Efforts to train tribal members and homes should be allowed as part of the granting application.

3:44:22

Broadband adoption activities. Tribes will have ample opportunity to demonstrate how a tribally deployed network is more feasible and culturally appropriate for their membership.

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3:44:32

Tribes should be given the opportunity to build in areas where federal funding was awarded to give the tribal membership choice and provider.

3:44:42

And before I wrap this up, one of the things that I would like is what I have not heard discussed much is sustainability of these networks.

3:44:52

There are several different areas, such as government subsidies, and that's where you get into being the qualification of ISPs to obtain those subsidies. This is coming from the Makah Tribe[inaudible] talking point but more from the Makah point of view is

3:45:19

revamping that definition of ETC and being able to obtain those subsidies through [inaudible].

3:45:27

That's going to be essential for tribal sustainability for these networks. Next, we also encourage NTIA to ramp up the mapping efforts.

3:45:37

And I do agree with many of the comments that I've heard about letting tribes do their own mapping or establish their own service area based on their mapping. But what I'm worried about is what about those tribes who don't have a solid GIS department.

3:45:56

There's going to be a technical assistance component that goes along with the mapping.

3:46:02

Lastly, we need clarification on the deadline, please.

3:46:07

The deadline with which these legislative files are meant to be extended, with that Traditional Native Language]. And I know you're not done with me Adam, so I'll just hang on.

3:46:19

I've worked with you long enough. I think we know each other a little bit on how we operate.

3:46:24

And first off, Ms. Hottowe I want to say thank you for, again, all the thoughtful comments.

3:46:31

You have been, frankly, just a pleasure to work with over the years in other spaces, and you really bring a lot of experience and understanding to this conversation because I know you've had to work through all these issues.

3:46:45

And so just to recap you'd brought up

3:46:53

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that there needs to be when we talk about location and deployment of services, that it needs to be looked at from an equitability standpoint but also an affordability standpoint.

3:47:05

And that there isn't a one size fits all solution in most tribes, and I think that, you know, whether you're a 2.5 recipient that doesn't mean that your whole solution is 2.5. You definitely have an intention of running fiber

3:47:18

as well, is kind of how I understood your comment in terms of being, delivery neutral, I think, is the term that you used which I thought was just great.

3:47:27

You also pointed out that because of some of the actions that the tribe has taken to address these digital divide issues, it's limited you from being able to qualify for other funds.

3:47:40

And that we take in our review of this process that we take into consideration that you are not penalized for trying to solve your problems. Which is, I'm assuming, what you meant by that. But, again, I'm just reading this to get points of clarification

3:47:56

again, for the record. You had also brought up the extension concerns that you have about the 12-month timeline.

3:48:04

There is an opportunity to request an extension for infrastructure projects, however, you know, again, what does that defined extension look like, and how would that be treated

3:48:17

and that we need to be taking into consideration

3:48:19

that there's a lot that goes into the deployment of planning, implementation, deployment of a network, as well as the longstanding operations and maintenance of that network which I'll get to in a moment. But you also mentioned the Census block as just being a bad way to assess some of these things.

3:48:37

You gave the example of an individual, which one individual may be served, and therefore the whole Census block is counted. And that that is an unfair way, especially when we're talking about meeting those that are unserved, that really isn't a good baseline from your perspective

3:48:53

and that we need to look at that differently in terms of, just point blank, whether or not the tribe is certifying that coverage or not, and that you do feel that the tribe should have that ability.3:49:04

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Definitely heard you on the shovel ready prioritization component of that. Again, I think that the conversations we've heard throughout the last three sessions are a combination of not wanting to penalize those that are ready to go, but also not leaving behind those that, you know, this wasn't an issue, or it wasn't a priority until maybe Covid hit and now it is the priority because it has forced everybody into this digital space.

3:49:29

So, I hear you loud and clear on the shovel ready.

3:49:32

You brought up BIA leasing.

3:49:34

I'm going to come back to this and ask you some questions, but I appreciate your comments about the leasing, right? You can have all the greatest projects in the world and have all the planning done and you could have everything queued up.

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And in a magical universe, you could even get it done in 12 months as long as you can get the lease approved through the Bureau.

3:49:54

And so, I appreciate you raising that particular component.

