

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0219-24\_

SPONSOR: Amber Kanazbah Crotty

**TITLE: An Action Relating to Naabik'iyáti' Committee; Supporting a "Petition for Temporary Waiver" Requesting an Increase of the Federal Communications Commission Monthly Lifeline Support for Tribal Nations, Including the Navajo Nation, to Ensure Affordability of Broadband Services**

*Date posted:* September 24, 2024 at 5:19PM

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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0219-24

**DATE:** September 11, 2024

**TITLE OF RESOLUTION: AN ACTION RELATING TO NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING A "PETITION FOR TEMPORARY WAIVER" REQUESTING AN INCREASE OF THE FEDERAL COMMUNICATIONS COMMISSION MONTHLY LIFELINE SUPPORT FOR TRIBAL NATIONS, INCLUDING THE NAVAJO NATION, TO ENSURE AFFORDABILITY OF BROADBAND SERVICES**

**PURPOSE:** This resolution, if approved, supports the "Petition of Temporary Waiver" requesting an increase to the FCC monthly Lifeline Support for Tribal Nations, including the Navajo Nation, to ensure continued affordability of broadband services.

**Final Authority:** Naabik'iyati Committee

**Vote Required:** Simple Majority

**This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.**

5-DAY BILL HOLD PERIOD                       
Website Posting Time/Date                       
Posting End Date: 09-29-24  
Eligible for Action: 09-30-24

1 PROPOSED STANDING COMMITTEE RESOLUTION  
2 25<sup>th</sup> NAVAJO NATION COUNCIL - Second Year, 2024

3 INTRODUCED BY

4   
5  
6 Primary Sponsor

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8 TRACKING NO. 0219-24

9  
10 AN ACTION

11 RELATING TO NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING A "PETITION  
12 FOR TEMPORARY WAIVER" REQUESTING AN INCREASE OF THE FEDERAL  
13 COMMUNICATIONS COMMISSION MONTHLY LIFELINE SUPPORT FOR  
14 TRIBAL NATIONS, INCLUDING THE NAVAJO NATION, TO ENSURE  
15 AFFORDABILITY OF BROADBAND SERVICES

16  
17 WHEREAS:

- 18 A. The Navajo Nation Council established the Naabik'iyati' Committee which is empowered  
19 to coordinate and facilitate communication regarding proposed county, state, and federal  
20 legislation impacting the Navajo Nation. 2 N.N.C. §§§ 700 (A), 700 (A)(4), 701 (A)(6).  
21 B. The Navajo Nation has a government-to-government relationship with the United States  
22 of America, Treaty of 1868, Aug. 12, 1868, 15 Stat. 667.  
23 C. The Federal Infrastructure Investment and Jobs Act ("Infrastructure Act"), known as the  
24 Bipartisan Infrastructure Law (H.R. 3684), was enacted by the 117th United States  
25 Congress and signed into law by President Joe Biden on November 15, 2021. *See*  
26 <https://www.congress.gov/bill/117th-congress/house-bill/3684>.  
27 D. The Infrastructure Act provided \$14.2 billion dollars to modify and extend the  
28 Emergency Broadband Benefit Program into a longer-term broadband affordability  
29 program called the Affordable Connectivity Program ("ACP"), a United States  
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1 government-sponsored program providing subsidies for wireless Internet to low-income  
2 households.

3 E. Eligibility for the ACP subsidy requires that household income to be at or below 200%  
4 of the Federal Poverty Guidelines. Households receiving a Tribal Lifeline subsidy for  
5 phone services with a local provider automatically qualify for ACP.

6 F. The Navajo Naabik'iyati' Committee passed resolution NABIJA-02-24, supporting the  
7 extension of the Affordable Connectivity Program by the U.S. Congress. **Exhibit 1.**

8 G. NABIJA-02-24 highlighted the following:

9 1. During the past three years of the COVID pandemic, more than 40,000 Navajo  
10 Tribal members and their families utilized the ACP program for free Internet  
11 service. Today many Navajo families have come to heavily rely on their ACP  
12 benefits for Internet access.

13 2. Navajo students K-12 and those in college depend on the Internet made possible  
14 through ACP to attend school remotely.

15 3. Through telehealth services, Navajo members in remote regions have access to  
16 healthcare resources made available through Internet connectivity.

17 4. Affordable Internet access provides Navajo families opportunities to work  
18 remotely, which would not otherwise be feasible without reliable Internet access.

19 H. A "Petition for Temporary Waiver" date April 5, 2024, was filed with the Federal  
20 Communications Commission ("FCC"), requesting a temporary increase to the amount  
21 of the monthly Tribal Lifeline benefit. The requested increase from \$25.00 to \$65.75,  
22 would match what was previously available through ACP for broadband services and  
23 cover access charges so essential broadband services could continue until a permanent  
24 solution is provided. **Exhibit 2.**

25 I. The Petition, filed by Smith Bagley, Inc. dba Cellular One, is a regional carrier that has  
26 provided service to the Navajo Nation an Eligible Telecommunications Carrier ("ETC")  
27 since 2000. Cellular One provides subsidized Tribal Lifeline mobile phone service across  
28 the Navajo Nation.

29 J. The FCC could quickly resolve the present need for continued access to affordable  
30 broadband for Tribes with a temporary increase to Tribal Lifeline benefit, granting ETCs

1 on Tribal lands the ability to provide vital broadband service immediately without further  
2 Congressional action.

3 K. On April 25, 2024, Navajo Nation President Buu Nygren submitted a letter of support of  
4 the temporary increase to the Federal Communications Commission Chairwoman,  
5 Jessica Rosenworcel, to continue to keep broadband affordable for Tribal households,  
6 especially for those located in remote areas who are among the most in need of these  
7 services. **Exhibit 3.**

8 L. The Navajo Nation Council acknowledges the significance of ensuring digital equity for  
9 Navajo families and urges the Federal Communications Commission to grant the waiver  
10 request and provide a temporary increase to the Tribal Lifeline subsidy, to ensure that  
11 access and availability of broadband services to all Navajo members, as well as other  
12 Tribal Communities, continues undisturbed.

13 **THEREFORE, BE IT RESOLVED:**

14 A. The Navajo Nation Council supports the Smith Bagley, Inc. Petition for Temporary  
15 Waiver and urges the Federal Communications Commission to swiftly grant the waiver  
16 to temporarily increase the Tribal Lifeline Benefit.

17 B. The Navajo Nation Council hereby authorizes the Speaker of the Navajo Nation Council,  
18 the President of the Navajo Nation, and their designees, to advocate for broadband  
19 Internet funding to the FCC, U.S. Congress and appropriate federal agencies. This  
20 advocacy aims to ensure that all Navajo families enjoy equal access to broadband Internet  
21 services, aligning with the equitable standards provided to all other Americans.

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