LEGISLATION NO: _0274-23_   SPONSOR: Amber Kanazbah Crotty

TITLE: 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

Date posted: December 21, 2023 at 4:21PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 et. seq.
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.

OLC No. 23-558-1
PROPOSED STANDING COMMITTEE RESOLUTION
25th NAVAJO NATION COUNCIL – First Year, 2023

INTRODUCED BY

[Signature]
(Sponsor)

TRACKING NO. 0274-23

AN ACTION
RELATING TO THE NAABIK’IYATI’ 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.
E. Based upon estimates from the Benton Institute for Broadband and Society and the Information Technology and Innovation Foundation, as well as Common Sense Media, the ACP program has $4.7 billion in remaining funds which will be depleted sometime in 2024 if Congress does not take action to re-fund the program. If funding lapses, many low-income American families will lose affordable access to Internet services including many on the Navajo Nation. see https://www.benton.org/headlines/acp-uptake-strongest-places-where-its-needed-most and Exhibit A.

F. Since its inception, there have been more than 20 million households enrolled in the ACP which provides a discount of up to $30 per month for broadband services for eligible consumer households with the provider of their choice. Consumers who live on qualifying Tribal lands can receive enhanced support of up to $75 per month toward broadband services. Exhibit B.

G. To be eligible for the ACP subsidy a household income must be at or below 200% of the Federal Poverty Guidelines, or meets at least one of the criteria below:

   a. Received a Federal Pell Grant during the current award year.
   b. Meets the eligibility criteria for a participating provider's existing low-income internet program.
   c. Participate in one of these assistance programs: SNAP, Medicaid, Federal Public Housing Assistance, Supplemental Security Income, WIC, Veterans Pension or Survivor Benefits or Lifeline.
   d. Participates in one of these assistance programs and lives on Qualifying Tribal lands: Bureau of Indian Affairs General Assistance, Tribal TANF, Food Distribution Program on Indian Reservations, or Tribal Head Start (income-based)

H. Qualifying households within the Navajo Nation may receive the ACP subsidy through any local internet provider that is certified by the FCC. Any household currently receiving the Lifeline subsidy for phone service from a local provider automatically qualifies for the ACP.

I. Based upon the State Digital Equity Scorecard compiled by the Microsoft Airband Initiative, attached as Exhibit C, the Navajo Nation ranked relatively high in digital inequity compared to most census tracts within Arizona, New Mexico, and Utah.
J. During the past three years of the COVID pandemic, more than 40,000 Navajo Tribal members and their families utilized the ACP program for free Internet services. Exhibit D.

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

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

THEREFORE, BE IT RESOLVED:

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

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

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