3:49:59

And I can understand why you would raise that, because from your perspective, at least the way I understood it, is there needs to be a level of collaboration going on between the deployment of these projects and the realty department, at the very minimum, over at BIA.

3:50:15

And that also ties into environmental because you can't get a lease without an approved environmental assessment or a categorical exclusion.

3:50:21

You also brought up the middle mile, the supply chain concerns.

3:50:25

It's an interesting concept that you bring up about a required contingency in construction projects.

3:50:32

That makes a lot of sense given the fluctuating costs to construct anything these days and the delay in lead times for ordering, you know, in this example fiber but, you know, if you're talking about deploying a hybrid network,

3:50:49

I imagine you're also looking at deploying towers and so there's steel involved in that, etc. So, it makes sense on the contingency side

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so I hear that. You brought up the no match, you know, I think that that's been pretty consistent.

3:51:03

You brought up a number of concerns about the other carriers and making sure that there's a bigger discussion here that needs to be had about fiber landings.

3:51:16

You made the argument about tribes are giving up their traditional lands where they fish and hunt and all of those items to maintain the culture and the sustenance of the tribe literally in terms of food. And when these landings are coming in, it's taking away the ability to do some of those things

3:51:40

so you're saying that there should be a trade off as well, that when this infrastructure is deployed, that the tribe should be able to connect to that infrastructure, since they're giving up certain things whether they had control or not. You're advocating that.

3:51:50

So I heard that you brought up distance learning, education, telehealth issues, digital inclusion, workforce development and then also making sure that the tribes, and you highlighted that concern, I think, back to the FCC mapping that we've heard before and also those that are claiming that they have been subsidized to provide service to you

3:52:11

and that that service may not be getting to you. So we hear that concern.

3:52:15

I appreciate the ETC revamp comment.

3:52:18

And the [inaudible]

3:52:20

discussion that probably will evolve from these consultations as tribes pursue that discussion.

3:52:29

And then, again, the validation that the tribe uses their authority to deploy based upon their needs in, and their validation of the needs for service in the area. So if there's anything that I missed there that you wanted to recount or re-clarify, please do.

3:52:46

And then I do want to just understand that for the record, explain your leasing comment.

3:52:53

So did I encapsulate most of your feedback?

3:52:55

Was there anything that I just completely misunderstood?

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No, again, you impress me, Adam. You caught it all, and so, not that I expected you to not catch it all, it's just that I spoke super-fast.

3:53:13

So, you know, it's the leasing that has tripped my project up, in particular, various times, numerous times.

3:53:23

And it's not really, it's more when you have another entity that's coming in, so it's someone from industry, but I do anticipate that they, that we will see these types of issues nationwide, and I think having that coordination. The other thing, too, is that it goes hand in hand with mapping.

3:53:43

You know, with BIA mapping, with NTIA mapping with tribal mapping and ensuring that those maps line up, that they're not inconsistent.

3:53:54

As far as what infrastructure is located in the area, who owns the infrastructure, how old the infrastructure is, and also tying another GIS layer to that mapping would be the leasing itself.

3:54:12

You know, when the lease was, any, you know, super details on that. But other than when that lease was signed so that there's an area where you can go and find this information.

3:54:26

Understood, I get it. I think that you've also raised a really important element of being able to know what infrastructure has been leased and access that

3:54:38

because sometimes the availability of that information isn't always there.

3:54:42

So, I can appreciate while you're raising an importance on both the leasing, but the mapping component that's associated with that and where the critical infrastructure is at.

3:54:52

Is there anything else that you'd like to add, Crystal before we move on?

3:54:57

No. Thank you for the opportunity.

3:55:00

Absolutely. And, you know, thank you, Ms. Hottowe for the feedback and to the Makah

3:55:05

Tribe for, again, the thoughtful feedback that we've received today, and we will absolutely consider yours and everybody else's comments as we work our way through

3:55:15

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I mean, frankly, a pretty challenging process to develop an equitable NOFO based on so much need. But, again, I want to thank you for your time and your continued support and collaboration.

3:55:26

Thank you. Have a good weekend.

3:55:28

You too.

3:55:29

Alright, we are approaching the top of the hour, and what I am going to ask, we're not just going to cut this thing off at two o'clock Pacific.

