



NTIA TRIBAL CONSULTATION SUMMARY REPORT

The National Telecommunications and Information Administration (NTIA) invited Tribal leaders to participate in Tribal Consultation webinars on April 18th and 20th, 2023. NTIA convened these government-to-government Tribal Consultations to seek input on NTIA's requests for comments on a proposed National Spectrum Strategy (the Strategy).

America is increasingly dependent on secure and reliable access to radio frequency spectrum. Sufficient access to spectrum is vital to national security, critical infrastructure, transportation, emergency response, public safety, scientific discovery, economic growth, competitive next-generation communications, and diversity, equity, and inclusion. Increased spectrum access will also advance U.S. innovation, connectivity, and competition, create high-paying and highly skilled jobs, and produce improvements to the overall quality of life.

Spectrum access, however, must be managed responsibly and efficiently. To that end, in March NTIA began the process of developing the Strategy, which, once adopted, will allow the United States to plan effectively for its current and future spectrum needs. NTIA is committed to preparing the Strategy based upon collaboration with both federal and non-federal stakeholders—including Tribal Nations—and on data-driven decision-making, to fully address the needs of spectrum reliant services and missions.

NTIA structured the Tribal Consultations around the following questions, which it disseminated prior to the consultations via a letter to Tribal leaders[[[Dear Tribal Leader Letter](#) link]] on March 22, 2023, addressing the following topic areas:

- How could transparency and communications related to spectrum allocation decisions be improved to increase Tribal Nations' trust in the process?
- What actions or recommendations would promote the deployment and availability of next-generation products and services to Tribal lands?
- What initiatives on Tribal lands (e.g., testbeds) or partnership with Tribal governments should be considered that would enable more robust and quicker implementation of spectrum sharing to meet spectrum access needs?
- What, if anything, can NTIA do to develop, strengthen, and diversify the spectrum workforce within Tribal Nations to ensure an enduring, capable, and inclusive workforce?
- Any other questions raised by our Request for Comments (attached) which are of interest to Tribal Nations.

Following are [links](#)  to the Tribal Consultations recordings and transcripts.

Ninety-two (92) Tribal leaders or their delegates and interested parties attended the first Tribal Consultation Session on April 18, 2023, at which NTIA heard comments from 10 participants. Sixty-one (61) Tribal leaders or their delegates and interested parties attended the second Tribal



Consultation Session on April 20, 2023, at which NTIA heard comments from 10 participants. NTIA also received and reviewed seven additional written submissions.

The following is a summary of the inputs from Tribes and stakeholders and NTIA's response.

How could transparency and communications related to spectrum allocation decisions be improved to increase Tribal Nations' trust in the process?

Tribal leaders and stakeholders advocated for more opportunities to comment in advance on spectrum proceedings or license applications involving spectrum on or over Tribal lands. Regarding transparency, Tribal leaders and stakeholders advocated for the inclusion of Tribal stakeholders in "national conversations" about new technologies, spectrum, fiber deployment, funding program eligibility, and barriers to infrastructure development.

Tribal leaders and stakeholders expressed concern about their inability to compete with the large budgets of national carriers in spectrum auctions. Similarly, Tribal leaders and stakeholders said that the national wireless carriers and internet service providers (ISPs) have an advantage in funding applications.

In addition, Tribal leaders and stakeholders suggested that the FCC should provide more frequent status updates on ongoing spectrum applications and that FCC and NTIA should explore ways to engage with Tribal Nations in a less formal manner. Tribal leaders and stakeholders expressed concern that "liaisons" sent to discuss spectrum issues with Tribal Nations may not be "decisionmakers" who are empowered to effect change. These Tribal leaders and stakeholders suggested that Tribal representatives be "put in the same room" as decisionmakers.

Tribal leaders and stakeholders impressed the importance of having additional data on who holds licenses or authorizations for spectrum bands over Tribal lands and suggested that spectrum audits over Tribal lands could help determine which spectrum bands are in use. Tribal leaders and stakeholders also noted that Tribes who are denied funding for NTIA projects would like more transparency and direct communication about such applications and application decisions. Tribal leaders and stakeholders emphasized that federal stakeholders should work to ensure continuity in long-term communications with Tribal stakeholders despite personnel turnover.

Based on the feedback provided, NTIA has determined that one of the objectives of the National Spectrum Strategy will be to establish a long-term, collaborative process that brings all stakeholders, including Tribal Nations, together for advance spectrum planning. Regularly assessing and optimizing spectrum allocations to address evolving Federal and non-Federal user requirements will help ensure spectrum use is providing the greatest benefits to the American people, especially those in Tribal communities. In doing so, the Strategy will recognize and leverage existing interagency agreements, including the Memorandum of Understanding between and among NTIA, the Federal Communications Commission, and the Department of Interior, to expand spectrum access and promote the deployment, coordination, and development



of broadband and other wireless communications services on Tribal lands and Hawaiian homelands.

What actions or recommendations would promote the deployment and availability of next-generation products and services to Tribal lands?

Tribal leaders and stakeholders advocated for Tribal lands to be used in pilot programs for next-generation technologies, to improve Tribal awareness of, and access to, next-generation technologies. Tribal leaders and stakeholders recommended that Tribal representatives be included in discussions on new technologies and potential licensing on or near Tribal lands. These Tribal leaders and stakeholders proposed workshops to introduce the new technologies and provide demonstrations.

Tribal leaders and stakeholders noted that Tribal auction credits have been an ineffective means of encouraging carriers to deploy on Tribal lands. Though these Tribal leaders and stakeholders described a positive experience with the 2.5 GHz early filing window, some Tribal stakeholders expressed disappointment with the outcome of this process. Tribal leaders and stakeholders proposed that Tribal stakeholders be given a discounted rate to use spectrum over Tribal lands. Additionally, Tribal leaders and stakeholders suggested that a preference for Tribal stakeholders should also apply to any future spectrum allocations on Tribal lands.

