**DA 25-538**

**Released: June 23, 2025**

**CONSULTATION FOR TRIBAL NATIONS REGARDING**

**THE NATIONAL ENVIRONMENTAL POLICY ACT AND THE
 SECTION 106 PROCESS OF THE NATIONAL HISTORIC PRESERVATION ACT**

**RM-12003**

By this Public Notice, the Wireless Telecommunications Bureau (WTB) and the Consumer and Governmental Affairs Bureau’s Office of Native Affairs and Policy (ONAP) announce an upcoming opportunity for federally-recognized Tribal Nations and Native Hawaiian Organizations (NHOs) to consult with Commission staff regarding the National Environmental Policy Act (NEPA) and the Section 106 process of the National Historic Preservation Act.

The consultation will be held via video conference from **2:00 pm EDT to 4:00 pm EDT on Tuesday, July 15, 2025**.

Executive Order 14154, issued on January 20, 2025, and titled “Unleashing American Energy,” directs the Council on Environmental Quality (CEQ) to provide guidance on implementing NEPA in order to expedite and simplify the permitting process.[[1]](#footnote-3) CEQ issued a guidance memorandum on February 19, 2025, advising the heads of federal departments and agencies to complete the revision of their NEPA procedures by February 19, 2026.[[2]](#footnote-4)

On March 27, 2025, CTIA—The Wireless Association filed a petition for rulemaking[[3]](#footnote-5) requesting that the Commission review and streamline its rules implementing NEPA as amended by the Fiscal Responsibility Act of 2023[[4]](#footnote-6) and proposing that the Commission explore and seek public comment on other proposals relevant to the Commission’s environmental and historic preservation review processes.[[5]](#footnote-7)

In furtherance of the Commission’s express desire to work with Tribal Nations on proposals involving the Section 106 review process and NEPA, WTB and ONAP will hold a video conference to discuss the issues raised and proposals made by the CTIA Petition.

This Tribal Consultation is in furtherance of the Commission’s government-to-government relationship as described in the Commission’s Tribal Policy Statement.[[6]](#footnote-8) Attendance will be limited to elected and appointed leaders or duly appointed representatives of federally-recognized Tribal Nations and NHOs, including Tribal Historic Preservation Officers (THPOs). Time permitting, we will invite statements from other Tribal representatives and participants during the Listening Session.

WTB and ONAP may announce additional consultation opportunities on these issues. Additionally, ONAP will list any upcoming consultations on its webpage (<https://www.fcc.gov/native>) and will email notices about consultation events to Tribal Nations from its Native@fcc.gov email address. If you have not yet signed up to receive emails from ONAP, please send a message to Native@fcc.gov and request to be added to ONAP’s mailing list.

Tribal Nations and NHOs, like other interested parties, should file comments, reply comments, and *ex parte* presentations in the public record in order to put facts and arguments before the Commission in a manner such that they may be relied upon in the decision-making process. The Commission, however, will exempt *ex parte* presentations involving elected and appointed leaders, and duly appointed representatives, of federally-recognized Tribal Nations and NHOs from the disclosure requirements in permit-but-disclose proceedings (47 CFR § 1.1206) and the prohibitions on presentations during the Sunshine Agenda period (47 CFR § 1.1203).  Specifically, presentations from elected and appointed leaders or duly appointed representatives of federally-recognized Tribal Nations or NHOs, including THPOs, to Commission decision makers shall be exempt from disclosure.  To be clear, while the Commission recognizes that Consultation is critically important, we emphasize that the Commission will rely in its decision-making only on those materials that are placed in the public record for this proceeding.

Reasonable accommodations for people with disabilities are available upon request. Send an email to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice) or 202-418-0432 (TTY).  Please include a description of the accommodation you will need and tell us how to contact you. Requests for special accommodation should be made as early as possible. Last minute requests will be accepted but may be impossible to fill.

For additional information about the video conference, please contact Bambi Kraus at Bambi.kraus@fcc.gov, Consumer and Governmental Affairs Bureau’s Office of Native Affairs, or Maira Delao at maira.delao@fcc.gov, Competition & Infrastructure Policy Division, Wireless Telecommunications Bureau. For additional information about Tribal Consultation, please see <https://www.fcc.gov/native>.

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1. E.O. 14154, 90 Fed. Reg. at 8353. [↑](#footnote-ref-3)
2. Implementation of the National Environmental Policy Act, Memorandum from Katherine R. Scarlett, Chief of Staff, CEQ, to Heads of Federal Departments and Agencies, (Feb. 19, 2025), available at <https://ceq.doe.gov/docs/ceq-regulations-and-guidance/CEQ-Memo-Implementation-of-NEPA-02.19.2025.pdf>. [↑](#footnote-ref-4)
3. Petition of CTIA for Rulemaking to Update Part 1, Subpart I of the Commission’s Rules Implementing the National Environmental Policy Act, RM 12003 (filed Mar. 27, 2025), [https://www.fcc.gov/ecfs/search/search-filings/results?q=(filers.name:(%22CTIA%22)+AND+date\_received:[2025-03-27%20TO%202025-03-28])](https://www.fcc.gov/ecfs/search/search-filings/results?q=(filers.name:(%22CTIA%22)+AND+date_received:%5b2025-03-27%20TO%202025-03-28%5d)) (CTIA Petition). [↑](#footnote-ref-5)
4. *See* 42 U.S.C. § 4321 *et seq*.; Fiscal Responsibility Act of 2023, Pub. L. No. 118-5, 137 Stat. 10 (2023); 47 CFR Part 1, Subpart I. [↑](#footnote-ref-6)
5. *See, e.g.,* CTIA Petition at 21-22, 29. [↑](#footnote-ref-7)
6. *Statement of Policy on Establishing a Government-to-Government Relationship with Indian Tribes,* Policy Statement, 16 FCC Rcd 4078, 4081 (2000) (“Tribal Policy Statement”). [↑](#footnote-ref-8)