3:55:41

We realize that a lot of you have waited, but what I am going to say is that Laura is going to go ahead and list the remaining individuals that would like to share their feedback.

3:55:54

And then we are going to, if you don't hear your name on the list as she reads it, then we are going to conclude the consultation after we've reached the last individual who would like to share or provide comment.

3:56:08

Is that a fair way to move forward Laura?

3:56:11

Will that work?

I think so. We definitely have had difficulty being able to recognize Mr. Mike Williams Sr., and feel horrible, has re-opened the mics up for him. We're going to unmute all the lines because he's on the phone.

3:56:31

We may want to offer a little bit of time allocated to other people who are on the phone and then I have Augustine Fernandes, Charles Osteen, and Andrea Alexander.

3:56:53

So we're going to go ahead and unmute all of the lines, and Mr. Williams. Or I'm sorry, I think it's Chairman Williams, you will also need to press star six.

3:57:23

OK, Mr. Williams, have you done star six.

3:57:35

OK, can you hear me now?

Yes.

3:57:42

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This is the Alaskan weather that's messing up our technology thing, and that's why we need this

3:57:51

broadband needs met up here in Alaska. My name is Mike Williams.

3:57:59

I'm the Chief of the Akiak Native Community, and I have been serving on the Tribal Council for over 40 years

3:58:09

and been around for a while.

3:58:18

Following my brief comments, I will have, if time permits, Kevin Hamer, my working partner, to make a few comments.

3:58:32

There are enormous financial, logistical, physical, technological, and collaboration challenges to bringing broadband connectivity to Southwestern Alaska and tribal communities in the Yukon Kuskokwim Delta region in Southwestern Alaska including Akiak

3:58:59

is in the Bethel Census area, is among the most underserved

3:59:07

in America without any access to 25/3 broadband.

3:59:13

The Akiak Native Community is committed to bringing affordable 25/3 broadband Internet service to our tribal community in Akiak, Alaska and extending, leveraging our broadband solutions for the benefit of the surrounding tribes.

3:59:33

To this end, we have been granted an FCC license under the 2.5 gigahertz rural tribal Priority Window and are currently working on an Akiak broadband feasibility study under the BIA national Tribal Broadband grant.

3:59:56

We see that the NTIA Tribal Broadband Connectivity Grant Program under Division N, Title nine, Section 905 of the Consolidated Appropriation Act of

4:00:11

2021 is a generational opportunity to fund the infrastructure necessary for broadband connectivity in Akiak, Alaska.

4:00:24

We are grateful for the NTIA tribal consultation session and an opportunity to

4:00:32

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provide input to the Tribal broadband Connectivity grant Program.

4:00:39

As many do, our tribal structure includes tribally owned businesses to procure, pursue economic development for the tribe.

4:00:51

Our holdings, Akiak Holdings LCC was chartered by the Akiak Native Community IRA Council and is 100% owned and controlled by the tribe.

4:01:07

The FCC considered Akiak Holdings as an eligible tribally owned entity under that 2.5 gigahertz rural tribal priority window and awarded their license under the program

4:01:24

To Akiak Holdings LLC. To make summary comments, I would like to invite Kevin Hamer to make a few concluding comments.

4:01:38

Thank you.

4:01:45

I'm sorry, can you tell me his last name? And I'll look and see if I need to unmute him.

Hamer.

4:01:56

OK, Mr. Hamer, I believe you have an open line now.

4:02:06

Thank you very much. Thank you, Chief Williams.

4:02:16

Again, thank you for the opportunity for us to provide input and comments to this very important process for the grant formation.

4:02:25

It is our position, that if unless there is significant weight given to those, not just underserved, but completely unserved areas of remote

4:02:38

village communities, tribal village communities, such as Southwest Alaska, where it is not, in any way, commercially viable for companies to come in and say, we are going to build that infrastructure.

4:02:52

And because of the challenges and the cost, so no infrastructure will be built unless funding is provided to do so

4:03:02

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and weight given to those communities that don't have the infrastructure, and have no opportunity, other than this kind of funding, to build that infrastructure.

4:03:14

As so many have said, in the past, this is a plan, build, operate process.

4:03:21

We're planning now, and we have very little opportunity to build, other than some of the other grant programs.