Regarding Open Radio Access Network (Open RAN) implementation, Tribal leaders and stakeholders said there are insufficient economic incentives for carriers to implement O-RAN on Tribal lands. Tribal leaders and stakeholders suggested regulating internet providers to require service provision on Tribal lands. Tribal leaders and stakeholders suggested that the creation of training and outreach programs could connect Tribal communities with existing opportunities and programs for exploring new technologies.

Based on the feedback, under the pillar on improving spectrum access and management through technology development, NTIA outlined the U.S. government's intent to pursue policies that maximize flexible use of spectrum to accommodate new and innovative technologies and identify opportunities to expand access. An essential aspect of maximum flexibility is fostering U.S. technological innovation and reducing barriers to expand spectrum access (especially for historically underrepresented rural communities). Moreover, the Strategy calls for promoting the opportunistic use of spectrum bands to expand access to new users in Tribal communities.

What initiatives on Tribal lands (e.g., testbeds) or partnership with Tribal governments should be considered that would enable more robust and quicker implementation of spectrum sharing to meet spectrum access needs?

Tribal leaders and stakeholders repeatedly advocated for more efficient use of spectrum over Tribal lands, including requirements that spectrum made available through spectrum auctions be subject to “use or lose” requirements with build out obligations within Tribal lands.



Tribal leaders and stakeholders had several other suggestions for how to enable more robust and quicker implementation of spectrum sharing to meet spectrum access needs on Tribal lands. One suggestion was for the FCC to make its online processes clearer and easier to navigate. Another example was that regulators could ease the process for Tribal Nations to test new technologies on their respective reservations, such as providing a grace period of six to 12 months for Tribes to work with new technologies to determine whether the technologies are viable for their residents.

In another suggestion, tribal stakeholders could receive 2.5 GHz spectrum licenses for Tribal use and as part of a sharing initiative with carriers. Tribal leaders and stakeholders highlighted passage of the Digital Reservations Act as a potential mechanism to guarantee spectrum access on Tribal lands. Tribal leaders and stakeholders also recommended simplified or waived applications processes for Tribal communities interested in exploring new technologies.

Based on the feedback, NTIA included in the Strategy a call for deploying measurement campaigns on Tribal lands with the consent of Tribal governments. As part of an objective focused on improving the collective understanding of EM, the Strategy also commits to considering ways to gather better information regarding spectrum access for Tribal communities. This could also address spectrum utilization, or if applicable, the buildout of spectrum access infrastructure on Tribal lands. Deploying such campaigns will provide valuable real-world information regarding actual spectrum resource usage that can be used to promote accountability or inform plans for more intensive use.

What, if anything, can NTIA do to develop, strengthen, and diversify the spectrum workforce within Tribal Nations to ensure an enduring, capable, and inclusive workforce?

Tribal leaders and stakeholders uniformly supported opportunities for spectrum-related workforce training for Tribal communities. Tribal leaders urged NTIA to provide opportunities for Tribal governments (and particularly financially stressed governments) to participate in spectrum-related training. Tribal leaders and stakeholders encouraged NTIA to investigate leveraging opportunities for employment and training activities for Indian, Alaska Native, and Native Hawaiian individuals pursuant to section 166 of the Workforce Innovation and Opportunity Act. Tribal leaders suggested that any workforce training opportunities should occur in-person so that communities without broadband access are able to participate. Tribal leaders further noted that internship programs or partnerships with non-Tribal business entities have, in the past, successfully provided opportunities for younger members of Tribal communities looking to learn a new trade.

Based on the feedback provided, NTIA included a pillar in the Strategy focused on developing a well-trained, skilled, and diverse spectrum workforce. It recognizes that a well-trained workforce is needed to fill critical spectrum-related jobs across all relevant sectors, including Tribal nations and governments. The U.S. Government commits to developing a National Spectrum Workforce Plan to prioritize development of, and enhancements to, the spectrum ecosystem workforce. As stakeholders are engaged and work begins on the Plan, the specific



needs of Tribal Nations, such as hands-on in-person training opportunities and internship and partnership which offer growth and job opportunities for younger member of the Tribal communities.

Other Feedback

- Tribal leaders and stakeholders noted that many Tribes have only fee land and not trust land.
- Tribal leaders and stakeholders noted that many Tribes lack access to high-speed wireless and broadband services.
- Tribal leaders and stakeholders recommended that the Bureau of Indian Affairs be included in discussions related to the Strategy.
- Tribal leaders and stakeholders asked that they receive notice about the transfer of ownership of any physical infrastructure located on Tribal lands such as towers.

Summary

The Tribal Consultations revealed many perspectives. Some questions elicited a variety of responses, while others received more consistent answers.

- Tribal leaders and stakeholders would like to improve communication and transparency regarding federal spectrum allocation and broadband funding initiatives.
- Tribal leaders and stakeholders would like to improve their access to spectrum and broadband funding on Tribal lands.
- Tribal leaders and stakeholders indicated that pilot programs and education initiatives would be an effective way to promote technology development on Tribal lands.
- Tribal leaders and stakeholders provided positive feedback on initiatives and application processes which established separate processes for Tribal stakeholders, such as the early filing window for Tribal stakeholders for 2.5 GHz spectrum licenses.
- Tribal leaders and stakeholders expressed interest in potential federal efforts to promote workforce development and education on communications-related topics.
- Tribal leaders and stakeholders noted that funding availability is a barrier to improving Tribal spectrum access, communications infrastructure build out, and program participation.