



The Navajo Nation
Yideeskáadi Nitsáhákees

DR. BUU NYGREN *PRESIDENT*
RICHELLE MONTOKA *VICE PRESIDENT*

May 5, 2023

Honorable Crystalyne Curley, Speaker
Navajo Nation Council
Post Office Box 3390
Window Rock, AZ 86515

RE: CAP-33-23 *An Action Relating to Budget and Finance, Health, Resources and Development, Education and Human Services, and Naabik'íyáti' Committees, and to the Navajo Nation Council; Amending CAP-39-18 to Extend the Síhasin Funds Reversion Deadline for Navajo Technical University's Crownpoint Campus Student Housing Expenditure Plan*

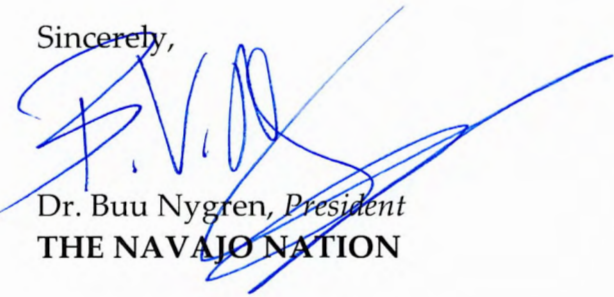
Dear Speaker Curley,

I am pleased to sign into law this resolution CAP-33-23 extending the time for Navajo Technical University (NTU) to utilize Síhasin Funds to build housing for NTU students.

As the first tribal college in the history of the United States to create a Doctoral Program, the use of Navajo Nation funds to support NTU is a good use of Navajo Nation funds.

I am confident that these funds will assist NTU in its continued quest for excellence.

Sincerely,


Dr. Buu Nygren, *President*
THE NAVAJO NATION

RESOLUTION OF THE
NAVAJO NATION COUNCIL
25th NAVAJO NATION COUNCIL - FIRST YEAR, 2023

AN ACTION

RELATING TO THE BUDGET AND FINANCE, RESOURCES AND DEVELOPMENT, HEALTH, EDUCATION AND HUMAN SERVICES, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; AMENDING CAP-39-18 TO EXTEND THE SÍHASIN FUNDS REVERSION DEADLINE FOR NAVAJO TECHNICAL UNIVERSITY'S CROWNPOINT CAMPUS STUDENT HOUSING EXPENDITURE PLAN

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Budget and Finance Committee is a standing committee of the Navajo Nation Council with the responsibility to "review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds" which includes the Navajo Nation's Síhasin Fund. 2 N.N.C. § 301(B)(2).
- B. The Resources and Development Committee is a standing committee of the Navajo Nation Council with oversight authority over economic and community development, and housing. 2 N.N.C. § 500(C).
- C. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council with oversight authority over Navajo Nation colleges and universities, such as Navajo Technical University. 2 N.N.C. § 401(C)(3).
- D. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council that considers all proposed final actions by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- E. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A). As such, the Council may enact or amend resolutions approving funds from the Navajo Nation's Síhasin Fund. Specifically, 12 N.N.C. § 2505(A) permits expenditures from the Síhasin Fund upon a 2/3 approval vote of all members of the Navajo Nation Council.

SECTION TWO. FINDINGS

- A. In Resolution No. CAP-39-18 (signed into law on May 1, 2018), the Navajo Nation Council approved the Síhasin Fund Crownpoint Student Housing Expenditure Plan, along with \$14,300,000 in Síhasin funds, for an on-campus student housing project for

Navajo Technical University ("NTU"). CAP-39-18 is incorporated herein by this reference.

B. Section 4(A)(4) of CAP-39-18 states:

* * * *

4. The funds allocated for the Crownpoint Student Housing project shall not lapse on an annual basis pursuant to 12 N.N.C. § 820 (N) or otherwise be returned to or deposited in the Síhasin Fund Principal or Navajo Nation General Fund until the earlier of five (5) years from the date of adoption of this legislation or such time as the Crownpoint Student Housing project, as set forth in Exhibit A, is fully completed.

* * * *

- C. The wording in Section 4(A)(4) means that unexpended Síhasin funds, from the \$14,300,000 approved in CAP-39-18, will lapse and revert back to the Síhasin Fund on May 1, 2023.
- D. The President of NTU is requesting an extension of the reversion deadline of May 1, 2023, in Section 4(A)(4) of CAP-39-18. NTU's President explains the various reasons why NTU has been unable to expend the approved Síhasin funds since May 1, 2018, and will not meet the May 1, 2023 deadline for expenditure of the entire \$14,300,000. EXHIBIT A.
- E. NTU is requesting an extension of the funds reversion deadline to May 1, 2028, to give NTU sufficient time to expend the entire \$14,300,000 in Síhasin funds approved in CAP-39-18. EXHIBIT A.
- F. NTU has provided project-related documents, including drawings and photographs, for its Crownpoint Student Housing project. EXHIBIT B.
- G. The Navajo Nation has determined that approving NTU's requested extension of the Síhasin funds reversion deadline in Section 4(A)(4) of CAP-39-18 is in the best interest of the Navajo Nation.