4:03:30

And our community is one of many small tribal communities of 500 to 1500 up and down the Kuskokwim River and the White Yukon [Kuskokwim Delta. There isn't a dense enough population for commercial entities to provide competitive

4:03:53

even LTE solutions in the Bethel Census area, as you've heard from ONC and Mark Springer.

4:04:04

So, we are challenged.

4:04:07

The infrastructure doesn't exist if we are not given sufficient weight from a cost perspective.

4:04:14

In any competitive process, I know there's been a 50% block grant, 50% competitive process, if the weight isn't given to the costs and higher preference and points to communities

4:04:30

which don't have that infrastructure, and don't have any possibility of getting that infrastructure anytime soon from any other means than this generational grant opportunity from the broadband connectivity grant program then I don't see that happening for the Southwest Alaska area.

4:04:53

Those are my comments, in addition to Chief Williams. Thank you.

4:04:58

Well, thank you, Mr. Hamer.

4:04:58

And thank you Chief Williams for the feedback from Akiak, and I do have a question for you

4:05:08

before I recap some of the other understandings that you had brought forward.

4:05:14

You had mentioned that you guys are a recipient of the BIA Broadband Grant,

4:05:23

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Planning Grants and one of the things that we've been kind of wondering is, because the definition of planning has been so broad, I think maybe you were not on in the beginning when we started talking about it.

4:05:35

Some tribes, when they say they're planning opportunities, it's a 30,000-foot type of a plan where they're really just conceptualizing everything, and they might even have a conceptual design of how they want to do it

4:05:47

identified partners or identified some sort of critical path for middle mile, but maybe not getting into the engineering and design elements of it.

4:05:56

And so I'm kind of wondering when you received the grant from the BIA.

4:06:02

And again, this is really for the record, but how much did you receive, and how far did that money get you, when we talk about, in terms of the context of planning, or what were you able to get with those funds and how far could you take it with your planning activities?

4:06:19

We got a \$50,000 grant and it's going to take more, much more than that, [inaudible] doing the feasibility study and because of the pandemic and COVID-19 issues

4:06:45

we haven't been able to move quickly forward because of the travel restrictions, and we had all kinds of restrictions because of lockdown.

4:07:03

And our primary energy was 61% affected by COVID-19.

4:07:08

That's why we've been nervous and then locked down for the last three months.

4:07:15

But I think, Kevin, do you have any additional comments on his question?

4:07:23

So we were planning to make a site visit that got them obviously postponed from our team. But the \$50,000 is certainly not enough. And you're talking about how general and specific we can be with our feasibility study.

4:07:43

It, unfortunately, has to be general to some respect in that the technical solutions are very minimal, the options just aren't there. We could do low earth orbit satellite for some and try and get fiber optic, look at a couple of different options to do that.

4:08:02

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But you've mentioned this, Adam and I've been on all three of these consultation sessions, and you've time and again, especially when it comes to Southwest Alaska, raised the partnership question, are you building partnerships? Well, we weren't before Covid hit, but we are starting to now, and especially that this is available, the community, because of the distributed nature of the tribes, up and down the river

4:08:30

and, the central area for population density is Bethel and our ANC, regional ANC, trying to work together to see what kind of solutions we could leverage as a regional opportunity, especially where we don't have anything and building that infrastructure is extremely costly. So, the distance, the environment is going to take a lot of money to do.

4:09:00

So we're looking at a multi-stage recommendation, early stage, something that's affordable and doable, maybe a little spotty long term, fiber would be our optimal solution.

4:09:15

But that's going to take a lot of money.

4:09:17

We're hoping we can get at least part of the way, if not more, with this connectivity grant.

4:09:26

Well, Mr.

4:09:28

and Chief Williams, you know, I can tell you definitely been on all three, because you're right, my next question about the partnerships. But I appreciate the insight on where that [inaudible] \$50—probably feels like \$50. Where that \$50,000 has actually—

4:09:45

[inaudible]

4:09:50

You know, I think that's kind of part of the challenge.

4:09:53

You know, today, we've heard a lot of folks advocating for some sort of a distribution that is meaningful and equitable and provides a way for tribes to have a foot in the door and start that planning, but also not, you know, hinder those that are ready to pull the trigger on shovel ready projects. Or, or maybe that they're further along in the implementation of their broadband plan or strategy.

