



Federal Communications Commission
Washington, D.C. 20554

Office of Native Affairs and Policy

From: Native <Native@fcc.gov>

Sent: Wednesday, August 16, 2023 6:59 PM

Subject: FCC Seeks Comment On Tribal Nation And Native Hawaiian Access To Spectrum And Related Data

Greetings from the Office of Native Affairs and Policy at the Federal Communications Commission.

On August 4, 2023, ONAP and the Wireless Telecommunications Bureau released a [Public Notice](#) (Notice) seeking public comment on ways in which the Commission can improve its understanding of how and the extent to which Tribal Nations and the Native Hawaiian Community, as defined in the Notice, are able to access wireless spectrum. In order to assess current and future policy efforts relating to spectrum designed to close the digital divide, the Notice seeks information about how Tribal Nations and the Native Hawaiian Community are accessing spectrum, whether it be through direct licensing or other means.

Although Tribal Nations and the Native Hawaiian Community hold spectrum licenses in various wireless bands, the Commission's current wireless licensing application forms do not collect information to identify Tribal or Native Hawaiian applicants. This leads to an incomplete picture of wireless spectrum access by Tribal Nations and Native Hawaiian Community. Therefore, the Notice seeks comment on the potential addition of categories or questions to the Commission's wireless licensing forms to better identify Tribal or Native Hawaiian applicants seeking to obtain, or currently holding, spectrum licenses. Some examples of areas where the Notice seeks comment:

- What are appropriate categories, questions, and terminology that will recognize both the sovereign status of Tribal Nations, as well as the broad diversity of Tribal Nations and the Native Hawaiian Community?
- If we add categories or questions to the Commission's wireless licensing forms to more readily identify Tribal or Native Hawaiian applicants, should the collection of this additional information be mandatory or optional?
- Should the forms collect responses only from Tribal Nations or Tribal government entities, or should they also collect responses from non-governmental Tribal entities, such as businesses, or individual Tribal citizens?
 - If the forms collect responses from non-governmental Tribal entities, what criteria should the forms use to identify those entities (e.g., some minimum amount of Tribal control)?
- To what extent have Tribal Nations and the Native Hawaiian Community been able to successfully access licensed spectrum through secondary market transactions in the recent past (for example, leasing arrangements and the partitioning or disaggregation of licenses held by carriers or other non-Tribal entities)?

- Are there ways in which the Commission can expand awareness among Tribal Nations and the Native Hawaiian Community about how they can access spectrum without applying for a license (for example, General Authorized Access Tier of the Citizen’s Broadband Radio Service, unlicensed use in White Spaces, and the 5 GHz band)?

Comments to the Notice must be filed by November 30, 2023. We encourage you to submit comments to ensure that voices in the Native community are considered. You can submit an electronic filing by going to the [Submit a Standard Filing](#) portion of the Commission’s Electronic Comment Filing System, where you can begin by entering the docket number “23-265” in the “Proceeding(s)” field. For more detailed information, including how to submit paper filings, please refer to the Notice: <https://www.fcc.gov/document/pn-tribal-spectrum-access-and-data>

If you have any questions, or have trouble with the Electronic Comment Filing system, please contact ONAP at Native@fcc.gov.

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Federal Communications Commission