SECTION THREE. AMENDING CAP-39-18 TO EXTEND THE SÍHASIN FUNDS REVERSION DEADLINE FOR NAVAJO TECHNICAL UNIVERSITY'S CROWNPOINT CAMPUS STUDENT HOUSING EXPENDITURE PLAN

- A. The Navajo Nation hereby approves an amendment to Section 4(A)(4) of CAP-39-18, as follows:

* * * *

4. The funds allocated for the Crownpoint Student Housing project shall not lapse on an annual basis pursuant to 12 N.N.C. § 820 (N) or otherwise be returned to or deposited in the Síhasin Fund Principal or Navajo Nation General Fund ~~until the earlier of five (5) years from the date of adoption of this legislation or such time as the Crownpoint Student Housing project, as set forth in Exhibit A, is fully completed.~~ so long as such funds are expended or encumbered for the Crownpoint Student Housing project by May 1, 2028.

* * * *

- B. The approved Síhasin funds shall be used by NTU strictly for the completion of its Crownpoint Student Housing Expenditure Plan approved in CAP-39-18. Síhasin funds shall not be comingled with any other funds.
- C. NTU shall allow the Navajo Nation full access to its financial and other records related to the Síhasin funds it has received under CAP-39-18 and this Action. Such access shall be for the purpose of the Navajo Nation's review and audit of NTU's expenditures of Síhasin funds, and the progress of the Crownpoint Student Housing project.
- D. NTU shall submit written reports, and verbal reports if so requested, explaining the ongoing status of the Crownpoint Student Housing project and NTU's expenditures of the Síhasin funds approved in CAP-39-18. Said reports shall be provided to the Health, Education and Human Services Committee, the Budget and Finance Committee, and the Naabik'íyáti' Committee by the end of each Fiscal Year Quarter until the Crownpoint Student Housing project is completed, or until all approved Síhasin funds are exhausted, or upon the new May 1, 2028 reversion deadline approved in this Action.

SECTION FOUR. EFFECTIVE DATE


This Action shall become effective pursuant to 12 N.N.C. § 2505(A) and 2 N.N.C. § 221(B).

SECTION FIVE. SAVING CLAUSE

If any portion of this Action is invalidated by the Supreme Court of the Navajo Nation, or by any Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the remainder of this Action shall be the law of the Navajo Nation.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25th 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 16 in Favor, and 01 Opposed, on this 21st day of April 2023.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

4/27/23

DATE

Motion: Honorable George H. Tolth

Second: Honorable Norman M. Begay

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 5 day of MAY, 2023.



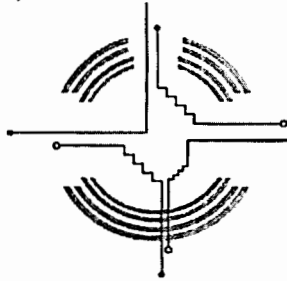
Buu Nygren, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2023 for the reason(s) expressed in the attached letter to the Speaker.

Buu Nygren, President
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this _____ day of _____, 2023.

Buu Nygren, President
Navajo Nation

ESTABLISHED 1979
NAVAJO TECHNICAL UNIVERSITY

SIHASIN

December 01, 2022

To: Legislative Counsel
Window Rock, Arizona

DocuSigned by:
Fr: Elmer Guy
92517C3B23DD4D... Guy, President of NTU

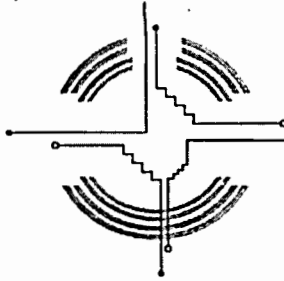
Re: Amendment to CAP-39-18 to Extend the Sihasin Fund Guarantee

This memo is a follow up to our discussion on amending CAP-39-18 Council Resolution adopting the Sihasin funding for the Crownpoint Student Housing Expenditure Plan pursuant to CD-68-14 and 12 N.N.C. §§ 2501-2508.

In the CAP-39-18 resolution, Sihasin funds were awarded to Navajo Technical University (NTU), for the completion of 80 housing units accommodating up to 270 additional beds on the main campus. NTU reported that the construction of the Crownpoint student housing project has been projected at \$27.6 million of which NTU will contribute \$4 million and Navajo Housing Authority (NHA) committed to contribute \$9.3 million, leaving an unfunded balance of \$14.3 million.

After considering the recommendations of the Sihasin Fund subcommittee, the Navajo Nation Council determined that NTU's Crownpoint Student Housing project fits within the priorities established under the July 20, 2015 One Nation, One Voice Navajo Nation Three Branch Agreement and that it is in the best interests of Navajo families as well as in the best interests of economic and community development, including housing, and the expansion of educational opportunities within the Navajo Nation to fund the Sihasin Fund Crownpoint Student Housing Expenditure Plan, *See attached Exhibit A*.

Pursuant to CAP-39-18, the Sihasin funds allocated for the Crownpoint Student Housing project shall not lapse on an annual basis pursuant to 12 N.N.C. §820 (N) or otherwise be returned to or deposited in the Sihasin Fund Principal or Navajo Nation General Fund until the earlier of five (5) years from the date of adoption of this legislation or such time as the Crownpoint Student Housing project, as set forth in Exhibit A is fully completed.



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S I H A S I N

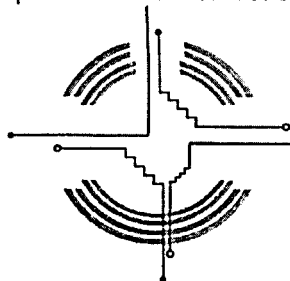
Council Resolution CAP-39-18 was signed May 01, 2018 by Former President Russell Begay tolling NTU's use of the Sibhasin funds no later than May 01, 2023 or they may be returned to the Navajo Nation.

As of December 01, 2022, NTU has been unable to expend the Sihasin funds within the five (5) year timeline due to a number of factors.

