



# LEECH LAKE BAND OF OJIBWE

*Carri Jones, Chairwoman*

*Donald Finn, Secretary-Treasurer*

*Robbie Howe, District I Representative*

*Steve White, District II Representative*

*LeRoy Staples Fairbanks III, District III Representative*

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

<b>Reply Comments</b>	)	
In the matter of	)	
Tribal Mobility Fund Phase I Auction 902	)	
Scheduled For October 24, 2013	)	AU Docket No. 13-53
Comment sought on competitive bidding procedures	)	
For Auction 902 and certain program requirements	)	

## Introduction

The Leech Lake Band of Ojibwe (LLBO) posted comments on May 10, 2013 and makes additional relevant comments.

## Identifying geographical areas eligible for support

On May 10, 2013, weather related barriers deterred progress when collecting data with mobile mapping tools. Testing will begin again in June gathering supportive data to assist the citizens of the LLBO to gain access to broadband services. In reference to the report conducted by Connected Nation, April 17, 2013, recognize the report's purpose was three-fold 1) to compare the field results against the Connect Minnesota broadband map...., 2) to compare the

field results against the Federal Communications Commission (FCC) list of eligible census blocks that may receive certain subsidies from the Connect America Fund (CAF), and item 3) not open for public discussion at this point. Although the study was specific to CAF funds, identifying areas of underserved and un-served areas were useful, but lacked all areas within the jurisdictional boundaries of the reservation, areas identified by the LLBO as critical cultural access areas.

Cultural differences are evident between what cities, counties and states define as community anchor institutes. It is quite obviously different from what LLBO identifies as community anchor institute, such as its own established American Indian communities.

The LLBO continues to urge the FCC to deem the ineligible zero population areas as eligible service areas (all land within the jurisdictional boundaries of the reservation) based upon the cultural factors of use of the tribal lands and thirteen (13) of fourteen (14) tribal communities are located in remote and high cost service areas.

#### Applicant Eligibility

- The LLBO encourages the FCC to present new spectrum to serve Tribal lands.
- The LLBO is in agreement with NCAI and NPM thereby at this time adding its support to secondary markets only if coupled with a strict “build or divest” policy.
- The LLBO offers solutions to the Letters of Credit issue - waive the requirement enabling a fair opportunity for tribes to participate in the 902 Auction or use the federal government’s trust responsibility as Letters of Credit.

Auction 902 Design and Bidding Procedures

- The LLBO recommends to the Commission to adopt a performance standard that requires bidders receiving support from the Tribal Mobility Fund to repay the Mobility Fund support if the bidder fails to deliver 3G or better service.
- The LLBO advocates for winning bidders to be subject to an eligibility criterion to certify they have been authorized by the relevant tribe to do business on the tribal lands thus requiring bidders to consult with tribes before the auction.

In conclusion, the Leech Lake Band of Ojibwe does encourage the Commission when rule-making to remember the citizens within the jurisdictional boundaries of the reservation have been excluded from broadband access.

Respectfully submitted,

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