

RESOLUTION OF THE  
NAABIK'ÍYÁTI' COMMITTEE OF THE  
NAVAJO NATION COUNCIL  
23rd NAVAJO NATION COUNCIL -- THIRD YEAR, 2017

AN ACTION

RELATING TO THE LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES; SUPPORTING AND RECOMMENDING THE PASSAGE OF SENATE BILL 772, 115<sup>th</sup> UNITED STATES CONGRESS - 1<sup>st</sup> SESSION

WHEREAS:

- A. The Law and Order Committee (LOC) of the Navajo Nation Council, has legislative oversight over the Navajo Nation courts, administrative legal tribunals, criminal defense, legal defense of the indigent, juvenile justice, corrections, law enforcement and emergency management, pursuant to 2 N.N.C. § 600(C).
- B. As such LOC is empowered with all prudent powers necessary and proper to represent the Navajo Nation at local, state, and federal levels in coordination with the President of the Navajo Nation, appropriate committee of the Navajo Nation Council and the Chief Justice in advocating for legislation, funding or actions relating to the justice systems, administrative legal tribunals and public safety activities. See 2 N.N.C. §§ 601(A) and 601(B) (13).
- C. The Navajo Nation established the Naabik'iyáti' Committee as a Navajo Nation Council standing committee and as such empowered Naabik'iyáti' Committee to assist and coordinate all requests for information, appearances and testimony relating to proposed county, state and federal legislation impacting the Navajo Nation. 2 N.N.C. §§ 164(A) (9), 701(A) (4), 701(A) (6) (2015); CO-45-12.
- D. Statements of policy are written statements submitted to federal, state or local governments by a Navajo Nation official stating the official position of the Navajo Nation on proposed legislation or other action by that government. 2 N.N.C. § 100(W).
- E. The Navajo Nation has a government-to-government relationship with the United States of America, Treaty of 1868, Aug. 12, 1868, 15 Stat. 667.
- F. On March 29, 2017, the AMBER Alert in Indian Country Act of 2017 (S. 772) - sponsored by Senator John McCain - was introduced to the 115<sup>th</sup> United States Congress - 1<sup>st</sup> Session to be enacted by the Senate and House of Representatives; S. 772 is attached as **Exhibit A**.
- G. S. 772 is a bill to amend the Exploitation of Children Today Act of 2003 (also known as the "Protect Act") to make Indian tribes eligible for AMBER Alert grants. The grant program for support of

AMBER Alert communications plans requires the Attorney General to carry out a program and provide grants to States and *Indian Tribes* for the development or enhancement of programs and activities for support of AMBER Alert Communications plans, pursuant to 42 U.S.C. 5791c(a). (Emphasis added).

H. S. 772 is amending the Protect Act, 42 U.S.C. § 5791c, under the sections: (a) program required to include Indian tribes; (c) federal share to include a waiver of federal share if the Attorney General determines that an Indian tribe does not have sufficient funds available to comply with the Federal share requirement; and (e) administration to include a definition of Indian tribe.

I. The activities funded by grants under the program may include:

1. The development and implementation of education and training programs, and associated materials, relating to AMBER Alert communications plans;
2. The development and implementation of law enforcement programs; and associated equipment, relating to AMBER Alert communications plans;
3. The development and implementation of new technologies to improve AMBER Alert communications;
4. The integration of State or regional AMBER Alert communication plans with an Indian tribe; and
5. Such other activities as the Attorney General considers appropriate for supporting the AMBER Alert communications program.

See 42 U.S.C. § 5791(b)(1)-(5) (2003); attached as **Exhibit B**.

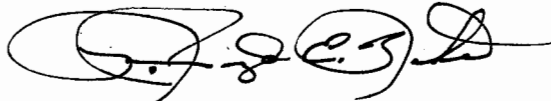
J. It is within the best interest of the Navajo Nation to support the passage of S. 772, to amend the Protect Act to make Indian tribes eligible for AMBER Alert grants.

**NOW THEREFORE, BE IT RESOLVED:**

- A. The Navajo Nation hereby supports and recommends the passage of S. 772, to amend the Protect Act to make Indian tribes eligible for AMBER Alert grants; attached as **Exhibit A**.
- B. The Navajo Nation hereby authorizes the Navajo Nation President, the Navajo Nation Speaker, the Navajo Nation Chief Justice and their designees, to advocate for the passage of S. 772, to amend the Protect Act to make Indian tribes eligible for AMBER Alert grants.

**CERTIFICATION**

I hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti Committee of the 23<sup>rd</sup> Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 11 in favor and 00 oppose, this 6<sup>th</sup> day of July 2017.



Honorable LoRenzo C. Bates, Chairperson  
Naabik'iyáti Committee

Motion: Honorable Lee Jack, Sr.

Second: Honorable Jonathan Perry

Chairperson not voting

(Pursuant to 2 N.N.C. §700 (D), Two members from each committee)

# 23rd Navajo Nation Council

## Naabik'iyati' Committee

Date: July 6, 2017

Legislation No. 0159-17

Motion: Lee Jack, Sr.