After NHA awarded the \$9.3 million dollars to NTU for the Student Housing Expenditure, it required NTU to conduct a floodplain study to determine if the Student Housing was built high enough and on stable ground to build the housing. NTU utilized a study from Army Corp of Engineers to study the Student Housing Project as required by NHA. NTU complied with NHA's Floodplain requisite under NAHADAS Environmental Review Records by identifying an alternative site provided to NTU by the Navajo Nation Crownpoint Chapter (30 Acres) through Resolution CPC 17-11-001 which is outside the identified floodplain elevation

In the meantime, NHA had several turn overs of Administration (2018 to present) making it difficult to work with NHA as their Director's kept changing and so did their priorities for funding unbeknownst to NTU. With COVID19 spreading across the Navajo Nation in March 2020, NHA literally closed their doors for business making it impossible to get an answer from NHA on whether they accepted the floodplain mitigation plan or not so that the Student Housing Project could proceed.

NTU continued to try and contact NHA during the COVID19 to determine if the floodplain mitigation plan was sufficient to move forward. Noone could answer NTU largely due to the turnover of directors. Finally, in the summer of 2021, the NTU President Mr. Guy and Vice-President of Operations, Jason Arviso went to the NHA Administration in person to talk about where the NHA money was for the student housing project since NTU had complied with NHA's requirements. Come to find out, NHA had moved the \$9.3 million dollars it had saved for the Student Housing project to another NHA project without notifying NTU. The NHA funding was non-existent at that time and the Student Housing project came to a standstill. NTU has funded the A & E and possesses working drawings and engineering completed. NTU Administration is currently working with the new NHA housing administration to reinstate the amount they pledged for NTU's Student housing project. NHA to restore the two awards for student dorm construction. (i.e. Indian Housing Block Grant and Program Income Funding), Currently NHA is committing 3 M for the Environmental Assessment. NTU reviewing Environmental Assessment regarding new alternative location, NHA and NTU committed to working jointly to satisfy the NAHASDA Environmental Review.



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NAVAJO TECHNICAL UNIVERSITY

SIHASIN

Navajo Technical University is at a stand still while resolving the NHA problem. NTU seeks to extend the Sihasin funds for another five (5) years to May 01, 2028 to expend the funds as appropriated but needs an amendment to the CAP-39-18 Council resolution to allow this Student Housing project to move forward.

NTU respectfully requests your assistance in pursuing an amendment to extend the Sihasin deadline from May 01, 2023 to May 01, 2028.

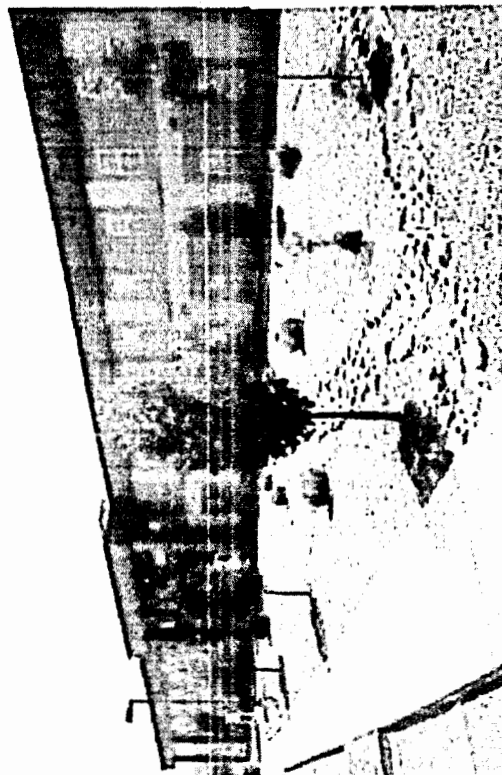
If you have any questions, please contact me at your convenience.

Thank you for your assistance in this matter.

ATTACHMENTS:

