



United South and Eastern Tribes, Inc.

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USET Resolution No. 2012:051

SUPPORT FOR THE CONNECT AMERICA FUND TRIBAL ENGAGEMENT AND TRIBAL TRAINING AND CONSULTATION WITH THE FEDERAL COMMUNICATION COMMISSION

- WHEREAS,** United South and Eastern Tribes Incorporated (USET) is an intertribal organization comprised of twenty-six (26) federally recognized Tribes; and
- WHEREAS,** the actions taken by the USET Board of Directors officially represent the intentions of each member Tribe, as the Board of Directors comprises delegates from the member Tribes' leadership; and
- WHEREAS,** USET member Tribes share strong and lasting government-to-government relations with the Federal Communications Commission (FCC) based on past consultations and extensive work to develop the FCC-USET Best Practices Agreement for tower siting, the FCC's Tower Construction Notification System, and the FCC's Nationwide Programmatic Agreement protecting Tribal sites of religious and cultural significance in the tower siting reviews under the Section 106 of the National Historic Preservation Act; and
- WHEREAS,** there is a persistent and deep Digital Divide in Indian Country that continues to challenge the ability of Indian Tribes to provide for the health, safety, welfare, and economic opportunity of their communities and Tribal citizens; and
- WHEREAS,** in 2010, the FCC created its Office of Native Affairs and Policy to further develop and strengthen the FCC's work with Indian Tribes, and to lead the agency's regulatory agenda, consultation and training efforts to address the needs for telecommunications and broadband internet in Indian Country; and
- WHEREAS,** the FCC has worked extensively with Indian Tribes in the past on protecting sacred sites, and more recently on the creation of many new and proposed regulations and policies in the Universal Service Fund's Connect America Fund, Tribal Radio license regulations, and wireless license regulations, to deploy much needed technologies in Indian Country; and
- WHEREAS,** the FCC's creation of the Office of Native Affairs and Policy and installation of a top expert and widely-respected Tribal member to head that Office, and the FCC's resulting many new policy and training efforts signal an important new approach and renewed effort to work with Indian Tribes to fulfill the FCC's trust responsibilities and address the many communications needs of Indian Country; and
- WHEREAS,** petitions submitted to the FCC by certain Rural Local Exchange Carriers challenge the requirement in the Tribal Engagement regulations that subsidized telecom companies "meaningfully engage" with Indian Tribes under the new Connect America Fund; and
- WHEREAS,** there are continued extensive needs for wireless telephone and broadband technologies across Indian Country, often for basic personal and community public safety and economic development; and
- WHEREAS,** the continued and unwavering effort of the FCC to prominently support, fully budget, and fully staff the Office of Native Affairs and Policy is critically important to the FCC's efforts to fulfill its government-to-

government trust relationship with Indian Tribes and work to close the Digital Divide in Indian Country; therefore, be it

RESOLVED the USET Board of Directors supports the Federal Communications Commission’s Tribal Engagement requirements under the new Universal Service Fund Connect America Fund regulations, which are consistent with the requirements of Federal Indian law and policy and are a necessary element to close the Digital Divide; and, be it further

RESOLVED the USET Board of Directors respectfully requests that the Federal Communication Commission take action as expeditiously as possible on its many proposals in the rulemaking *Improving Communications Services for Native Nations by Promoting Greater Utilization of Spectrum over Tribal Lands*, FCC 11-29, WT Docket Number 11-40, to create a Tribal priority for wireless broadband services for Indian Tribes and as many new licensing opportunities as possible; and, be it further

RESOLVED the USET Board of Directors urges the Federal Communication Commission to continue to utilize this rulemaking to further examine its more detailed proposals, consider additional opportunities, and continue its consultations with Indian Tribes on the multiple needs for wireless licensing and wireless companies in Indian Country; and, be it further

RESOLVED the USET Board of Directors supports the consultation and training efforts of the Federal Communications Commission’s Office of Native Affairs and Policy and its critically important role in ensuring that the Federal Communications Commission fulfills its government-to-government responsibilities to Federally recognized Indian Tribes; and, be it further

RESOLVED the USET Board of Directors requests the Federal Communications Commission to highly prioritize the budget for the Office of Native Affairs and Policy and fully support its mission by completely staffing and resourcing the Federal Communication Commission’s Tribal consultation and training efforts throughout Indian Country.

CERTIFICATION

This resolution was duly passed at the USET Semi-Annual Meeting, at which a quorum was present, in Marksville, LA, on Thursday, May 24, 2012.



Brian Patterson, President
United South and Eastern Tribes, Inc.



Brenda Lintinger, Secretary
United South and Eastern Tribes, Inc.

“Because there is strength in Unity”