

July 23, 2020

Marlene H. Dortch
Secretary, Federal Communications Commission
445 12th Street, SW
Washington DC 20554

Re: Rural Tribal Priority Window, Transforming the 2.5 GHz Band, WT Docket 18-120

Dear Secretary Dortch,

The undersigned groups write to express support for the National Congress of American Indians, *et al.*, in urging the Federal Communications Commission to adopt an “Emergency Motion for Stay of the 2.5 GHz Rural Tribal Priority Window.” Doing so would extend the application deadline for 182 days due to the significant impact the COVID-19 crisis has had on American Indian Tribes, Native Hawaiian communities, and Alaska Native villages across the nation.

As the Federal Communications Commission itself has declared, broadband is needed “for every facet of daily life.” However, less than half of housing units on rural Tribal lands have access to broadband. In order to ensure “meaningful access” to communications services for underserved Tribes, the FCC created the Rural Tribal Priority Window, which allows Tribes to apply for free spectrum in the 2.5 GHz band in order to deploy wireless broadband on their lands. Unfortunately, approximately 80% of eligible Tribes will not be able to take advantage of this spectrum unless the FCC extends the deadline.

Despite the promise of this opportunity for Tribal communities, Tribes have faced significant hurdles to finishing their applications on time due to the COVID-19 crisis. Many Tribes lack the expertise to navigate the FCC application process and the vast majority of application workshops intended to help them were cancelled, as were other forms of in-person outreach. An informal review by MuralNet estimates that 20% of applications already submitted will need to be amended or are missing necessary filings. This is particularly troubling as the FCC has made it clear the agency will not allow any major application amendments after the deadline, essentially eliminating a Tribe’s opportunity to correct any mistakes.

Moreover, the global pandemic has delayed work on the applications and Tribal decision-making because many people have been incapacitated by the COVID-19 virus. Those able to work must generally do so from home — often *without the very broadband access the application is meant to provide*. We cannot expect Tribes to complete work that requires broadband when they don’t have broadband.

By refusing to extend the Rural Tribal Priority Window, the FCC will prevent the vast majority of eligible Tribes from accessing this once-in-a-lifetime opportunity -- due to circumstances wholly outside of Tribal control. The FCC will also fail to achieve its own policy goals of promoting Tribal connectivity. Extending the 2.5 GHz Rural Tribal Priority Window is one small way the FCC can fulfill its commitment to Tribes. Doing so is the first step to addressing the inequities of this underserved population, giving Tribes, Native Hawaiian communities, and Alaska Native villages an actual chance to secure broadband access for their communities.

Sincerely,

Access Humboldt
Access Now
Advocates for Indigenous California Language Survival
Alliance for California Traditional Arts
AMERIND Critical Infrastructure
AMERIND Risk
Asian Americans Advancing Justice (AAJC)
Benton Institute for Broadband & Society*
California Center for Rural Policy
Center for Rural Strategies
Common Cause
Common Sense
Community Informatics Lab at Simmons University
Department of Public Transformation
Environmental Defense Fund
Fight for the Future
First Nations Development Institute
Free Press
Friends of Buckingham
Global Force for Healing
Heart of the Rockies Initiative
INCOMPAS
Institute for Local Self-Reliance
Internet Society
Kentucky Resources Council, Inc.
Long Beach Gray Panthers
Media Alliance
Merit Network, Inc.
Mobile Beacon
National Digital Inclusion Alliance
National Hispanic Media Coalition
Native American Finance Officers Association (NAFOA)
Native Public Media
New America's Open Technology Institute
New Mexico Public Education Department

NTEN
Public Knowledge
Reis Foundation
San Gabriel Unitarian Universalist Fellowship
Schools, Health & Libraries Broadband (SHLB) Coalition
TechSoup
The National Tribal Telecommunications Association
Tiwahe Foundation
United Church of Christ, OC Inc.
United Methodist Church
Voqual
Washington State University (WSU) Extension
X-Lab

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