Exhibit A
CAP-39-18
Draft Tribal Council to Amend CAP-39-18

EXHIBIT B



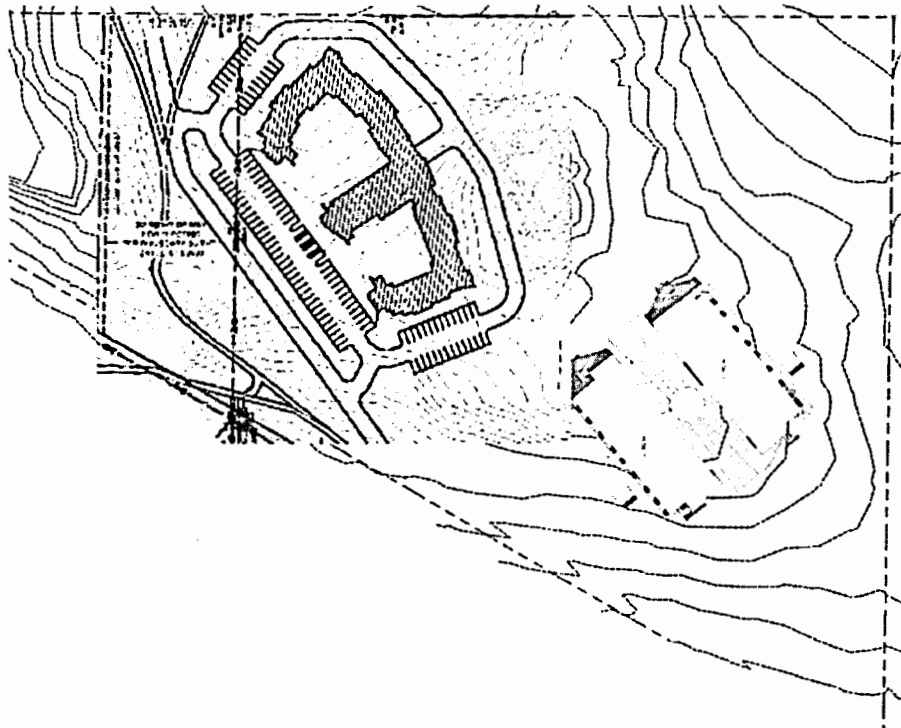
HOUSING AT NTU

A PRESENTATION BY DR. ELMER J. GUY



NAVAJO TECHNICAL UNIVERSITY STAFF QUARTERS
 11/11/2011

(A) LOCATION SITE PLAN OPTION ONE



Sheet Number
 A101

SITE PLAN

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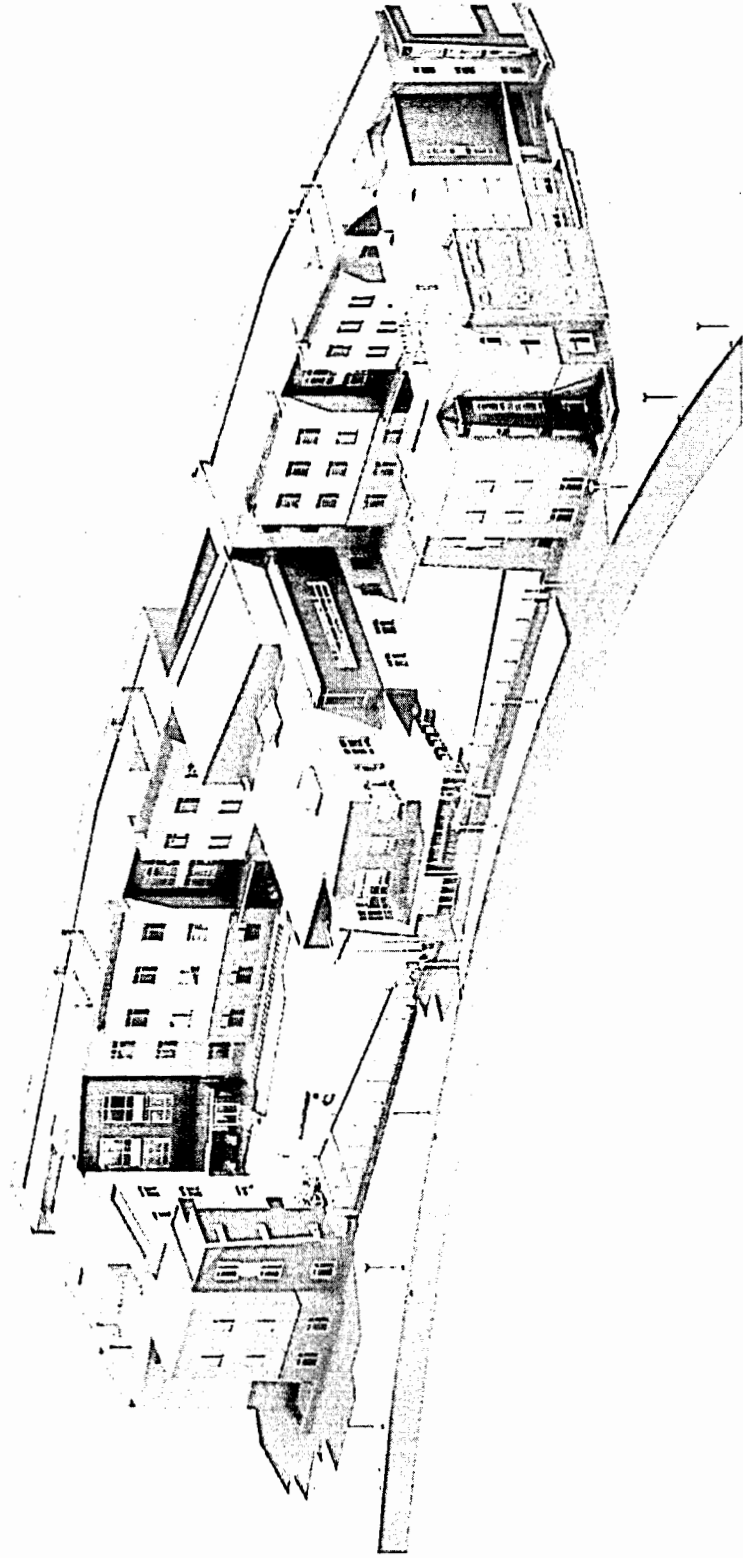
NAVAJO TECHNICAL UNIVERSITY
 STAFF QUARTERS

