



TWENTY-NINE PALMS BAND OF MISSION INDIANS

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May 19, 2015

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

**Re: Twenty-Nine Palms Band of Mission Indians Reply Comments on Public Notice FCC 15-49—
Request for Further Comment on Issues Related to Competitive Bidding Proceeding; WT Docket
Nos. 14-170 and 05-211, GN Docket No. 12-268, and RM-11395**

Dear Secretary Dortch,

On behalf of The Twenty-Nine Palms Band of Mission Indians, I respectfully submit these Reply Comments in response to Public Notice FCC 15-49. The Twenty-Nine Palms Band of Mission Indians is a federally recognized tribe that has Reservation lands in Riverside and San Bernardino Counties in southern California. The Tribe operates two class-III gaming properties and administers tribal government programs for the benefit of its membership.

High-speed and dependable telecommunications services continue to evade many tribal lands throughout the United States. Consequently, the Federal Communications Commission (FCC) has a very in-depth understanding of the challenges tribes face in deploying or bringing telecommunications services to tribal lands. This has been well documented in the FCC's Docket filings by tribes, tribal organizations, and tribal telecommunications providers. The FCC itself continues to reference these challenges when it initiates a rulemaking that includes specific tribal proposals.

Twenty-Nine Palms Band of Mission Indians is filing in support of comments already submitted by Doyon, Limited and Chugach Alaska Corporation, Leech Lake Telecommunications, Native Public Media, and the National Congress of American Indians.¹ The aforementioned commenters highlighted key reasons as to why the FCC must preserve the small business designated entity program, and the National Congress of American Indians also provided sound justification for preserving the tribal land bidding credit since WT Docket No. 11-40 has remained inactive in the rulemaking process. In order for tribes to break into this highly competitive market, programs like the small business designated entity and the tribal land bidding credit are essential in providing tribes with an opportunity to participate in future auctions.

¹ See Doyon, Limited and Chugach Alaska Corporation, Comments. May 14, 2015 Available at <http://apps.fcc.gov/ecfs/comment/view?id=60001031750>. Leech Lake Telecommunications, Comments. May 14, 2015. Available at <http://apps.fcc.gov/ecfs/comment/view?id=60001031605>. Native Public Media, Comments. May 14, 2015. Available at <http://apps.fcc.gov/ecfs/comment/view?id=60001031662>. National Congress of American Indians, Comments. May 14, 2014. Available at <http://apps.fcc.gov/ecfs/comment/view?id=60001031719>.

Additionally, we do not agree with the comments filed by NTCH, Inc., which made blatant assumptions about tribal nations, their citizens, and their financial statuses.² NTCH, Inc.'s recommendation to develop some sort of "means testing" to determine telecommunications need in Indian Country is a disrespectful assumption of the state of telecommunications on tribal lands. The FCC, along with other federal entities, has already acknowledged and documented the telecommunications infrastructure disparities that have persisted on tribal lands for decades. We respectfully urge the FCC to disregard such comments and preserve the tribal land bidding credit and small business designated entity programs for the benefit of future tribal participation.

Furthermore, we would encourage that the FCC take into serious consideration how any modifications to the tribal land bidding credit and/or small business designated entity program may adversely affect tribal opportunities to participate in future spectrum license auction. Given the immensely competitive nature of spectrum auctions and the vast amount of capital needed to participate, the FCC should not hastily modify programs that will further prevent tribal participation.

Tribes already face daunting barriers to obtaining spectrum licenses for commercial mobile wireless services on tribal lands. Therefore, we strongly urge that the FCC not promulgate rules that would further hinder tribes from obtaining such spectrum licenses.

Sincerely,

A handwritten signature in black ink that reads "Darrell Mike". The signature is written in a cursive, flowing style.

Chairman Darrell Mike

² See NTCH, Inc., Comments, WT Docket Nos. 14-170 and 05-211, GN Docket No. 12-268, and RM-11395. "B. No Automatic Bidding Credits for Indians" Pages 4-5. May 13, 2015. Available at <http://apps.fcc.gov/ecfs/document/view?id=60001047246>.