



## United South and Eastern Tribes, Inc.

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### **USET Resolution No. 2014:010**

## **REQUESTING THAT THE UNITED STATES CONGRESS AND FEDERAL COMMUNICATIONS COMMISSION ESTABLISH A TRIBAL BROADBAND FUND TO PROMOTE THE DEPLOYMENT OF ADVANCED TELECOMMUNICATIONS INFRASTRUCTURE IN INDIAN COUNTRY**

- WHEREAS,** United South and Eastern Tribes Incorporated (USET) is an Inter-Tribal 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,** the residents, both native and non-native, of communities of Indian Tribes and Alaska Native Villages are the most underserved citizens in America with regard to telecommunications and broadcast services; and
- WHEREAS,** the Communications Act of 1934 and Telecommunications Act of 1996 (Telecom Act), did not recognize or address the inherent sovereign rights and responsibilities of Tribes and the lack of telecommunications infrastructure in Indian Country; and
- WHEREAS,** the United States (U.S.) shares a unique government-to-government and trust relationship with federally recognized Indian Tribes and Alaska Native Villages, and therefore, must ensure they receive parity with other American communities in communications services; and
- WHEREAS,** government-to-government consultation, predicated on effective and timely coordination, is the proper, legal, and expected means of the U.S. Federal government effectuating policies that will make a positive impact on federally recognized Indian Tribes and Alaska Native Villages; and
- WHEREAS,** the 2000 Federal Communications Commission (FCC) Statement of Policy on Establishing a Government to Government Relationship with Indian Tribes, recognizes and promotes the "general trust responsibility with, and responsibility to, federally recognized Indian Tribes" and also "recognizes the rights of Indian Tribal governments to set their own communications priorities and goals for the welfare of their membership;" and
- WHEREAS,** the FCC's 2010 National Broadband Plan (Plan) addresses the unique government-to-government trust relationship with federally recognized Indian Tribes and Alaska Native Villages, in addressing the low broadband penetration rate on Tribal lands nationwide, and to ensure ubiquitous deployment of robust broadband services for all Tribal governments; and
- WHEREAS,** the FCC has created the Office of Native Affairs and Policy (FCC-ONAP) as a necessary first step to coordinating Tribal initiatives in the plan; and

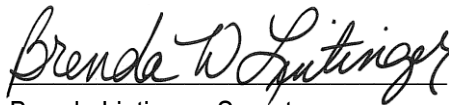
- WHEREAS,** to be credible and effective, the FCC must give the FCC-ONAP sufficient authority and jurisdiction over communications issues affecting Indian Country in order to serve the Commission as a whole, and to coordinate effectively with Indian Tribes, other federal agencies, and the communications industries, it must be empowered, as the Plan states: “to develop and drive a Tribal agenda in coordination with other FCC bureaus and offices and to manage the FCC-Tribal Broadband Task Force;” and
- WHEREAS,** these initiatives should become one of the responsibilities of the FCC-ONAP that may be developed beyond the routine workshops to envision increased direct, face-to-face consultation and diverse types of training opportunities through new methods of Tribal outreach and coordination; and
- WHEREAS,** the Plan indicates in Section 8.4, the Tribal Broadband Fund should be created to support these and “a variety of purposes, including bringing high-end capacity connectivity to Tribal headquarters or other anchor institutions, deployment planning, infrastructure build out, feasibility studies, technical assistance, business plan development and implementation, digital literacy and outreach”, as well as “small, targeted grants on an expedited basis for Internet access and adoption programs;” and
- WHEREAS,** in December 2010, the U.S. recognized the rights of its First Peoples through its support of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), whose provisions and principles support and promote the purposes of this resolution; therefore, be it
- RESOLVED** that the USET Board of Directors hereby requests the Federal Communications Commission through its Office of Native Affairs and Policy to hold appropriate broadband consultation sessions with Tribal Leaders aimed at the successful implementation of the National Broadband Plan programs on Tribal lands; and, be it further
- RESOLVED** the USET Board of Directors calls upon the Federal Communication Commission, consistent with its trust responsibility, to take proactive actions to spur the deployment of robust broadband networks on Tribal lands; and, be it further
- RESOLVED** the USET Board of Directors urges Congress, the Federal Communications Commission, and relevant supporting federal programs to fulfill the promise of the National Broadband Plan and appropriate annual funding to support a Tribal Broadband Fund that will ensure broadband infrastructure is deployed in Indian Country as well as provide technical assistance, training, and planning assistance.

**CERTIFICATION**

This resolution was duly passed at the USET Annual Meeting, at which a quorum was present, in Cherokee, NC, on Thursday, October 31, 2013.



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



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

*“Because there is strength in Unity”*