11/11/2011



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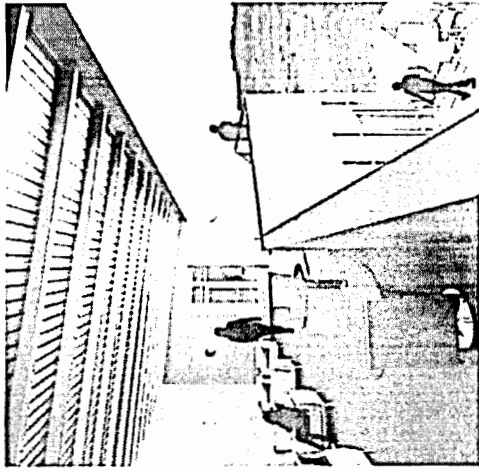
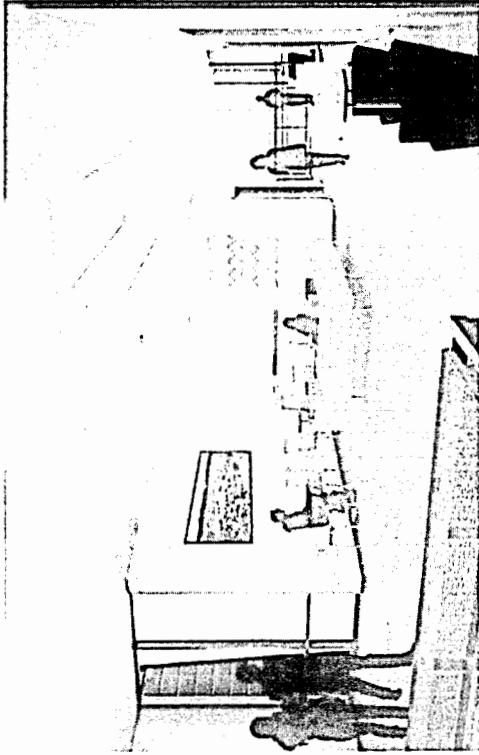


Aerial View Looking Northeast

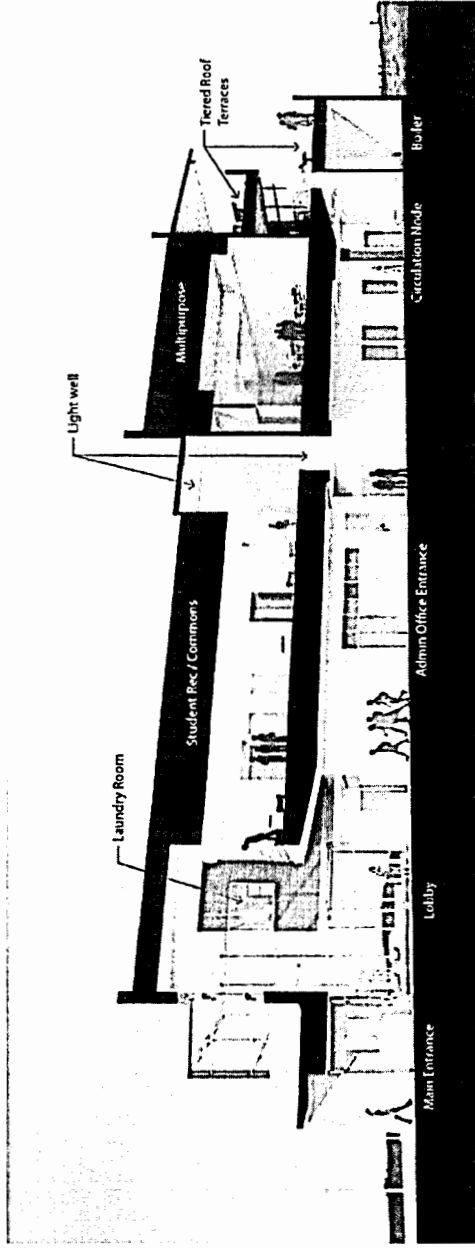
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U. S. GOVERNMENT PRINTING OFFICE: 1964

2nd Floor Building Commons Rec Area



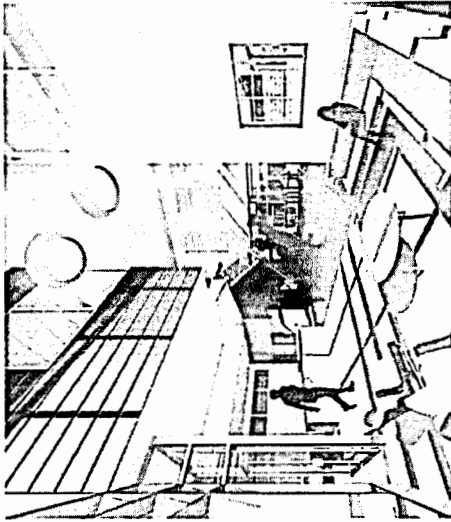
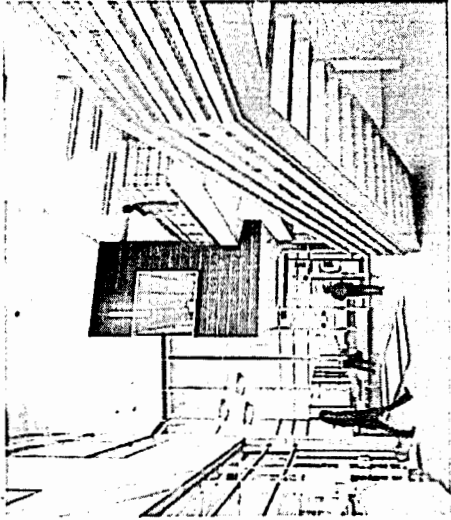
2nd Floor Building Commons Rec Area, Looking West (left)
3rd Floor Roof Terrace Looking North (right)



