

NATIONAL CONGRESS OF AMERICAN INDIANS

**The National Congress of American Indians
Resolution #MKE-11-016**



TITLE: Tribal Mobility Fund

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, tribal lands are the most unserved and underserved areas in the United States for telecommunications services and have, on average, less than 70% telephone service penetration and less than 10% broadband penetration among their residents; and

WHEREAS, many tribal lands are in remote areas with scattered populations, and lack infrastructure for deployment of telecommunications services, and these obstacles lead to extremely high costs of service deployment, and current market driven practices of existing providers have meant that levels of telephone and broadband services to tribal communities have lagged in comparison with urban and non-tribal communities; and

WHEREAS, current mobility providers have provided services to only the most populated rural communities, thus ignoring the mobility needs of less populated and more remote tribal lands, and in some cases mobility services that are deployed to service tribal communities are sometimes done so in a careless and illegal manner; and

WHEREAS, the Broadband Mobility Fund will be derived from the Universal Service Fund, which has the mandate to reach all communities, particularly those not being served in parity with urban or with other rural communities; and

WHEREAS, high speed wireless broadband capacity on tribal lands can serve as an essential safety-net for emergency service access on tribal lands lacking broadband and infrastructure; now

THEREFORE BE IT RESOLVED, that NCAI does hereby support and urge the creation of a separate Tribal Mobility Fund, and strongly urges the Federal Communications Commission (FCC) to set aside a minimum of 30% of the Mobility Fund for use in the Tribal Mobility Fund; and

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

BE IT FURTHER RESOLVED, that NCAI opposes a market based, reverse-auction award determination mechanism, and proposes that the FCC adopt an E-Rate based alternative method for allocating the Tribal Mobility Fund to providers servicing tribal lands, but if the FCC ultimately decides to use a market-based, reverse auction system then the FCC is urged to proceed with the issuance of Priority Units to tribal governments; and

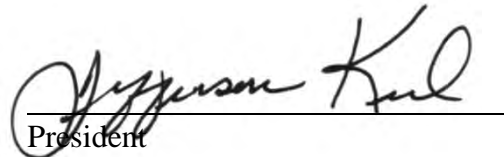
BE IT FURTHER RESOLVED, that NCAI supports the initiative that service providers be required to engage with tribal governments during the planning process, prior to any disbursement of Tribal Mobility Funds, and urges the FCC to require the providers to engage directly with tribal governments to ensure that consumers and subscribers access needs and service concerns are being appropriately addressed; and

BE IT FURTHER RESOLVED , that NCAI urges the FCC to require 4G mobility networks be the standard and the minimum mobility networks used in the underserved and unserved tribal lands; and

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

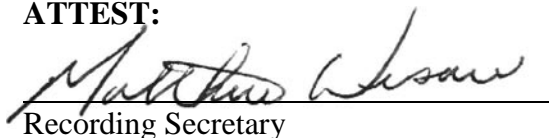
CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2011 Mid-Year Session of the National Congress of American Indians, held at the Frontier Airlines Center in Milwaukee, WI on June 13-16, 2011, with a quorum present.



President

ATTEST:



Recording Secretary