



Federal Communications Commission
Washington, D.C. 20554

Office of Native Affairs and Policy

From: Native <Native@fcc.gov>

Sent: October 7, 2024

Subject: FCC Seeking Comment on Tribal Consent for 5G Fund Program

Greetings from the Federal Communications Commission.

The FCC will distribute up to \$9 billion over 10 years to support the buildout of advanced 5G mobile wireless broadband networks to those who live, work and travel in rural communities, of which up to \$765 million will be reserved to support networks serving eligible areas on Tribal lands. The funds will be distributed via reverse auction, which allocates Universal Service Fund support to entities willing to accept the lowest support amounts to provide the required 5G service to eligible areas. Additionally, the 5G Fund includes up to \$900 million in incentives for incorporating Open RAN in 5G Fund-supported networks. The FCC will announce the expected start of the auction at a later date.

Through a [Further Notice of Proposed Rulemaking](#) (GN Docket No. 20-32), the FCC is requesting public comment on whether winning bidders in the 5G Fund Phase I auction must demonstrate, when submitting information needed to demonstrate their qualifications to meet the program's requirements during the post-bidding long-form application process, and prior to any authorization of support, that they have obtained consent of the relevant Tribal government to deploy network facilities using 5G Fund support on Tribal Lands. Comments are due on or before October 17, 2024; reply comments are due on or before November 1, 2024.

In the Further Notice, the FCC tentatively concludes that adopting a Tribal consent requirement in its 5G Fund rules would be consistent with its long-standing recognition that engagement between Tribal governments and communications providers promotes the successful deployment and provision of service on Tribal lands. The FCC seeks comment on how to structure a Tribal consent requirement for the 5G Fund and poses a number of questions that would help decision-makers develop any such requirement, or other alternative, in a manner that would benefit Tribal communities and serve the public interest.

ONAP encourages Tribal stakeholders to file comments in this proceeding and is available to discuss this important topic. Please reach out to Native@fcc.gov with any questions.

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