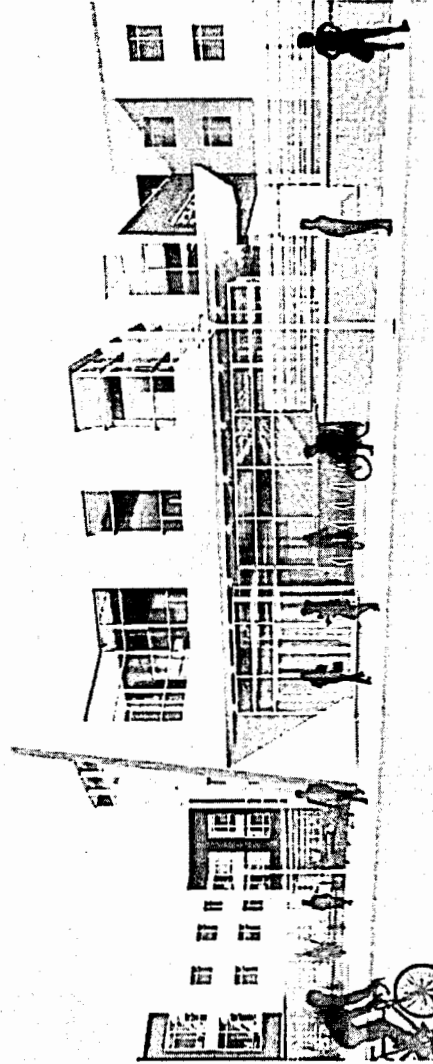
Main Entrance at Building Commons
View Looking Northeast

2nd Floor Building Commons - Rec Area

3rd Floor Roof Terrace - Looking North

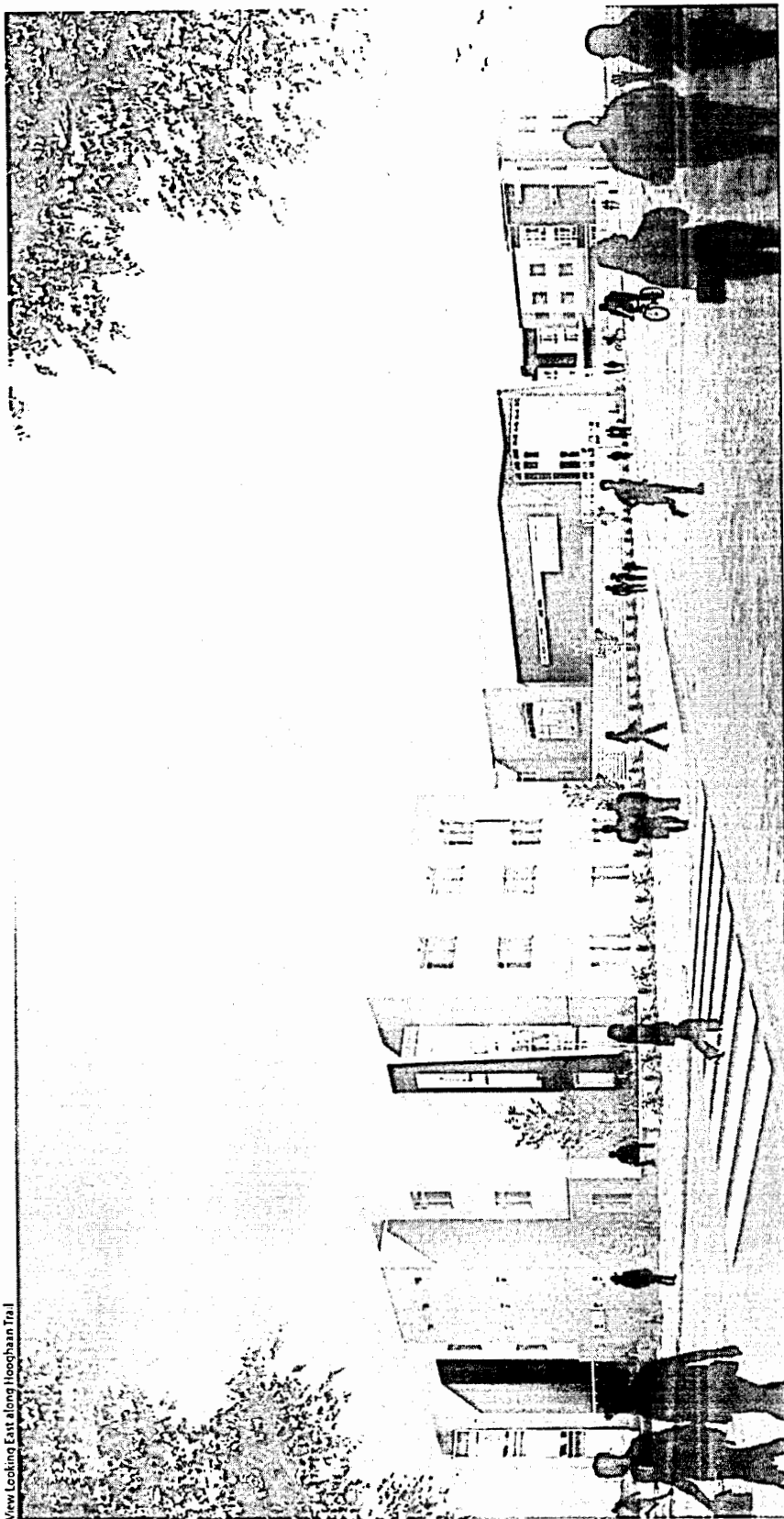


Lobby Interior Looking Southeast (left)
Lobby Interior Looking North (right)



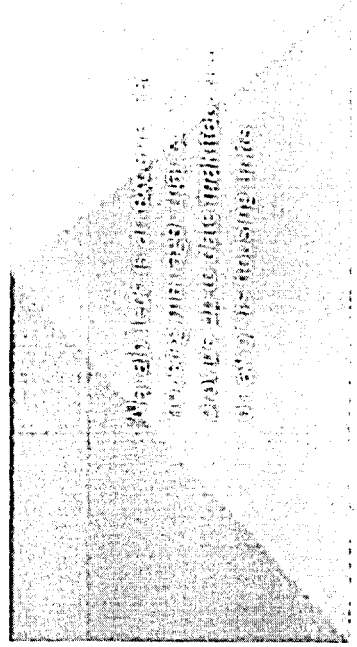
Main Entrance at Building Commons, View Looking Northeast

