



# KIOWA TRIBE

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**OFFICE OF THE LEGISLATURE**

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## **OKIOWA TRIBE** **RESOLUTION NO. KL-CY-2026-0XX**

### **KIOWA BROADBAND BUSINESS ACT OF 2026**

At a duly called Legislative Regular Session \_\_\_\_\_ of the Legislature of the Kiowa Tribe held this \_\_\_\_\_ day of \_\_\_\_\_, 2026, the following resolution, was adopted.

**WHEREAS**, the Kiowa Tribe is a sovereign nation and has been so since time immemorial; and,

**WHEREAS**, the Tribe exercises full enjoyment of the inherent powers of government, including self-determination and autonomy over internal affairs encompassing Tribe citizens, lands, and resources; and,

**WHEREAS**, on April 17, 2017, qualified voters of the Tribe ratified the Kiowa Constitution as “the supreme law of the land”; and,

**WHEREAS**, the Kiowa Legislature’s duties include monitoring the actions of the government, assessing the needs of the People, and making laws toward better government to address the needs of the People under Article VI, Section 1 of the Kiowa Constitution; and,

**WHEREAS**, the Kiowa Legislature is vested with the authority to pass laws and resolutions pursuant to Article VI, Section 6(a) of same Constitution; and,

**WHEREAS**, the Chairman of the Kiowa Tribe may only negotiate and enter into contracts on behalf of the Kiowa Tribe after authorization by the Kiowa Legislature pursuant to Article VII, Section 4(c) of same Constitution; and,

**WHEREAS**, the Legislature has identified the need, for both economic development and to provide for the needs of the Kiowa People, for increased broadband access within and without the jurisdiction of the Kiowa Tribe in Southwestern Oklahoma; and,

**WHEREAS**, the Legislature finds that broadband access in such areas acts as essential infrastructure, driving economic growth, improving education, and enabling critical health services.

**NOW THEREFORE BE IT RESOLVED**, that the Legislature of the Kiowa Tribe hereby adopts the **Kiowa Broadband Business Act of 2026**, as set forth herein.

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**Section 101 Title.**

This enactment shall be cited as the “**Kiowa Broadband Business Act of 2026.**”

**Section 102 Authority.**

This Act is enacted pursuant to the inherent sovereign authority of the Kiowa Tribe and pursuant to the 2017 Constitution of the Kiowa Tribe, which empowers the Kiowa Legislature to “makes laws and resolutions in accordance with the requirements of the Constitution” (Article VI, §6(a)); and to “monitor the actions of the government, access the needs of the People, and make laws toward better government to address the needs of the People” (Article VI, § 1).

**Section 103 Purpose.**

The purpose of this Act is to promote the public welfare, economic development, public safety, and equal access to education, healthcare, and governmental services by expanding the availability, affordability, and reliability of broadband internet service in rural and underserved areas in Southwestern Oklahoma, both within and without the jurisdiction of the Kiowa Tribe; to remove structural barriers to broadband deployment; and to authorize the Chairman of the Kiowa Tribe to take direct, flexible, and innovative action, including entering into contracts and forming or participating in business entities, to achieve these objectives.

**Section 104 Findings.**

The Kiowa Tribe finds and declares that:

- (a) Reliable high-speed internet access is essential infrastructure, comparable to electricity, transportation, and water systems, and is necessary for full participation in modern economic, civic, and social life;
- (b) Significant disparities persist between urban and rural areas in the availability, speed, and affordability of broadband services, resulting in a “digital divide” that disadvantages rural residents, businesses, schools, healthcare providers, and local governments;

- (c) Lack of broadband access suppresses economic growth, limits workforce development, deters business investment, and reduces competitiveness in agriculture, manufacturing, and emerging industries;
- (d) Broadband access is critical for telehealth, emergency response coordination, distance learning, and access to government services, and its absence negatively impacts public health and safety;
- (e) In many rural and low-density areas, private market incentives alone have proven insufficient to support the deployment and maintenance of broadband infrastructure due to high capital costs, low population density, and uncertain returns on investment;
- (f) Targeted governmental action is necessary to catalyze broadband deployment in underserved areas, including through public-private partnerships, direct investment, and alternative service delivery models;
- (g) Traditional procurement and grant mechanisms, while useful, may not provide sufficient flexibility or speed to address broadband gaps effectively, particularly in rapidly evolving technological and economic conditions;
- (h) Granting the Chairman of the Kiowa Tribe authority to enter into contracts, partnerships, and joint ventures, and to create, acquire, or participate in corporate or other business entities, will enable more efficient, innovative, and responsive deployment of broadband infrastructure and services;
- (i) Any exercise of such authority must be guided by transparency, accountability, fiscal responsibility, and the protection of the public interest, including fair competition and nondiscriminatory access; and
- (j) Expanding broadband access in rural areas serves a compelling and long-term public interest by strengthening communities, improving quality of life, and ensuring that all residents have meaningful access to digital opportunities.

#### **Section 105 Effective Date.**

The provisions of this Act shall be effective after enactment by the Legislature of the Kiowa Tribe, and upon the date signed by the Chairman of the Kiowa Tribe (or the override of the Chairman's veto by the Legislature).

#### **Section 106. Interpretation.**

The provisions of this Act shall be interpreted to be in accordance with tribal customary law. Whenever there is uncertainty or a question as to the interpretation of certain provisions of this Act, tribal law and custom shall be controlling, and where appropriate, may be based on the written or oral testimony of a qualified tribal elder, tribal historian, or tribal representative. If the traditions and customs of the Tribe are inconclusive in any

matter, the Court shall construe it consistently with applicable textual tribal law. In the absence of applicable tribal customary law or textual tribal law, the Court shall construe it consistently with applicable federal law.

**Section 107. Severability and Non-Liability.**

If any section, provision, or portion of this Act is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Act shall not be affected thereby.