4:10:19

And I think you give us some good insight that \$50,000 is a starting point for you in Alaska and, you know,

4:10:27

you're grateful for where it got you started

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4:10:29

but it still wasn't anywhere close to enough to get you to where you could really wrap your head around the true cost to deploy, especially with the different types of paths that you're looking at, your immediate path that you talked about, kind of the more—

4:10:45

I don't even want to call it band-aid because I think is a little more than a band-aid, but it's not a permanent solution. You view the permanent solution as fiber.

4:10:52

And I'm assuming that you don't want us to lose sight of that which is why you're mentioning it.

4:10:58

Adam, I think the million-dollar base will be a good start.

4:11:04

I'm sure there are some that feel very similar to that sentiment.

4:11:10

And, you know, again, that's, I think, what it's going to make this process both— it's going to make it challenging.

4:11:18

I do want to thank you for bringing that perspective today, and for sharing the impacts. My heart and prayers goes to you from my family

4:11:27

on the 61% impact to your community of Covid.

4:11:31

It's a very real thing and when we talk about the impacts of Covid in a tribal setting, we're really talking about just not our neighbors. I think you see these county statistics. We're really talking about our families, our parents or nephews or nieces or grandchildren.

4:11:48

We're barely surviving up here and thank you very much for thinking about us and thank you for the time.

4:11:57

I know we're a little over, and I need to get on another call

4:12:03

and thank you very much for the opportunity.

4:12:07

And I'll have Kevin keep listening. Thank you.

4:12:11

All right, well thank you Chief Williams for the comments and from the village of Akiak. Thank you.

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4:12:19

Mr. Hamer if there isn't anything else, we're going to go ahead and move on to the next speaker unless there's anything else you wanted to provide some insight or clarification on.

4:12:28

I hear you loud and clear on your intent to use the 2.5 and 25/3 is still such a sub-standard from your perspective.

4:12:38

And then not limiting your opportunities to build and come up with multiple solutions based upon the needs and the diversity of your community. So, anything else you wanted to add or recap before we move on?

4:12:49

Now, again, just to the point that, for those communities where the cost is going to be high, and they have nothing in terms of infrastructure, that in any part of a competitive, set-aside for the funding, and either 50% or whatever, that that need be given a weighted preference. Thank you.

4:13:11

Thank you.

4:13:14

All right, Laura.

4:13:15

OK, thank you.

4:13:36

Laura, are you saying—

4:13:38

Augustine Fernandes. You sound a little distant from the mic.

4:13:42

Did you say Augustine Fernandes?

I'm sorry.

4:13:45

Here we go, I am saying Augustine Fernandes.

4:13:52

He has been waiting a long time, so I'm guessing you may need to,

Augustine, if you're dialing in, you'll probably have to hit star six. Also, if you're on your device even when we unmute you, you still have to hit the unmute button on your end.

4:14:09

There we go.

4:14:11

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I gotcha.

4:14:12

[inaudible] I've been listening on and off all three days, and I'm new to my position, so I didn't have much to say, but I'm just going to say a wonderful discussion.

4:14:27

You know, I'm very hopeful of this process. I feel like we've been included, and we tried during this Covid time to struggle with this

4:14:40

enormous task of providing service to our members. There is a big divide out there. There's people who are completely ignored. And those were the kind of people we wanted to serve.

4:14:55

We have Telco that provides pretty much single handedly for us and we kind of are completely dependent on them. And I don't think it's in their interest to partner

4:15:06

with us. You know, they do it for capital.

4:15:11

And we do it to serve our communities. So there is that.

4:15:17

And I think the 25/3 should just be free. You know, it should not even be considered as threshold, and especially for these kind of members who are completely not served or not even accounted for. I want to keep it brief because we are beyond. I pretty much lowered my hand because I didn't want to prolong this for everybody, but I think

4:15:46

everybody else pretty much said whatever I wanted to say. Something else that I would put in is, I know in the past, when I was working for the neighboring state, they had this done by the government level, and they kind of had a team that implemented it for the schools. I was part of that process. I was just facilitating it. I think that kind of approach should be done with the Indian community.

4:16:10

I think it should be done that way because there are some that cannot help themselves while there are some that have already helped themselves.

4:16:18

You know, there is a big divide with that regard.