View Looking East along Hoochhaan Trail



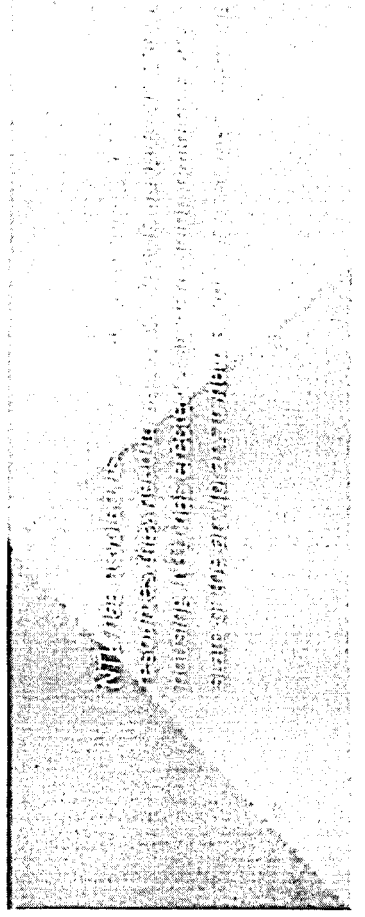
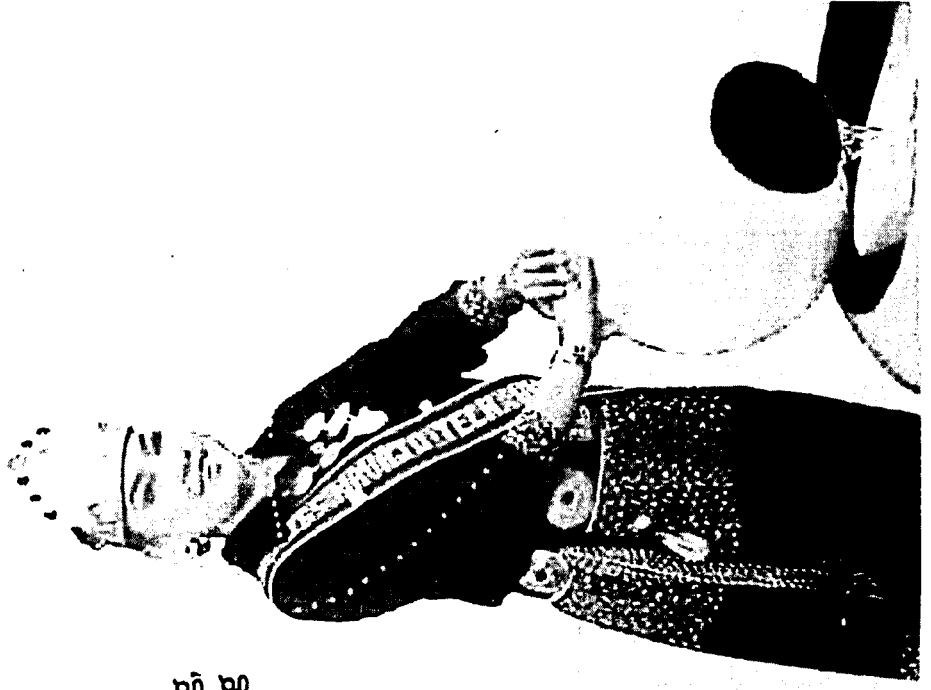
PROVIDING HOUSING AT NTU HELPS THE NAVAJO NATION PROVIDE HOUSING FOR ALL OF NAVAJO

- By having housing for students at Navajo Technical University, students will not be seeking housing elsewhere on the Navajo Nation.
- Students come from all over Navajo: Arizona, New Mexico, and Utah. Thus the housing of students at NTU addresses shortages found throughout the Navajo Nation.
- Since students will be graduating with degrees, the students, after their time at NTU, will have more income and be better able to afford housing on their own.
- This will reduce the pressure on housing throughout the Navajo Nation.



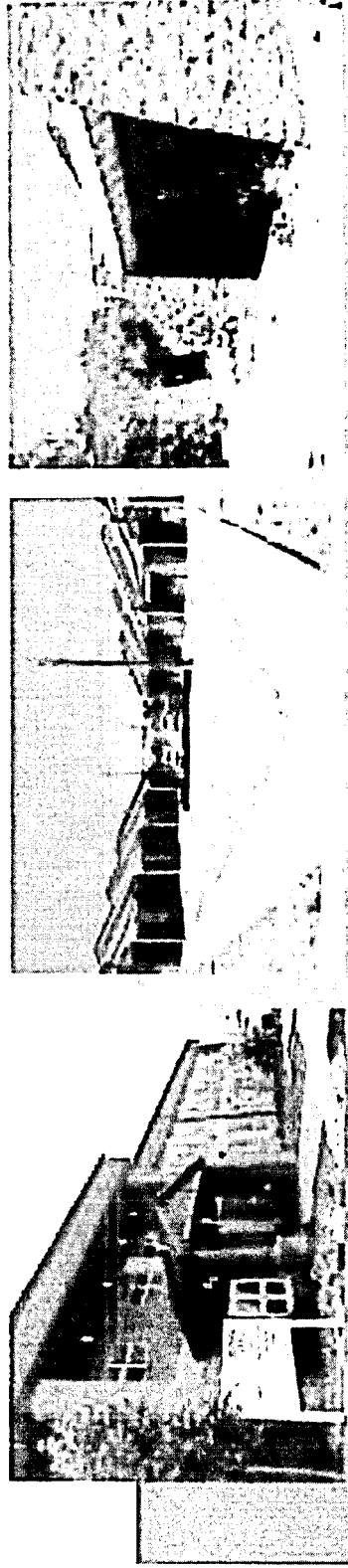
THE BENEFITS OF ON CAMPUS HOUSING

- Instills a strong sense of community
 - Participate in community activities, programs, and organizations
 - Makes transition into college life easier
 - More likely to complete program of study
- Earn a higher GPA
 - Availability of campus resources such as tutoring, computer usage, library services, and counseling
- Less expensive
 - Including free services and amenities such as:
 - Cable
 - Access to high-speed Internet and Wi-Fi
 - Cuts down on transportation costs



