

THE NAVAJO NATION
LEGISLATIVE BRANCH
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LEGISLATION NO: _0274-23_

SPONSOR: Amber Kanazbah Crotty

TITLE: An Action Relating to the Naabik'iyáti' Committee; Supporting U.S Congress Extending for the Affordable Connectivity Program to Provide Internet Access to Navajo Families

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0274-23

DATE: December 19, 2023

TITLE OF RESOLUTION: AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING U.S. CONGRESS EXTENDING FOR THE AFFORDABLE CONNECTIVITY PROGRAM TO PROVIDE INTERNET ACCESS TO NAVAJO FAMILIES


PURPOSE: This resolution, if approved, will support the U.S. Congress in extending the affordable Connectivity Program to provide internet access to Navajo families.

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

5-DAY BILL HOLD PERIOD 522
Website Posting Time/Date _____
Posting End Date: 12-26-23
Eligible for Action: 12-27-23

PROPOSED STANDING COMMITTEE RESOLUTION
25th NAVAJO NATION COUNCIL – First Year, 2023

INTRODUCED BY



(Sponsor)

TRACKING NO. 0274-23

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING U.S.
CONGRESS EXTENDING FOR THE AFFORDABLE CONNECTIVITY
PROGRAM TO PROVIDE INTERNET ACCESS TO NAVAJO FAMILIES

WHEREAS:

- A. The Navajo Nation Council is the governing body of the Navajo Nation is entrusted with the responsibility to safeguard the interests, rights, and traditions of the Navajo People. 2 N.N.C. § 102(A),
- B. The Navajo Nation Council established the Naabik'iyati' Committee and empowered the Naabik'iyati' Committee to coordinate and facilitate communication regarding proposed county, state, and federal legislation impacting the Navajo Nation. N.N.C. §§ 700 (A), 701 (A) (6).
- C. The Federal Infrastructure Investment and Jobs Act (“Infrastructure Act”), known as H.R. 3684 the Bipartisan Infrastructure Law (“BIL”), was enacted by the 117th United States Congress and signed into law by President Joe Biden on November 15, 2021. *see* <https://www.congress.gov/bill/117th-congress/house-bill/3684>.
- D. The Infrastructure Act provided \$14.2 billion to modify and extend the Emergency Broadband Benefit Program to a longer-term broadband affordability program called the Affordable Connectivity Program (“ACP”), a United States government-sponsored program that provides subsidies for wireless internet to low-income households.

- 1 E. Based upon estimates from the Benton Institute for Broadband and Society and the
2 Information Technology and Innovation Foundation, as well as Common Sense Media,
3 the ACP program has \$4.7 billion in remaining funds which will be depleted sometime in
4 2024 if Congress does not take action to re-fund the program. If funding lapses, many
5 low-income American families will lose affordable access to Internet services including
6 many on the Navajo Nation. *see* [https://www.benton.org/headlines/acp-uptake-strongest-
7 places-where-its-needed-most](https://www.benton.org/headlines/acp-uptake-strongest-places-where-its-needed-most) and **Exhibit A**.
- 8 F. Since its inception, there have been more than 20 million households enrolled in the ACP
9 which provides a discount of up to \$30 per month for broadband services for eligible
10 consumer households with the provider of their choice. Consumers who live on
11 qualifying Tribal lands can receive enhanced support of up to \$75 per month toward
12 broadband services. **Exhibit B**.
- 13 G. To be eligible for the ACP subsidy a household income must be at or below 200% of the
14 Federal Poverty Guidelines, or meets at least one of the criteria below:
- 15 a. Received a Federal Pell Grant during the current award year.
 - 16 b. Meets the eligibility criteria for a participating provider's existing low-income
17 internet program.
 - 18 c. Participate in one of these assistance programs: SNAP, Medicaid, Federal Public
19 Housing Assistance, Supplemental Security Income, WIC, Veterans Pension or
20 Survivor Benefits or Lifeline.
 - 21 d. Participates in one of these assistance programs and lives on Qualifying Tribal
22 lands: Bureau of Indian Affairs General Assistance, Tribal TANF, Food
23 Distribution Program on Indian Reservations, or Tribal Head Start (income-based)
- 24 H. Qualifying households within the Navajo Nation may receive the ACP subsidy through
25 any local internet provider that is certified by the FCC. Any household currently
26 receiving the Lifeline subsidy for phone service from a local provider automatically
27 qualifies for the ACP.
- 28 I. Based upon the State Digital Equity Scorecard compiled by the Microsoft Airband
29 Initiative, attached as **Exhibit C**, the Navajo Nation ranked relatively high in digital
30 inequity compared to most census tracts within Arizona, New Mexico, and Utah.

1 J. During the past three years of the COVID pandemic, more than 40,000 Navajo Tribal
2 members and their families utilized the ACP program for free Internet services. **Exhibit**
3 **D.**

4 K. In 2024, it is estimated that more Navajo families will utilize and heavily rely on their
5 ACP benefits for reliable Internet access. Navajo students K-12 and those in college
6 depend on the Internet made possible through ACP to attend school remotely. Through
7 telehealth services, Navajo members in remote regions have access to healthcare
8 resources made available through Internet connectivity. Navajo families can contend for
9 remote work opportunities, which would not otherwise be feasible without reliable
10 Internet access.

11 L. The Navajo Nation Council acknowledges the significance of ensuring digital equity for
12 Navajo families and urges Congress to extend the ACP and other broadband programs to
13 ensure that America's mobile and regional carriers have the spectrum and other resources
14 needed to expand access and meet the needs of all Navajo members, as well as other
15 Tribal Communities.

16
17 **THEREFORE, BE IT RESOLVED:**

18 A. The Navajo Nation Council supports the reauthorization and funding of the
19 Affordable Connectivity Program for the low-income Americans families, and Tribal
20 Communities, including the Navajo Nation.

21 B. The Navajo Nation Council recognizes the program's vital role in strengthening
22 Digital Equity and empowering citizens by providing affordable high-speed internet
23 service without sacrificing other necessities.

24 C. The Navajo Nation Council hereby authorizes the Speaker of the Navajo Nation
25 Council, the President of the Navajo Nation, and their designees, to advocate for
26 advance appropriations and mandatory funding to the U.S. Congress and appropriate
27 federal agencies. This advocacy aims to ensure that all Navajo families enjoy equal
28 access to broadband services, aligning with the equitable standards provided to all
29 other Americans.

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