4:16:20

And I think if it is an unprecedented amount, like some of us have said, it has to be an unprecedented vision for an approach towards the solution.

4:16:32

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We can't have 5G takeover and 2020—in 2030 and have 6G come in come in and we are still, we just got done with the deployment of 25/3. That's crazy.

4:16:45

I think that should be a primary consideration.

4:16:48

I think we're just making, like the old adage, the rich richer and the poor poorer. I think that's what's going on here. And I think we have to completely look at it from the lens of 20/35 and then move forward.

4:17:03

And I think the need for the if we utilize this money and provide that solutions because I'm just speaking for myself and I'm pretty sure there's more out there that don't have this fiber optic knowledge, not power to put it in terms of money.

4:17:22

And I think that has to be accommodated from up there and that's all I would say.

4:17:29

Thank you for giving me the opportunity again.

4:17:33

This is great and I'm from the Rosebud Sioux Tribe speaking. I know Tony Rogers already spoke from our tribe before and this is just my two cents.

4:17:46

Thank you.

4:17:47

Thank you, Mr. Fernandes

4:17:49

And we hear you. I think that you raised an interesting point and concern which is it's hard for tribes to see the subsidies go out

4:18:03

to promote new speeds and new services when so many segments of the country have not been brought up or, in the tribal context, have not been brought up to even meet the 25/3 standard.

4:18:16

So, that's an interesting comment and piece of feedback. And I want to thank you for sharing your thoughts.

4:18:27

I do want to continue to keep moving this along. I know we're running over, but I also want to be respectful that everybody gets a moment to share that's been waiting so patiently. Thank you for allowing us to have this dialogue. I think it's needed. Mr. Fernandes is there anything else you wanted to add before we move on to the next speaker?

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4:18:43

I'm good, thank you.

4:18:45

Wonderful and thank you to the Rosebud Sioux Tribe for participating today. Thank you.

4:18:51

So moving on, I've been looking at the list and Charles Osteen is not with us anymore, although if by chance you're on the phone only,

4:19:04

I'm going to unmute all of the lines.

4:19:08

And then if you would press star six.

4:19:14

Wait just a minute.

4:19:36

All right, Laura

4:19:40

while we're waiting, we have the phone lines off of mute for any of those of you that are calling in, because I think we've definitely gone through those that are within the application,

4:19:52

the GoToWebinar. But for those that may be on the phone, can we just go ahead and open up the line for any of those of you that have so patiently been waiting to share your feedback from the phone side of things that are dialing in? Is that all right, Laura?

4:20:07

Of course.

4:20:08

Perfect.

[inaudible]

4:20:14

So again, we're going to be having, for those of you that are dialing in via phone, star six is how you come off of mute on your end. We're going to unmute you on our end, and for the rest of you that are on your phone that are just listening, double check your mute if you're not going to be speaking.

4:20:33

And, again, star six. Don't be shy. We can sort out the names, as you chime in if there's comments through the phone.

4:20:51

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Oh, I hear someone.

4:20:54
Hello

4:20:57
Andrea Alexander. Can you hear me?

4:20:59
I can!

Hello, Andrea.

4:21:02
Hi, Adam.

4:21:04
I will keep mine very short. We're over time.

4:21:07
I just want to again thank you so much for your professional facilitation. Everybody up here is singing your praises because you have done such a great job of framing the issues we're bringing up. So I just really want to thank you for that.

4:21:26
As a tribal elder, I'm a Makah tribal member. I live in Seattle.

4:21:32
But I work with the grassroots people in trying to help push technology so that all people have equal opportunity to access the

4:21:43
resources on the Internet.

4:21:46
And as you heard today, Adam, did you listen how eloquent Crystal Hottowe was from my tribe?

4:21:53
That's my girl.

4:21:55
This is what I'm proud of. This is the capacity building that every tribe needs to do

4:22:02
to make sure that we have long term sustainable programs to provide Internet for the tribal elders, the Veterans, the people that have been recently incarcerated, always think about your grassroots people, and also always think about maintaining your sovereignty in this process.

4:22:23
These policies have already attacked our sovereignty as tribal nations.

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4:22:29

And so, one thing that I just wanted to say, applications from tribes looking to apply together with a joint application should be given high priority.

4:22:40

Public, private partnerships are encouraged, but this funding is to support tribes.

