



(1) Concludes that small wireless facilities do not qualify as “undertakings” or “major federal actions”, thereby circumventing the protections of NHPA and NEPA;



- (2) Eliminates tribal fees for initial historic preservation assessments (which often number in the hundreds per month) by tribal governments, encouraging industry to exclusively rely on its own consultants whose understanding of Native culture is limited, rather than access the unique expertise of tribal nations with regard to impacts on their own cultural areas; and
- (3) Mischaracterizes the extent of formal consultation carried out prior to the release of the draft Report and Order by including listening sessions, briefings and other meetings that are not true consultations.

Rolling back protections for tribal cultural and historic properties will have grave consequences for the Shawnee Tribe.

The Shawnee Tribe once had a considerable presence in the eastern half of the United States. Still yet in our current state of ongoing development archaeological sites of our old cemeteries, towns, and villages are being discovered. Without the opportunity to communicate areas of concern to contractors, we foresee that numerous important historic places will be damaged or destroyed if the Shawnee Tribe's voice is removed from the process.

Once tribal cultural and historic properties are damaged, it is often irreversible. Therefore, like other tribes throughout the country, we will have no recourse if the deployment of wireless technology results in the destruction of our tribal cultural and historic properties. Accordingly, we ask that all Commissioners vote against adopting this draft Report and Order.

Sincerely,

A handwritten signature in blue ink, appearing to be 'B. Barnes', with a long horizontal flourish extending to the right.

Benjamin J. Barnes, Second Chief of the Shawnee Tribe