



United Keetoowah Band of Cherokee Indians in Oklahoma

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Federally Recognized
October 3, 1950

COUNCIL

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Joe Bunch
CHIEF

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Jeff Wacoche
ASSISTANT CHIEF

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Joyce Hawk
SECRETARY

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Sonja Gourd
TREASURER

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Eddie Sacks
CANADIAN

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Cliff Wofford
COOWEESCOOWEE

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Caleb Grimmatt
DELAWARE

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Frankie Still
FLINT

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Willie Christie
GOINGSNAKE

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Peggy Girty
ILLINOIS

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Charles Smoke
SALINE

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Levi Catron
SEQUOYAH

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Alvin Hicks
TAHLEQUAH

December 13, 2022

Via email to: PRA@fcc.gov and Cathy.Williams@fcc.gov

Marlene Dortch, Secretary
Office of the Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

RE: October 14, 2022 FCC Request for Comments

Dear Ms. Dortch:

I write in my capacity as the elected Chief of the United Keetoowah Band of Cherokee Indians in Oklahoma, a federally recognized Indian tribe located in Tahlequah, Oklahoma. I provide the following comments to the Federal Communications Commission's Notice and Request for Comments published on October 14, 2022.

The FCC proposes to exclude proposed collocations from historic preservation review by the UKB Tribal Historic Preservation Officer ("THPO") unless the THPO responds to a notice within thirty days. This proposal is unworkable. The THPO receives hundreds of notices each month and requiring a response within thirty days cannot be done without an infusion of resources, which the UKB does not have. The proposed change also violates the rights of the UKB and all Indian tribes to review collocations for potential impacts to sacred sites, cultural sites, and historic tribal properties. The UKB opposes this change and asks the FCC to withdraw the proposal.

Additionally, the FCC has completely failed in its duty to conduct consultation with the UKB and other affected Indian tribes. This duty is enshrined in Executive Order 13175 of November 6, 2000, which has been reinforced by President Biden's recent Memorandum on Uniform Standards for Tribal Consultation of November 30, 2022. Until the FCC fulfills its duty to consult in good faith with Indian tribes, the action proposed in its October 14, 2022 should not take effect.

I will be happy to attend a consultation with the FCC once one is scheduled.

Sincerely,

Joe Bunch
Chief Joe Bunch

United Keetoowah Band of Cherokees

