



## **2011 Annual Conference Tulalip, Washington**

### **RESOLUTION #11 – 68**

#### **"FEDERAL TELECOMMUNICATIONS POLICY FOR NATIVE NATIONS"**

##### **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, Executive Orders, 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 to promote the welfare of the Indian people, do hereby establish and submit the following resolution:

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

**WHEREAS**, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes 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 the ATNI; and

**WHEREAS**, Native communities are the worst connected communities in the United States; and

**WHEREAS**, the Federal government and the Federal Communications Commission (FCC) a trust responsibility to support Native Nations and recognize the unique status and needs of Native Nations and Tribal lands; and

**WHEREAS**, the FCC is in the process of substantially changing regulatory rules for the Universal Service Fund and for Inter-Carrier Compensation Rules; and

**WHEREAS**, the telecommunications industry has made numerous proposals to frame the transition of the Universal Service and Inter-Carrier Compensation programs to a new reformed program and to a new Connect America Fund, without a single reference to or acknowledgement of Tribal Nations' unique circumstances and needs; and

**WHEREAS**, Native communities, Tribal organizations, the National Congress of American Indians, and the ATNI have spoken to the Federal government and the FCC on vital policy imperatives on behalf of Native Nations, ATNI must re-state the vital needs of Native Nations and the urgency of securing telecommunications parity with non-Native communities; now

**THEREFORE BE IT RESOLVED**, that ATNI does hereby in the reform of Universal Service and Inter-Carrier Compensation regulations, and the transition from Universal Service Fund to the Connect America Fund, the FCC must honor and respect the sovereignty of Tribal Nations and not lose sight of the unique needs of Native communities; and

**BE IT FURTHER RESOLVED**, that ATNI to ensure the sovereignty of Native Nations, the FCC should defer to Tribal Government's choice of Eligible Telecommunications Carrier (ETC) providers on Tribal lands and enforce the principle that no ETCs should serve Tribal lands without specific permission from the Native Nation; and

**BE IT FURTHER RESOLVED**, that the FCC must support Native Nation's efforts to provide their own regulatory service by removing regulatory barriers and targeting all available federal resources and support for Tribal regulatory efforts; and

**BE IT FURTHER RESOLVED**, the FCC should extend a Native Priority to all communications service sectors and provide regulatory support to Native Nations; and

**BE IT FURTHER RESOLVED**, the FCC should create a Native Broadband Fund to support the deployment and adoption of broadband in all Native communities; and

**BE IT FURTHER RESOLVED**, the FCC must protect Tribal Nations' regulatory service to their communities without cuts to their current funding—through a Tribal carve-out policy--and assure Tribal Nations that sufficient funding will be provided to sustain future Tribal broadband regulatory services; and

**BE IT FURTHER RESOLVED**, the FCC must consult with Tribal governments on all policies impacting Native Nations and require all ETCs on Tribal lands to consult with Tribal governments; and

**BE IT FURTHER RESOLVED**, when planning the potential right of first refusal by price-cap carriers to recede from carrier-of-last-resort obligations in certain rural service areas, that the FCC must consult with Native Nations on the development of procedures and policies on the ensuing ETC designations, resulting ETC service areas and service obligations affecting Tribal Lands, carrier consultations with Native Nations, and give Tribal Nations the first option to serve its own community; and

**BE IT FURTHER RESOLVED**, the FCC should assure Native Nations that that support funding for Native communities be allocated according to need, not basing support on the cheapest infrastructure proposed or the cheapest areas to serve in Native communities; and

**BE IT FURTHER RESOLVED**, the FCC should adopt a Native Broadband Lifeline and Linkup program to help low-income Tribal consumers who cannot afford broadband service to be connected—and benefit from the promise of universal service; and

**BE IT FURTHER RESOLVED**, in the promotion of public interest, the FCC should provide support to connect key Tribal public and anchor institutions to broadband service; and

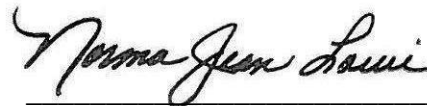
**BE IT FINALLY RESOLVED**, the FCC should take all necessary procedures to make spectrum available for Native Nations to use for public interest services and to attain broadband service, applying extraordinary procedures and waiver of spectrum rules to promote public interest on behalf of Native communities.

#### CERTIFICATION

The foregoing resolution was adopted at the 2011 Annual Conference of the Affiliated Tribes of Northwest Indians, held at the Tulalip Resort Casino in Tulalip, Washington, September 19-22, 2011 with a quorum present.



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Fawn Sharp, President



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Norma Jean Louie, Secretary