Second: Jonathan Perry

### ALL DELEGATES:

	Yea	Nay
BATES, LoRenzo C.		
BEGAY, Kee Allen Jr.		
BEGAY, Norman M.		
BEGAY, Steven		
BEGAYE, Nelson		
BENNETT, Benjamin L.		
BROWN, Nathaniel		
CHEE, Tom T.		
CROTTY, Amber K.		
DAMON, Seth		
DANIELS, Herman		
FILFRED, Davis		
HALE, Jonathan L.		
JACK, Lee Sr.		
PERRY, Jonathan		
PETE, Leonard H.		
PHelps, Walter		
SHEPHERD, Alton Joe		
SLIM, Tuchoney Jr.		
SMITH, Raymond Jr.		
TSO, Otto		
TSOSIE, Leonard		
WITHERSPOON, Dwight		
YAZZIE, Edmund		

### BY COMMITTEE:

	Yea	Nay	TOTAL
<b>BFC:</b>			
CHEE, Tom T.	✓		
DAMON, Seth			
JACK, Lee Sr.	✓		
SLIM, Tuchoney Jr.			
WITHERSPOON, Dwight			
TSOSIE, Leonard			2
<b>HEHSC:</b>			
BEGAY, Norman M.	✓		
BEGAY, Steven			
BEGAYE, Nelson			
BROWN, Nathaniel			
CROTTY, Amber K.	✓		
HALE, Jonathan L.			2
<b>LOC:</b>			
BEGAY, Kee Allen Jr.			
DANIELS, Herman			
SMITH, Raymond Jr.	✓		
TSO, Otto	✓		
YAZZIE, Edmund	✓		3
<b>RDC:</b>			
BENNETT, Benjamin L.	✓		
FILFRED, Davis			
PERRY, Jonathan	✓		
PETE, Leonard H.			
PHelps, Walter	✓		
SHEPHERD, Alton Joe	✓		4
<b>SPEAKER:</b>			
BATES, LoRenzo C.	11	0	
(Votes only in a tie)			11

GRAND TOTAL

--	--

### CERTIFICATION:

Honorable LoRenzo C. Bates

Speaker

115TH CONGRESS  
1ST SESSION

# S. 772

To amend the PROTECT Act to make Indian tribes eligible for AMBER Alert grants.

---

## IN THE SENATE OF THE UNITED STATES

MARCH 29, 2017

Mr. MCCAIN introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

---

## A BILL

To amend the PROTECT Act to make Indian tribes eligible for AMBER Alert grants.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “AMBER Alert in In-  
5 dian Country Act of 2017”.

6 **SEC. 2. AMBER ALERT GRANTS FOR INDIAN TRIBES.**

7 Section 304 of the PROTECT Act (42 U.S.C. 5791c)  
8 is amended—

9 (1) in subsection (a), by inserting “and Indian  
10 tribes” after “States”;

1 (4) in subsection (e), by striking “for grants  
2 under” and inserting “and standards to improve ac-  
3 countability and transparency for grants awarded  
4 under”;

5 (5) by redesignating subsection (f) as sub-  
6 section (g);

7 (6) by inserting after subsection (e) the fol-  
8 lowing:

9 “(f) DEFINITION OF INDIAN TRIBE.—In this section,  
10 the term ‘Indian tribe’ means a federally recognized In-  
11 dian tribe or a Native village, Regional Corporation, or  
12 Village Corporation (as those terms are defined in section  
13 3 of the Alaska Native Claims Settlement Act (43 U.S.C.  
14 1602)).”; and

15 (7) in subsection (g)(1), as so redesignated—

16 (A) by striking “2004” each place it ap-  
17 pears and inserting “2018”; and

18 (B) by striking “subsection (b)(3)” and in-  
19 serting “paragraphs (3) and (4) of subsection  
20 (b)”.

21 **SEC. 3. REPORT TO CONGRESS.**

22 Not later than 1 year after the date of enactment  
23 of this Act, the Attorney General shall submit a report  
24 evaluating the readiness, education, and training needs,  
25 technological challenges, and specific obstacles encoun-

**§5791c. Grant program for support of AMBER Alert communications plans****(a) Program required**

The Attorney General shall carry out a program to provide grants to States for the development or enhancement of programs and activities for the support of AMBER Alert communications plans.

**(b) Activities**

Activities funded by grants under the program under subsection (a) of this section may include—

(1) the development and implementation of education and training programs, and associated materials, relating to AMBER Alert communications plans;

(2) the development and implementation of law enforcement programs, and associated equipment, relating to AMBER Alert communications plans;

(3) the development and implementation of new technologies to improve AMBER Alert communications; and

(4) such other activities as the Attorney General considers appropriate for supporting the AMBER Alert communications program.

**(c) Federal share**

The Federal share of the cost of any activities funded by a grant under the program under subsection (a) of this section may not exceed 50 percent.

**(d) Distribution of grant amounts on geographic basis**

The Attorney General shall, to the maximum extent practicable, ensure the distribution of grants under the program under subsection (a) of this section on an equitable basis throughout the various regions of the United States.

**(e) Administration**

The Attorney General shall prescribe requirements, including application requirements, for grants under the program under subsection (a) of this section.

**(f) Authorization of appropriations**

(1) There is authorized to be appropriated for the Department of Justice \$5,000,000 for fiscal year 2004 to carry out this section and, in addition, \$5,000,000 for fiscal year 2004 to carry out subsection (b)(3) of this section.

(2) Amounts appropriated pursuant to the authorization of appropriations in paragraph (1) shall remain available until expended.

(Pub. L. 108–21, title III, §304, Apr. 30, 2003, 117 Stat. 663.)

**CODIFICATION**

Section was enacted as part of the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003, also known as the PROTECT Act, and not as part of the Juvenile Justice and Delinquency Prevention Act of 1974 which comprises this chapter.