4:22:47

Tribes feel more secure if the middle mile is owned by the tribe for reasons of both security and sovereignty.

4:22:58

The focus would encourage tribes to work together and benefit from other tribes' endeavors. That's the last thing I just want to say.

4:23:08

Listening to the other brothers and sisters in

4:23:12

Indian country across our nation has been so interesting, and the need is huge. It's almost overwhelming.

4:23:25

And I know it's going to be hard for NTIA to be everything to everybody, but I trust that you will do a great job and the staff at NTIA will. This was my vision to ensure

4:23:39

that the funding did go through NTIA because of the flexibility in the capacity building expertise within the agency.

4:23:51

So, it's not just building it, but it's also training our people to run it. And that's called workforce development, developing the capacity of our tribal members in

4:24:05

organizations to not only run and use a program, to run a program and to stretch.

4:24:12

And so, you know, as a tribal elder, I need my young tech warriors like you, Adam, Randy Harrison, and Crystal Hottowe, Susie Allen, and Val [inaudible] are just doing a stellar job.

4:24:29

We really need to think about how we mentor and develop that legacy because these are permanent systems that have to be in place, and if we don't have the capacity building to let our tribal people run this,

4:24:45

they have to be, when you're putting it in your system, always remember

4:24:50

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bring tribal members into your consultants. Yes, you have to hire consultants

4:24:55

they have that background.

4:24:57

Put in your RFP to train local tribal members to run that system.

4:25:04

So, again, not only having that systems in place, but doing the workforce development to run it, and have that capacity building and is extremely important.

4:25:16

And then, also, let's document our process of development

4:25:23

as native people. We all learn best by each other, and that's all I have to say.

4:25:29

Thank you, my brother.

Thank you. Thank you, Ms. Alexander for the comments.

4:25:35

I think you bring up some important closing remarks in relationship to the emphasis on middle mile and why we've heard so many tribes raise their concerns about managing and maintaining their middle mile access and it's a sovereignty issue. It's a security

4:25:54

it's a data network, tribal data security element, as well.

4:25:59

And so, I appreciate you sharing that, and you want to know, and I also appreciate the recommendation that you put forward on the RFP as tribes look to solicit building their networks. That's a great creative solution for people to think about in the workforce development space, and I appreciate those comments very much.

4:26:18

So, thank you Ms. Alexander for, again, your listening and your participation.

4:26:25

With that, we're going to go ahead, and, Laura, if we don't have anybody else on the phone, I guess we should probably pause for just a second here, to make sure we don't have anyone.

4:26:37

And let me make sure that all the lines are unmuted.

4:26:54

I have to say I'm suspicious that they're unmuted, because it is very quiet, but maybe everybody has their lines individually muted.

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4:27:08

But we do definitely want to, don't want to cut anyone off. It's been certainly a long day for you.

4:27:17

If you had comments to share, wanted to be sure that

4:27:22

we allow the space and time for that.

4:27:25

I have one last question, this is Andrea Alexander Will we get to see the, is the comments that are sent by the tribes is that public information? Because I would really love to see everybody's comments.

4:27:43

Adam, I know that there's a Commerce policy, and that FirstNet has their own policy which you can probably speak more specifically to.

4:27:58

We are looking at that policy to be sure that we're being consistent with it and honoring the spirit of the government-to-government dialogue. So, I don't have an answer for you on the line.

4:28:14

But we know that it's an outstanding question. I've got it in the notes and it's something that we know we need to resolve and communicate back out to the participants.

4:28:23

Yes

Okay, thank you.

4:28:26

This is a follow-up and I apologize. That probably isn't the answer that everybody wanted to hear.

4:28:33

But we do, again, we're a little bit of building the plane while we're flying it.

4:28:37

And as we're doing that, we want to make sure that we're double checking our compliance with existing policies that we have in place. And so I apologize for just not coming out with a more direct answer, but to Laura's point, that's just where we are at the moment. So thank you for your patience and consideration.

4:28:56

Thank you.

4:28:58

Yeah, absolutely. Do we have anybody else on the phone bridge? Star six is how you come off.

4:29:06

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It also just might be five o'clock, somewhere, on a Friday leading into Valentine's Day too Laura, which is a real possibility here, but please don't be shy if you're on the line, star six to come off of mute.

