



NATIONAL INDIAN EDUCATION ASSOCIATION

## NIEA Resolution 2020 - #2

**TITLE: Endorsing the Tribal Connect Act**

**WHEREAS**, the National Indian Education Association (NIEA) was established in 1970 for the purpose of advocating, planning, and promoting the unique and special educational needs of American Indians, Alaska Natives, and Native Hawaiians; and

**WHEREAS**, NIEA as the largest national Native organization of American Indian, Alaska Native, and Native Hawaiian educators, administrators, parents, and students in the United States, provides a forum to discuss and act upon issues affecting the education of Indian and Native people; and

**WHEREAS**, through its unique relationship with Native nations and tribes, the federal government has established programs and resources to meet the educational needs of American Indians, Alaska Natives, and Native Hawaiians, residing on and off their reserved or non-reserved homelands; and

**WHEREAS**, 68 percent of those living on rural tribal lands lack access to 25 Mbps/3 Mbps (high-speed, fixed) broadband in 2019 according to the Federal Communications Commission's (FCC); and

**WHEREAS**, the Department of the Interior (DOI), Bureau of Indian Education (BIE) reported that 60 percent of the 183 BIE-funded schools did not have access to adequate digital broadband access aligned with college and career readiness standards in 2016; and

**WHEREAS**, 38 percent of tribal libraries serve as computing centers, are the only source of free public internet access in their communities, and are essential infrastructure for Indian Country; and

**WHEREAS**, NIEA recognizes tribal libraries as partners supporting education through tutoring and enrichment as well as critical infrastructure for tribal communities to access linguistic, cultural, and social traditions and intergenerational knowledge that are not represented in Western education systems; and

**WHEREAS**, E-Rate, the FCC Schools and Libraries Universal Service Fund (USF) support program, provides more than \$2.25 billion in support each year to help public schools and libraries obtain high-speed internet access and telecommunication services at affordable rates; and

**WHEREAS**, recent studies by the Association of Tribal Archives, Libraries & Museums (ATALM) found that only 15 percent of tribal libraries in the United States receive E-Rate funding compared to 61 percent of the nation's public libraries because of ineligibility, jurisdictional conflict between state and tribal authorities, lack of awareness, and application complexities; and

**WHEREAS**, the FCC adopted the E-Rate Modernization Order on December 11, 2014 to maximize libraries' and schools' options for purchasing affordable high-speed broadband connectivity by increasing the annual E-Rate spending cap and extends the category two budget approach adopted in the FCC's July, 2014 E-Rate Modernization Order through fiscal year 2019; and

**WHEREAS**, according to ATALM, most tribal libraries do not receive services or state certification from state library agencies as required by the FCC, nor do they have the required broadband speed of 100 Mbps for libraries serving less than 50,000 as required by the 2014 FCC E-Rate Modernization Order, and are thus not eligible for E-Rate funding; and

**WHEREAS**, the FCC has a trust obligation to Indian Country and to meet that obligation tribal libraries and schools must be provided targeted technical assistance and resources; and

**WHEREAS**, there are 19 tribal libraries in the State of New Mexico serving 22 tribal nations; and

**WHEREAS**, six Tribal libraries and two schools in north-central New Mexico formed two tribally-owned and -operated consortia in 2016 to build two 60-mile fiberoptic networks: the Middle Rio Grande Consortium (Santo Domingo, Santa Ana, San Felipe, and Cochiti Pueblo) and the Jemez-Zia Pueblo Tribal Consortium; and

**WHEREAS**, the Middle Rio Grande and the Jemez-Zia Pueblo tribal consortia directly funded over 90 percent of the \$4.2 million broadband project with a FCC Schools and Libraries E-Rate subsidy of \$3.9 million in March 2017, the largest E-Rate award in New Mexico in 2016 and the first tribal project of its kind since the FCC's E-Rate modernization order in 2014; and

**WHEREAS**, this project resulted in six tribal libraries increasing their broadband speed to 100 Mbps; and

**WHEREAS**, FCC Commissioner Jessica Rosenworcel praised the Middle Rio Grande Consortium and the Jemez-Zia Pueblo Tribal Consortium as the "national model" for how to connect tribal libraries through the E-Rate program; and

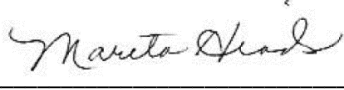
**WHEREAS**, Senator Martin Heinrich and Congressman Ben Ray Lujan reintroduced the Tribal Connect Act in the 116<sup>th</sup> Congress to amend current E-Rate eligibility requirements to allow more tribal libraries and tribal anchor institutions such as chapter houses, community centers, colleges, government buildings and senior centers to apply for the program.

**THEREFORE BE IT RESOLVED**, that NIEA endorses the Tribal Connect Act introduced by Senator Martin Heinrich and Representative Ben Ray Luján to promote broadband access for students and tribal community members by amending current E-Rate eligibility requirements to allow tribal libraries, tribal colleges, and tribally owned Community-Serving Institutions to apply for this program, and to increase FCC technical support and training to help tribes apply to the E-Rate and other Universal Service Fund programs.

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

CERTIFICATION

I do hereby certify that the following resolution was dully considered and passed by the National Indian Education Association on October 9, 2020 at which a quorum of the membership was present.



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Marita Hinds  
President