

Congress of the United States
House of Representatives
Washington, DC 20515-3101

879

November 25, 2019

The Honorable Ajit Pai
Chairman, Federal Communications Commission
455 12th Street SW
Washington, DC 20554

Re: FCC's Newly Adopted Timelines Governing Tribal Priority Filing Windows

Dear Chairman Pai,

We write to share our concerns about the Federal Communications Commission's (Commission) newly adopted rules governing Native Nations' opportunity to obtain spectrum licenses through the Tribal Priority mechanism as indicated under the Report and Order FCC 19-62, "Transforming the 2.5 GHz Band" in Educational Broadband Services (EBS) spectrum.

As you are aware, there is a high level of interest amongst Native Nations in obtaining these licenses to provide critical services on tribal lands and in furtherance of self-governance. Through recent information shared by the Commission, we understand that the tribal priority filing window for Native Nations to apply for unclaimed EBS spectrum over tribal lands will begin in January 2020 and last around 90 days. We believe that the Commission's expedited timeline for the Tribal Priority mechanism jeopardizes the success of tribal telecommunications projects in the 2.5 GHz Band and spectrum at large on Indian lands.

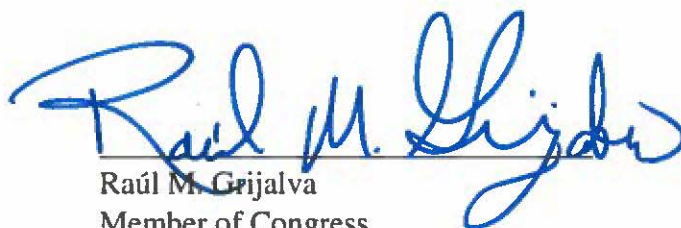
The Commission's stated timelines are especially concerning due to the complexities of spectrum licensing, financing, planning, and engineering involved in the deployment of these telecommunications projects. The additional bureaucratic and procedural mechanisms that sovereign Native Nations must execute for proper decision-making and internal budget authorization in furtherance of true self-governance make these projects even more complex. In keeping with the federal government's trust responsibility to the 573 Native Nations in the United States, the Commission has a responsibility to honor our government-to-government relationship with Tribes, especially since the deployment of these resources is critical for the development of government services like public safety, education, and healthcare on tribal lands.

We request that you adjust the tribal priority filing window to begin in April 2020, which will allow adequate time for the Commission to conduct its due diligence to provide Native Nations with proper notice and guidance, introduction of mapping tools, robust outreach in furtherance of the trust responsibility, and training. Additionally, we request that the Tribal Priority window be lengthened to 180 days to give eligible entities reasonable time to prepare and obtain Tribal Priority licenses for the implementation of broadband services on Indian lands. We look forward to hearing from you on this matter of great importance to Native Nations.

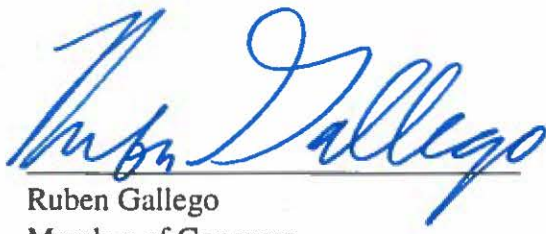
Sincerely,



Deb Haaland
Member of Congress



Raúl M. Grijalva
Member of Congress



Ruben Gallego
Member of Congress



Tom Cole
Member of Congress



Cindy Axne
Member of Congress



Raul Ruiz, M.D.
Member of Congress



Tony Cárdenas
Member of Congress



Jared Huffman
Member of Congress



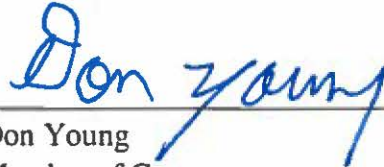
Betty McCollum
Member of Congress



Gwen Moore
Member of Congress



Tom O'Halleran
Member of Congress



Don Young
Member of Congress