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Public Comments on Improving Communications Services for Native Nations by Promoting Greater Utilization of Spectrum over Tribal Lands:=====

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I direct my comment specifically to the second point:

Second, the Spectrum over Tribal Lands NPRM seeks comment on a Tribal proposal to create a formal negotiation process under which Tribes could work with incumbent wireless licensees to bargain in good faith for access to spectrum over unserved or underserved Tribal lands. Under this proposal, a Tribal entity could request initiation of negotiations at any point in the term of a license, provided that the Tribal entity can

demonstrate that the licensee failed to negotiate in good faith in connection with a previous attempt by the Tribal entity to negotiate.

While it is true that the Tribes entered into the licenses freely, the lack of equal coverage over Tribal lands as compared to the rest of the United States may have prompted some Tribes to enter into those licenses out of desperation with the belief that having some coverage under a license that was not negotiated in good faith is better than having no coverage at all. I agree that if the Tribal entity can demonstrate that the licensee failed to negotiate in good faith in connection with a previous attempt by the Tribal entity to negotiate, then that Tribal entity should be able to open negotiations to revise their license.