



2026 Winter Convention Portland, Oregon

RESOLUTION # 2026 – 015

“AFFIRMING TRIBAL PRIORITY, EQUITY, AND SOVEREIGNTY IN THE ALLOCATION AND USE OF RADIO SPECTRUM RESOURCES”

PREAMBLE

We, the members of the Affiliated Tribes of Northwest Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties and benefits to which we are entitled under the laws and Constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following Resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are the representatives and advocates for national, regional, and specific Tribal concerns; and

WHEREAS, the ATNI is a regional organization comprised of American Indians/Alaska Natives and Indian Tribal governments in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of ATNI; and

WHEREAS, Tribal Nations are sovereign governments with inherent authority over their lands, resources, and the welfare of their citizens; and

WHEREAS, access to reliable, affordable, and resilient broadband and telecommunications infrastructure is essential to the exercise of Tribal self-determination, economic development, public safety, healthcare delivery, education, and cultural preservation; and

WHEREAS, radio spectrum is a finite public resource that functions as foundational infrastructure for modern communications and is increasingly central to Tribal Digital Sovereignty; and

WHEREAS, the United States, through the Federal Communications Commission (FCC), has previously recognized the unique political status and trust relationship of Tribal Nations by establishing a Tribal Priority Window for the unassigned 2.5 GHz (Educational Broadband Service) spectrum; and

WHEREAS, that Tribal Priority Window represented a clear and successful federal policy precedent, enabling Tribal Nations to directly access, own, and govern spectrum resources on and over their lands; and

WHEREAS, existing Tribal spectrum licenses—particularly in the 2.5 GHz band—are subject to time-limited construction and performance requirements, creating an urgent need for deployment, coordination, and policy alignment to prevent the loss of Tribally-controlled spectrum assets; and

WHEREAS, historic and current spectrum allocation and auction frameworks have disproportionately advantaged large commercial providers, creating structural barriers to Tribal participation and undermining equitable access to spectrum resources; and

WHEREAS, parity in regulatory treatment requires that Tribal Nations be subject to no greater and no lesser requirements than other spectrum licensees, while fully honoring the federal trust responsibility and the government-to-government relationship; and

WHEREAS, the following principle reflects the foundational importance of spectrum access to Tribal sovereignty and intergenerational equity: *“A large part of Tribal Digital Sovereignty is the power of Tribal Nations to own, govern, and benefit from the spectrum resources for future generations just as Tribes are the steward of other natural resources on their lands. Tribal-owned last-mile connectivity is growing. Tribal-controlled backhaul resources do not yet exist at scale. Access to Tribally controlled spectrum strengthens governance, and intergenerational value → it advances sovereignty.”*; now

THEREFORE, BE IT RESOLVED, that ATNI affirms that spectrum resources located on and over Tribal lands are integral to Tribal sovereignty and must be accessible to Tribal Nations as a matter of federal policy, not discretionary accommodation; and

BE IT FURTHER RESOLVED, that ATNI calls upon the federal government, and specifically the Federal Communications Commission (FCC), to formally adopt and implement

policies and regulations that make all spectrum assets available to Tribal Nations for use on and over their lands, consistent with the federal trust responsibility and established precedent; and

BE IT FURTHER RESOLVED, that such availability shall constitute a continuation, codification, and expansion of the policy precedent established by the 2.5 GHz Tribal Priority Window, and shall not be treated as exceptional, pilot-based, or discretionary, but rather as a standing federal policy applicable to all current and future spectrum allocations; and

BE IT FURTHER RESOLVED, that ATNI calls upon the FCC to establish mandatory Tribal Priority Windows, prior to any general commercial auction, for all future spectrum auctions and allocations, using eligibility criteria no more restrictive than those applied in the 2.5 GHz Tribal Priority Window, including but not limited to: AWS-3 (Auction 113) Upper C-Band (3.98–4.2 GHz) Future millimeter-wave spectrum, including the 70/80/90 GHz bands and that such windows must provide Tribal Nations a meaningful opportunity to directly obtain spectrum licenses without competing against non-Tribal commercial providers; and

BE IT FURTHER RESOLVED, that ATNI calls upon the FCC to require that any spectrum licenses previously auctioned or assigned that have expired or been terminated due to failure to meet construction or service requirements shall revert, in whole or in part, to the Tribal reservation areas they covered, rather than being automatically reaucted to non-Tribal entities; and

BE IT FURTHER RESOLVED, that ATNI affirms that Tribal Nations and Tribal entities must be subject to regulatory, technical, and performance requirements that are equal to—but not more burdensome than—those applied to any other provider, regardless of size or capitalization; and

BE IT FURTHER RESOLVED, that this resolution be transmitted to the National Congress of American Indians, the National Telecommunications and Information Administration, and the FCC for consideration, coordination, and national policy action; and

BE IT FINALLY RESOLVED, that this will be the policy of ATNI until it is withdrawn or modified by subsequent resolution(s).

CERTIFICATION

The foregoing Resolution was adopted at the Affiliated Tribes of Northwest Indians 2026 Winter Convention held at the Hilton Portland Downtown in Portland, Oregon, on February 1-5, 2026, with a quorum present.



Leonard Forsman, President



Norma Jean Louie, Secretary