



Ewiiaapaayp Tribal Office Ewiiaapaayp Band of Kumeyaay Indians

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April 21, 2023

VIA FACSIMILE
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National Telecommunications and Information Administration
U.S. Department of Commerce
1401 Constitution Avenue NW
Washington, DC 20230

re: NTIA's National Spectrum Strategy – Tribal Consultation Comments
Comments made on April 20, 2023 - Tribal Consultation Call w NTIA

The Ewiiaapaayp Band of Kumeyaay Indians (EBKI), a federally recognized Indian Tribe, previously submitted oral comments to the National Telecommunications and Information Administration (NTIA) Digital Equity RFC Listening Sessions by EBKI chief executive officer Mr. Will Micklin and EBKI consultant Mr. Joe Carella, through Entrust Solutions Group, and herein submits our written comments to Secretary of Commerce Ms. Gina Raimondo. Secretary Raimondo directed the development and implementation of a comprehensive National Spectrum Strategy (NSS) for the United States. The National Telecommunications and Information Administration has been tasked with leadership on this effort, in collaboration with the Federal Communications Commission, and in coordination with other Executive Branch agencies. The primary objective is to identify 1500 megahertz to be made available for repurposing, per Assistance Secretary of Communications and Information Alan Davidson in his March 30, 2023 comments¹.

EBKI comments follow.

¹ [Remarks of Alan Davidson | National Telecommunications and Information Administration \(ntia.gov\)](#)

1. FCC has set precedent for Tribal preference on spectrum during the tribal window to secure available 2.5 GHz spectrum on tribal lands. The FCC is to be complimented for extending the original utility deadlines (from award) to match the timeline for non-tribal entities.
2. For future spectrum band offerings, NTIA and FCC should consider:
 - a. Following that precedent and permitting tribes to secure license to those new bands on a preferential basis.
 - b. Failing that, FCC should permit tribes a discounted rate for licensing access to any spectrum bands from commercial providers, which must be offered by primary licensees.
3. FCC should develop a database of licensed spectrum bands that are currently licensed yet are lying unused and fallow. This database should be updated regularly. Tribes should be offered the option to secure the spectrum bands at an administrative fee and commitment to comply with ongoing FCC licensing obligations.
4. One technical item. As technology has evolved to use digital rather than analog equipment, a trend which I expect to continue, would it be possible for NTIA / FCC to reduce the width of guard bands? When these guard bands were originally defined, there was more risk of cross talk across bands; digital technology has reduced these risks significantly. Therefore, a greater proportion of the planned 1500 megahertz of spectrum could be constructively used.

Thank you to NTIA TBCP Tribal Liaison Mr. Adam Geisler and the three NTIA leads for the opportunity to make these comments. Please direct any questions to the EBKI chief executive officer, Mr. Will Micklin, by telephone at +1 (619) 368-4382 or by electronic mail to ceo@ebki-nsn.gov. Thank you.

Respectfully,



Robert Pinto, Sr.
Tribal Chairman
Ewiiapaayp Band of Kumeyaay Indians