

DIGITAL Reservations Act

“Deploying the Internet by Guaranteeing Indian Tribes Autonomy Over Licensing” on Reservations
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The problem.

Although the United States scores above the world average for connection rates to fixed broadband services for Americans living off Tribal lands at 92 percent, only 65 percent of Native Americans living on Tribal lands have access to these wireless services, leaving approximately 1.5 million people on reservations without access to basic wireless services. Because Indian Tribes and Native Hawaiian organizations cannot access their spectrum rights to deploy broadband and telephone networks over their Tribal lands, in some of the most geographically isolated areas in the country, Native Americans continue to suffer from lack of access to life-saving digital services that can address the missing and murdered indigenous women crisis and youth suicide, education and employment opportunities, and telehealth services – continuing the failed “Reservation Era” policies by creating “digital reservations.”

The solution.

The new **DIGITAL Reservations Act** is the first Federal legislative action in history to extend tribal sovereignty to spectrum rights by granting Indian Tribes and Native Hawaiian organizations permanent access to spectrum licenses over their lands in furtherance of true self-governance and self-management of modern natural resources on Tribal lands.

Background:

In the 1800s, the United States government forcibly removed Native Americans from their homelands to gain control of natural resources on their lands and placed Native Americans on desolate plots of land across the country leading to enormous economic and health disparities.

In the modern era, the United States is again attempting to take resources from Native Nations in the form of spectrum licenses, against the treaties and precedent that affirms Tribal sovereignty. This administrative prohibition to granting sovereign Native Nations permanent access to spectrum licenses over their jurisdictions is a failure of the Federal government’s trust responsibility, prioritizes private industry profits over the lives of Native Americans, and expands modern “digital reservations” over Tribal lands exacerbating existing disparities.

Inability to employ telehealth contributes to the alarming disproportionate rates of COVID-19 on reservations. Without access to spectrum licenses over Tribal lands, Indian Tribes and Native Hawaiian organizations are restricted from successfully deploying wireless networks for their members.

The DIGITAL Reservations Specifically

- Directs the Federal Communications Commission (FCC) to allocate to Indian Tribes and Native Hawaiian organizations autonomy of spectrum licenses over Tribal lands to deploy wireless broadband and digital services so tribal members can access critical services like public safety, healthcare, education, employment, voting, the Census, and COVID-19 resources like any person living off Tribal lands.
- Prohibits the FCC from selling spectrum licenses at private auctions to for-profit corporations.
- Permanently eliminates the public availability of spectrum over Tribal lands.
- Creates the FCC’s first Tribal Broadband Fund so American Indians, Alaska Natives, and Native Hawaiians living on Tribal lands have access to wireless digital services and network infrastructure for the first time.
- Ends failed Federal “Reservation Era” policies of the late 1800s by eliminating the FCC’s ability to sell tribal spectrum resources, or natural resources, to for-profit corporations without Tribal consultation.
- Strengthens the full realization of Native Nations’ inherent self-governance over activities taking place on their lands.