



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #SAC-06-093C

**TITLE: Support for the Center for Native American Public Radio's Request Urging the Federal Communications Commission to Hold an Official Commission Media Ownership Hearing within Indian Country Focusing on Tribal Broadcast Ownership Issues**

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**WHEREAS**, we, the members of the National Congress of American 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 the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

**WHEREAS**, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

**WHEREAS**, the Center for Native American Public Radio has formally requested of the Chairman of the Federal Communications Commission to hold a formal media ownership hearing within Indian Country focusing solely on issues relative to American Indian, Alaska Native, and Native Hawaiian broadcasting and media ownership; and

**WHEREAS**, the United States Federal government shares a unique government-to-government and trust relationship with federally-recognized American Indian Tribes and Alaska Native Villages, a relationship the Federal Communications Commission, as an independent federal agency, has adopted and recognized in its *Statement of Policy on Establishing a Government-to-Government Relationship with Indian Tribes*, 16 FCC Rcd 4078 (2000), including certain Goals and Principles that would be met and supported by such a hearing; 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 impact federally recognized American Indian Tribes and Alaska Native Villages; and

**WHEREAS**, while much of the FCC Media Ownership discussion is focused on increasing "minority" ownership opportunities, Native Nations are not simply part of the minority community, but distinct sovereign legal governmental entities with their own individually unique cultures and traditions, governmental priorities, and historic geopolitical situations; and

**WHEREAS**, the Native radio system consists of 33 Native-owned and operated stations, Koahnic Broadcast Corporation, a major national production center, and Native Voice One, a satellite distribution system providing 24 hour program service for stations and available to listeners on-line; and

**WHEREAS**, there is a serious problem of public radio station under-representation in Indian Country, with a discouragingly low number among the more than 562 federally recognized tribes of only 33 Native American public radio stations serving Indian Country, while most of the public radio spectrum is being licensed for non-Native uses; and

**WHEREAS**, Native radio stations are essential institutions in their communities serving as critical means of communication by providing hard news and information about tribal sovereignty, health, public safety, public service announcements and community events and other tribal issues, epitomize the FCC's goal of localism and diversity by providing a robust voice for the communities they serve; and

**WHEREAS**, Native radio stations is often the only place where people on American Indian Tribal and Alaska Native Village lands can hear programming expressly produced for and by people of Native communities, uniquely where Native people can hear their language spoken, and traditions and stories of native culture shared; and

**WHEREAS**, Native radio supports the efforts of Native Nations to police and secure their often remote homelands as part of homeland security and emergency preparedness by keeping citizens informed of news and information about emergencies and disasters, both natural and man-made; and

**WHEREAS**, the Communications Act of 1934 and Telecommunications Act of 1996 did not recognize the inherent rights and responsibilities of tribes, and left tribal roles, needs and abilities unaddressed, a root cause of why Native Nations lag far behind the rest of the nation in virtually every measure of communications connectivity; and

**WHEREAS**, due to the existing laws and regulatory scheme, and lack of timely coordination and consultation with Indian Country on radio spectrum and licensing opportunities, Native Nations often find that they already are locked out of the broadcast market; and

**WHEREAS**, the opportunities for Native Nations to obtain spectrum are quickly diminishing, and we strongly believe that the FCC should host a Media Ownership hearing on Tribal lands to learn about media ownership issues in Indian Country, including Alaska, and consider how to address past inequities and level the playing field for Native Nations when granting broadcast licenses.

**NOW THEREFORE BE IT RESOLVED**, that the NCAI does hereby support the Center for Native American Public Radio in its request to the FCC to host a Media Ownership hearing in Indian Country; and

**BE IT FURTHER RESOLVED**, that the NCAI does hereby support the Center for Native American Public Radio's call for greater consultation with Native Nations to ensure full access to the valuable and scarce radio spectrum resource because Native Nations are in the best position to determine how to manage the broadcast spectrum on their lands for the benefit of their communities; and

**BE IT FURTHER RESOLVED**, that the NCAI requests the FCC to uphold its trust responsibility to American Indian Tribes and Alaska Native Villages and host a Media Ownership Hearing in Indian Country; and


**BE IT FINALLY RESOLVED**, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

**CERTIFICATION**

The foregoing resolution was adopted by the General Assembly at the 2006 63<sup>rd</sup> Annual Session of the National Congress of American Indians, held at the Sacramento Convention Center in Sacramento, California on October 1-6, 2006, with a quorum present.

  
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President

**ATTEST:**

  
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Recording Secretary