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iRESPONSE TEAM MEETS WITH FCC CHAIRMAN AJIT PAI

Eastern Shoshone Tribal Chairman Clint Wagon, Federal Communications Commission Chairman Ajit Pai, and iResponse CEO Alvin Windy Boy gathered together in Washington, D.C. to discuss the Section 106 review process for 5G Small Cell Network Deployments, and how iResponse addresses the need for increased efficiency in the consultation process overall.

WELCOME TO THE TEAM!



STEVE DELSORDO

Mr. DelSordo has been engaged in Cultural Resource Management/Historic Preservation for more than 40 years. He recently retired as the Federal Preservation Officer for the Federal Communications Commission. Prior to that, he served the US Department of Agriculture as the staff liaison from the Advisory Council on Historic Preservation.

Mr. DelSordo has also served, for more than 10 years as the Historian with the Delaware State Historic Preservation Office and for another 10 years as a consultant to numerous state and local governments. Currently, Mr. DelSordo serves as an advisor to iResponse. He holds a BA degree in Anthropology and an MA in American History. He has additional coursework in American Studies and Ethnohistory.

WHAT IS 5G ANYWAY?

The G stands for ‘Generation,’ meaning what is being built now is the 5th Generation of wireless technology.



Keyword here is **FASTER**.

All the prior generations, from 1 to 4, increased data speed. BUT each new generation was also incompatible with the generation before.

- 1G was analog cellular
- 2G brought CDMA, GSM and TDMA which were the first digital cell phone technologies
- 3G brought EVDO, HSPA and drastically increased speeds up to a few megabits per second.
- 4G brought LTE—again, not compatible with earlier “G” technologies, but capable of hundreds of megabits and even gigabit-level speeds.
- 5G is faster yet—and is a brand new kind of wireless signal.

One 5G will even work “backwards” meaning it will work with the pre-existing 4G but there are important differences.

5G will operate at a higher frequency

- Less crowded
- Moves information faster
- One big problem, though:
higher frequency signals don’t travel as far as lower frequencies

5G will require more antennas to deliver these better speeds, with towers or existing infrastructure that is relatively close together.

- Rural areas will depend on 4G more so than urban areas
- But 4G will continue to improve over time as well

5G antennas are typically either **small cell** or **DAS** (which stands for Distributed Antenna System).

- Small cell and DAS are more alike than different.
- They are similar in power, coverage, and size.
- Limited geographic coverage
- Both can be installed on existing infrastructure
- Building tops, light poles, street fixtures, etc.
- They both can combine to create a 5G network with huge capacity
- Existing in mostly urban areas

5G can also revolutionize home internet. Rather than running fast fiber-optic lines to each house, carriers just have to install fiber-optic lines to a cell site every few city blocks

- Home customers would use 5G wireless modems for a quantum leap in speed

5 QUESTIONS ABOUT 5G

WITH STEVE DELSORDO

Q: So the FCC voted to streamline 5G rollout, with many small cell deployments no longer being subject to Section 106 Consultations under the National Historic Preservation Act (NHPA) or reviews under the National Environmental Policy Act (NEPA). I read one article that stated the vote wasn’t very controversial. How do you feel?

DelSordo: I’d say the vote wasn’t unexpected from the Republican majority FCC—it passed 3-2 on party lines. But there are plenty of members of Congress who don’t like the policy vote—and they’re not all Democrats, either. Anyone who believes in the importance of historic preservation—whether at the tribal or state government level—disagrees with this vote, too.

Q: But the reason these reviews were pushed back was to allow the United States to be competitive in the race to 5G—we need that, right?

DelSordo: No one is opposed to rolling out the technology fast. But we think those concerned should continue to have a reasonable opportunity to weigh in. We’ve been hearing from municipalities that they don’t like the idea of their utility poles being used for 5G small cell deployments without oversight. And since a lot of 5G deployments will be at sidewalk level, we don’t want a situation where folks will have to watch where they walk. Legislators concerned about ADA regulations don’t want to see a deployment in an accessible path.

Q: I’m hearing lots of these small cell deployments—while a lot are at street level or on utility poles- are going to be on top of buildings in urban areas. Who is really going to be concerned about a small cell antenna on top of a hotel in the middle of, say, downtown Nashville?

DelSordo: Interesting you should say that. If it were the Hermitage Hotel, there might be lots of concern. That hotel

was built in 1910, and has been on the National Historic Register since 1975. As have dozens of other historic hotels and significant buildings all across America. The problem is that once an adverse effect happens, you really can’t turn back the hands of time and get what was lost back. That’s the reason for the NHPA and NEPA in the first place—to avoid problems in the first place.

Q: Headlines talked about millions of dollar spent for these reviews.

DelSordo: Well, that’s an easy headline to write. And we know some powerful interests would love nothing more than to have an unfettered ability to do exactly what they want, where they want, when they want to do it. But we’ve been there, and done that and that is why thousands of historic buildings and sites have been lost forever.

Q: Isn’t this really about keeping the fees?

DelSordo: Let’s talk about fees. **Section 106 does not require fees unless an entity such as a Tribe is asked to undertake research or survey. There’s no law that demands fees be paid to have historic consultation.** The law does demand that applicant at industry is required to make a reasonable and good faith effort to ensure their undertaking doesn’t create an adverse effect. And I don’t think anyone would argue that a good faith effort to avoid destroying a Tribal religious or cultural property or an historic property or historic district only makes sense, right? So if the most efficient way to enact that reasonable and good faith effort is to enlist the help of someone who knows the territory well, then that’s good for industry, right? Sounds like some bad apples might just be trying to get around the good faith effort altogether—and that is something with which we should all have a problem.

[Comments? Suggestions? We’re here to respond!](#)



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