4:29:22

But if you're already celebrating the Chinese New Year, we respect that too.

4:29:26

There you go.

4:29:29

We'll give it about 30 more seconds and then we'll go ahead and move to do the wrap up.

4:29:36

And Gabriel, I know you're still on. If you could, while we're waiting for folks to come off mute, we can go ahead and pull up that last slide.

4:29:50

OK, we'll just wait a few more moments here.

4:29:57

For those of you that see my eyes, I'm not looking off into space. I just have a second monitor over here, just double checking the monitor.

4:30:11

All right, Laura. I think that I will go ahead and move forward with closing things out.

4:30:17

I first just want to say to everybody that's participated in either today or the last or all three sessions that it's important that you participated because the establishment of a record is what does need to be done here and the comments and feedback that you have been critical to being able to formulate and develop a thoughtful NOFO with the NTIA team.

4:30:45

And so, as we wrap, I do.

4:30:47

I am going to turn it over to Mr. Doug Kinkoph with NTIA to wrap it up.

4:30:55

But I would like to make one closing comment or a couple of closing comments which is that your participation has been invaluable, and we greatly appreciate everything that you've shared. We have learned a lot.

4:31:07

You have also confirmed, I think, a lot of the questions that may have been lingering in the team's mind about, you know, what were tribes' positions? We've heard from tribes all the way from Connecticut, to Alaska, to California, and everything in between big, small populations, big and small land bases, large economies, small economies.

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4:31:28

But everybody is in the same space when we talk about dealing with the digital divide and the impacts of Covid and what that has done to our communities, mine included.

4:31:37

And so, I want to thank you for the time, and recognize that you have a lot of things on your plate.

4:31:43

And to spend the amount of time that you have on this issue means that it's a priority, and it's a priority to us, and we value what you have contributed today.

4:31:52

Moving forward, there is going to be more information on the NTIA website. You'll see that we're still receiving, for clarification, the written comments. You'll see the e-mail box there. Doug can clarify that a little bit more in a moment.

4:32:06

Keep an eye open for the NOFO. We, as you see, we have yet to put up a firm date there, but we are driving towards driving towards that pretty aggressively.

4:32:17

And then, if there's an opportunity, and you want to learn about more elements that are out there with NTIA, March 17th is going to be a webinar that NTIA will be promoting in order to go over all the other programs that they have that aren't just tribal specific.

4:32:32

So, in closing, I'm going to turn it over to Doug. And as I do that, I want to thank all of you for your kind words and support of the program, and from my family, to yours, from my house to yours, [Traditional Native Language]. My heart is good, and with that, I'll turn it over to Mr. Doug Kinkoph.

4:32:50

Doug, you're on mute, the word of the day.

4:32:57

Thank you, Adam. Just let me start off by clarifying that

4:33:00

we're taking comments through the end of today wherever that is in your time zone. So, I apologize for the Tribal Leaders Letter that stated yesterday, but please feel free to get them in through, you know, 11:59 your time tonight.

4:33:17

I would like to personally thank all the tribal leaders and the representatives for their participation over the three consultations. I think it's been an outstanding discussion, you know, issues on match.

4:33:29

TRIBAL CONSULTATION

NTIA Tribal Broadband Connectivity Grant Program

Transcript To Be Viewed With Published Video

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I think it's very clear where most of the tribes stand on match, over builds, duplication of funding with other federal programs, distribution

4:33:39

of funding, supply chain, the need to build the middle mile, cable landings, and so many more issues you guys have given great input on.

4:33:49

And while I'm not in that position today to provide answers on all of these issues, I want to convey to you that we've gotten all of your input, and it's invaluable to us as we move forward in developing the Notice of Funding Opportunity. So thank you very much for all your valuable input.

4:34:06

In closing, just once again, thank you to all of you. As well, I'd like to thank the NTIA team for pulling all of this together. I'd like to give a special thanks to Laura for handling the phones, the shuffling back and forth and special thanks to Adam Geisler for an outstanding job for facilitating the three programs. So, thank you, Adam, Laura, and the rest of the team. So thank you. Again, stay healthy, and we look forward to continuing to work with you as we move forward on the program. Thank you, and good evening and stay healthy.

Thank you.

4:34:45

Have a great weekend.