

LEGISLATIVE SUMMARY SHEET

Tracking No. 0023-19

DATE: February 6, 2019

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT, LAW AND ORDER AND NAABIK'ÍYÁTI'; REQUESTING FIRSTNET AND AT&T, IN DEVELOPING NATIONWIDE PUBLIC SAFETY BROADBAND NETWORK TO RECOGNIZE AND ACCEPT NATION-TO-NATION RELATIONS; REQUESTING AN ASSESSMENT AND STRATEGIC PLAN FROM NAVAJO NATION PUBLIC SAFETY AND TELECOMMUNICATIONS PROGRAMS

PURPOSE: The purpose of this resolution is to reaffirm and possibly amend NABIF-13-18.

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

5-DAY BILL HOLD PERIOD: June 30
Website Posting Time/Date: 6:12 pm / 02-07-19
Posting End Date: 02/12/19
Eligible for Action: 02/13/19

Resources & Development Committee
Thence
Law and Order
Thence
Naabik'íyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION
24th NAVAJO NATION COUNCIL—FIRST YEAR, 2019

INTRODUCED BY

K 7
Primary Sponsor

TRACKING NO. 0023-19

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, LAW AND ORDER
COMMITTEE AND NAABIK'ÍYÁTI' COMMITTEE; FOR THE PURPOSE OF
DISCUSSION, REAFFIRMATION, AND POSSIBLE AMENDMENT OF NABIF-13-18
TITLED "AN ACTION RELATING TO RESOURCES AND DEVELOPMENT, LAW AND
ORDER AND NAABIK'ÍYÁTI'; REQUESTING FIRSTNET AND AT&T, IN DEVELOPING
NATIONWIDE PUBLIC SAFETY BROADBAND NETWORK TO RECOGNIZE AND
ACCEPT NATION-TO-NATION RELATIONS; REQUESTING AN ASSESSMENT AND
STRATEGIC PLAN FROM NAVAJO NATION PUBLIC SAFETY AND
TELECOMMUNICATIONS PROGRAMS"

WHEREAS:

- A. The Navajo Nation established the Resources and Development Committee ("RDC") as a Navajo Nation Council standing committee and as such empowered RDC to review and recommend resolutions regarding communications and utilities within the Navajo Nation. 2 N.N.C. §§ 164 (A)(9), 500 *et seq.* See also CO-45-12.
- B. The Navajo Nation established the Law and Order Committee ("LOC") as a Navajo Nation Council standing committee and as such empowered LOC to review and recommend resolutions relating to public safety within the Navajo Nation. 2 N.N.C. §§ 164 (A)(9), 600 *et seq.* See also CO-45-12.

1 C. The Navajo Nation established the Naabik'íyáti' Committee as a Navajo Nation
2 Council standing committee and as such empowered Naabik'íyáti' Committee to
3 coordinate with all committees, Chapters, branches and entities concerned with all
4 Navajo appearances and testimony before Congressional committees, and
5 departments of the United States government. *See* 2 N.N.C. §§ 164 (A)(9), 700 (A),
6 701 (A)(7)(8) (2015); *See also* CO-45-12.

7 D. The Naabik'íyáti Committee of the 23rd Navajo Nation Council passed NABIF-13-18
8 titled "AN ACTION RELATING TO RESOURCES AND DEVELOPMENT, LAW
9 AND ORDER AND NAABIK'ÍYÁTI'; REQUESTING FIRSTNET AND AT&T, IN
10 DEVELOPING NATIONWIDE PUBLIC SAFETY BROADBAND NETWORK TO
11 RECOGNIZE AND ACCEPT NATION-TO-NATION RELATIONS;
12 REQUESTING AN ASSESSMENT AND STRATEGIC PLAN FROM NAVAJO
13 NATION PUBLIC SAFETY AND TELECOMMUNICATIONS PROGRAMS" and
14 is attached hereto as **Exhibit A**.

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17 NOW THEREFORE, BE IT RESOLVED:

18 A. The 24th Navajo Nation Council hereby reaffirms NABIF-13-18 as passed by the 23rd
19 Navajo Nation Council.
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NABIF-13-18

RESOLUTION OF THE

NAABIK'ÍYÁTI' STANDING COMMITTEE OF THE
23RD NAVAJO NATION COUNCIL - Fourth Year, 2018

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT, LAW AND ORDER AND NAABIK'ÍYÁTI'; REQUESTING FIRSTNET AND AT&T, IN DEVELOPING NATIONWIDE PUBLIC SAFETY BROADBAND NETWORK TO RECOGNIZE AND ACCEPT NATION-TO-NATION RELATIONS; REQUESTING AN ASSESSMENT AND STRATEGIC PLAN FROM NAVAJO NATION PUBLIC SAFETY AND TELECOMMUNICATIONS PROGRAMS

WHEREAS:

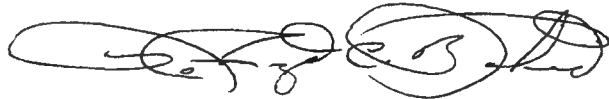
- A. The Resources and Development Committee of the Navajo Nation Council is responsible for overseeing communications and utilities within the Navajo Nation, among other duties and responsibilities. 2 N.N.C. § 500 et seq.
- B. The Law and Order Committee of the Navajo Nation Council oversees matters relative to public safety within the Navajo Nation, among other duties and responsibilities. 2 N.N.C. § 600 et seq.
- C. The Naabik'iyáti' Committee of the Navajo Nation Council, among other duties and responsibilities, generally oversees matters relative to the federal government and agencies of the various other governmental agencies. 2 N.N.C. § 700 et seq.
- D. First Responder Network Authority, FirstNet, was established by Congress to ensure that all police officers, firefighters and emergency medical services personnel in the United States, including Indian Nations, have a nationwide broadband network. See Exhibit "A." See also, www.FirstNet.gov. Regarding the deployment and operation of the nationwide broadband network (a multi-billion dollar venture), FirstNet must work and consult with Indian governments, their leaders and public safety programs (as well as with states). *Id.*
- E. AT&T was selected by FirstNet to assist and manage the nationwide public safety broadband network. *Id.*

NOW, THEREFORE BE IT RESOLVED THAT:

- A. The Navajo Nation hereby requests that FirstNet and AT&T, in planning and developing the nationwide public safety broadband network, consult with officials of the Navajo Nation in all phases of the project. In particular, FirstNet, and all its affiliates and designees:
1. Shall respect tribal sovereignty and acknowledge the principles and mandates of Nation-to-Nation consultation, as established by the federal government.
 2. Cooperate with all local officials in ensuring that wireless broadband is established at all 110 chapters of the Navajo Nation.
 3. Continue the cooperative partnership with the states of Arizona, New Mexico and Utah in respecting Indian sovereignty and recognizing and accepting consultation requirements of the nationwide broadband network project.
 4. Set several meetings with officials of the Navajo Nation, including members of the Resources and Development and Law and Order committees.
- B. The Navajo Nation Division of Public Safety, its various departments, the Navajo Nation Telecommunications Regulatory Commission and the Navajo Nation Telecommunications and Utilities program shall no later than 90 days hereof, jointly produce an assessment of all 110 chapters on the development of FirstNet's Nationwide broadband network project. The assessment shall include the needs of each chapter insofar network plans of FirstNet, and shall be presented to the Resources and Development and Law and Order committees.
- C. The Navajo Nation Division of Public Safety shall no later than 90 days hereof develop and present to the Resources and Development and the Law and Order committees a strategic plan regarding FirstNet's nationwide broadband network project, including its initial planning stage, its development and its implementation.

CERTIFICATION

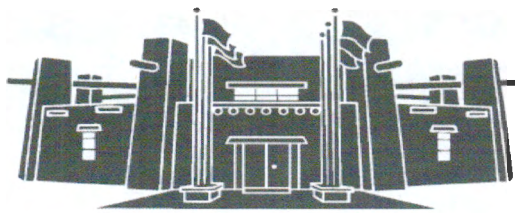
I, hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 23rd Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 13 in Favor and 01 Opposed, on this 22nd day of February, 2018.

A handwritten signature in black ink, appearing to read 'LoRenzo C. Bates', written in a cursive style.

LoRenzo C. Bates, Chairperson
Naabik'iyáti' Committee

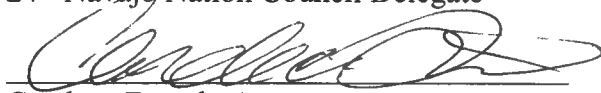
Motion: Honorable Raymond Smith, Jr.
Second: Honorable Walter Phelps

Chairperson Bates not voting



MEMORANDUM

TO: Honorable Kee Allen Begay, Jr.
24th Navajo Nation Council Delegate

FROM: 
Candace French, Attorney
Office of Legislative Counsel

DATE: February 6, 2019

RE: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT, LAW AND ORDER AND NAABIK'ÍYÁTI'; REQUESTING FIRSTNET AND AT&T, IN DEVELOPING NATIONWIDE PUBLIC SAFETY BROADBAND NETWORK TO RECOGNIZE AND ACCEPT NATION-TO-NATION RELATIONS; REQUESTING AN ASSESSMENT AND STRATEGIC PLAN FROM NAVAJO NATION PUBLIC SAFETY AND TELECOMMUNICATIONS PROGRAMS

Per your request, attached is the above-reference proposed resolution and associated legislative summary sheet. Based on existing law, the resolution drafted is legally sufficient. However, as with all legislation, the proposed resolution is subject to review by the courts in the event of a challenge.

The Office of Legislative Counsel recommends the appropriate standing committee(s) reviews based on the standing committees powers outlined in 2 N.N.C. §§ 301, 401, 501, 601, and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration. 2 N.N.C. § 164(A)(5).

Please review the proposed resolution to ensure it is drafted to your satisfaction. If you approve, please sign as "Primary Sponsor" and submit it to the Office of Legislative Services where the proposed resolution will be given a tracking number and referred to the Office of the Speaker. If the proposed legislation is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like to make to the proposed resolution.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0023-19_

SPONSOR: Kee Allen Begay

TITLE: An Action Relating To Resources And Development Committee, Law And Order Committee And NAABIK'IYATI' Committee For The Purpose Of Discussion, Reaffirmation, And Possible Amendment Of NABIF-13-18 Titled "An Action Relating To Resources And Development, Law And Order And NAABIK'IYATI'; Requesting FIRSTNET And AT&T, In Development Nationwide Public Safety Broadband Network To Recognize And Accept Nation-To-Nation Relations; Requesting And Assessment And Strategic Plan From Navajo Nation Public Safety And Telecommunications Programs"

Date posted: February 7, 2019 at 6:12 PM

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.*