



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #AK-21-023

EXECUTIVE COMMITTEE

PRESIDENT
Fawn R. Sharp
Quinalt Indian Nation

1ST VICE PRESIDENT
Aaron Payment
Sault Ste. Marie Tribe of Chippewa Indians

RECORDING SECRETARY
Juana Majel-Dixon
Pauma Band of Luiseño Indians

TREASURER
Shannon Holsey
Stockbridge-Munsee Band of Mohican Indians

REGIONAL VICE PRESIDENTS

ALASKA
Rob Sanderson, Jr.
Tlingit & Haida Indian Tribes of Alaska

EASTERN OKLAHOMA
Norman Hildebrand
Wyandotte Nation

GREAT PLAINS
Larry Wright, Jr.
Ponca Tribe of Nebraska

MIDWEST
Rebecca Crooks-Stratton
Shakopee Mdewakanton Sioux Community

NORTHEAST
Tina Abrams
Seneca Nation of Indians

NORTHWEST
Leonard Forsman
Suquamish Tribe

PACIFIC
Erica Rae Macias
Cahuilla Band of Indians

ROCKY MOUNTAIN
Mark Pollock
Blackfeet Nation

SOUTHEAST
Nancy Carnley
Ma-Chis Lower Creek Indian Tribe of Alabama

SOUTHERN PLAINS
Robert Tippeconnie
Comanche Nation

SOUTHWEST
Joe Garcia
Ohkay Owingeh Pueblo

WESTERN
Amber Torres
Walker River Paiute Tribe

CHIEF EXECUTIVE OFFICER
Dante Desiderio
Sappony

NCAI HEADQUARTERS

1516 P Street, N.W.
Washington, DC 20005
202.466.7767
202.466.7797 fax
www.ncai.org

TITLE: Calling on the National Telecommunications and Information Administration and the Treasury Department to Empower Tribal Nations by Excluding the Rural Digital Opportunity Fund Duplication Restriction in the Tribal Broadband Connectivity Grant Program

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 and the United Nations Declaration on the Rights of Indigenous Peoples, 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, NCAI advocates for the need to “strengthen existing public policy goals of Universal voice, broadband, and media services on Tribal lands” in Resolution #MSP-15-024, Support for Policy on Universal Service Fund for Voice and Broadband Services on Tribal Lands; and

WHEREAS, NCAI recognizes the need for broadband on Tribal lands is great and that “the digital divide may be greater than currently thought” as stated in Resolution #DEN-18-048, Calling on the FCC to Comprehensively Improve its Broadband Data to Ensure Tribal Lands are Connected to Broadband; and

WHEREAS, the Consolidated Appropriations Act of 2021 (P.L. 116-260) authorized and funded the Tribal Broadband Connectivity Grant (TBCG) Program at \$1 billion directed to Tribal Governments to be used for broadband deployment on Tribal lands; and

WHEREAS, the National Telecommunications and Information Administration (NTIA) has promulgated a Notice of Funding Opportunity (NOFO), which includes the opportunity for Tribal Nations to identify their applications to the Treasury Department (Treasury) for potential funding as well, and other procedures associated with the TBCG Program; and

WHEREAS, NTIA and Treasury should not permit other federal agency funding (e.g., the Rural Digital Opportunity Fund, or RDOF) to be considered duplication of funding that would exclude Tribal Nations from qualifying for funding under the TBCG Program, and funding from Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA); and

WHEREAS, that exclusion of the RDOF mechanism of predominately non-Tribal carriers is predicated years into the future and will not result in the immediate deployment of Tribal networks and programs; and

WHEREAS, the TBCG Program is specifically designed to meet the immediate connectivity needs of Tribal Nations and empower them to build their own networks and programs; and

WHEREAS, Tribal Nations should be eligible to receive TBCG Program funds to serve their own communities; and

WHEREAS, the FCC's development of RDOF did not include consultation with Tribal Nations and was based on flawed data.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) submits this recommendation to the National Telecommunications and Information Administration and Treasury that will improve the Tribal Broadband Connectivity Grant Program application procedures and funding opportunities pursuant to ARPA for Tribal Nations; and

BE IT FURTHER RESOLVED, that it is necessary and appropriate to exclude RDOF from the duplication of funding restriction for the TBCG Program and funding opportunities pursuant to ARPA; 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 2021 Mid Year Conference of the National Congress of American Indians, held June 20, 2021 - June 24, 2021, with a quorum present.



Fawn Sharp, President

ATTEST:



Juana Majel Dixon, Recording Secretary