NTU DEMAND FOR HOUSING IS INTENSE

- At this point, NTU is not able to accommodate additional students in on-campus housing, which has exceeded 100 percent capacity.
- Significant numbers of Navajo students have been turned away over the past five years because they could not find living accommodations in the Crownpoint area.
- NTU's data shows that the Crownpoint campus needs up to 600 additional beds to properly meet the long-term needs of the Navajo Nation; however, NTU could provide immediate relief beginning with 270 beds. The beds would serve both entering freshmen and returning students needing to stay on campus while they pursue their higher level courses.



Building A Navajo University Project

Navajo Technical University's Growth in Service to the Navajo People

Navajo Technical University had made great progress during the last ten years. From the days when it was Crownpoint Institute of Technology to today it has increased its enrollment from 333 students in Fall 2005 to 2,075 students in Fall 2014. The significance of this accomplishment is slowly being reflected in the rising percentage of Navajo students earning degrees. An example of this achievement is that for the first time in 2014 the same percentage of American Indian students in New Mexico earned associate degrees as the general population. Most of those students are Navajo. Navajo is in on the road to ending its long history as one of the least educated populaces in the United States. The goal is to make Navajo one of the most educated, economically strong areas in Arizona, New Mexico, and Utah.

Navajo Technical University (NTU) has also expanded degree levels it is authorized by the Higher Learning Commission accreditation authority to offer. Ten years ago, in 2005, Crownpoint Institute of Technology offered 13 one-year certificate programs in trades like construction, culinary arts, and automotive technology and 9 associates of applied science degrees. Today NTU offers certificates, associate of science and applied science, baccalaureate of science, applied science, arts, and fine arts, and a master's degree. Students can choose from 18 certificate, 3 associate of science, 12 associate of applied science, 4 baccalaureate of science, 3 baccalaureate of applied science, 1 bachelor of arts, 1 baccalaureate of fine arts, and 1 master of arts degree. The university has also developed and applied for accreditation for a new baccalaureate degree for pre-medical students.

The curriculum is designed to not only build Navajo student futures by providing strong, academically rigorous programs, but also to directly address major Navajo Nation needs for engineering, economic development, a better health system, entrepreneurs, strong leadership, environmental and natural resources management, and stronger pre-K through 12th grade education systems.

Needs

Considerable work needs to be done on especially the baccalaureate and graduate degree levels if the Navajo Nation is going to become as successful economically as non-Indian communities in Arizona, New Mexico, and Utah. The Navajo Nation still has fewer percentages of its population with baccalaureate or graduate degrees than any of its surrounding non-Indian communities. New degree programs need to be launched and current degree programs need to be strengthened. NTU intends, with the help of this funding, to become a doctoral-granting university in the future.

There is also considerable work that needs to be done at the pre-college levels of education. Only a handful of schools serving Navajo students have made AYP status during any one year since that measurement was implemented as part of the No Child Left Behind Act. Student performance at most of these schools is sub-standard. Over time Navajo students reading and math scores have consistently not only been behind peers nationally in grades 3-8, but they have

not markedly improved based upon a study of AYP reports since the law passed. High school dropout rates have continued at unacceptably high levels.

NTU has introduced two plus two programs with high schools and launched a baccalaureate degree program in early childhood education. It is planning additional education degree programs in the future, tailoring the training given to strengthen teacher performance with Navajo students.

NTU has also developed both a baccalaureate and a master degree program in Diné Culture, Language, and Leadership. A recent study by the Navajo Tribe showed that Navajo culture and language could die out within less than two generations. NTU's efforts in language and culture are designed to help develop a nation revival of language and culture, training teachers as well as providing leadership grounded in language and culture and the skills needed to help bring about revival.

The university has also expanded its geographical service to the Navajo people, establishing two instructional sites, one in Chinle and the other in Teec Nos Pos. The Chinle site will become a full-fledged campus once classrooms and other buildings are put into place. Navajo Technical University is designed to serve all Navajo in all parts of the nation.

Funding Request

In order to continue strengthening NTU, providing a strong fiscal foundation, and continuing its long-term development, the university is requesting that the Navajo Nation provide \$40,000,000 out of the \$554,000,000 settlement with the United States Government for the purpose of strengthen its endowment and constructing new higher educational facilities in Crownpoint, New Mexico and Chinle, Arizona.

The funding requested will be used to accomplish the following:

1. Construct a classroom/student union/cafeteria at the Chinle instructional site, allowing it to become a fully accredited campus.
2. Construct faculty housing in Chinle.
3. Construct a general classroom/faculty office building in Crownpoint, replacing mobile classrooms that are old and increasingly too expensive to operate and maintain.
4. Construct faculty housing in Crownpoint.
5. Renovate a building in Crownpoint for counseling, admissions, registration, student recruitment, and Dean's offices.
6. Build endowment for supporting the university's long-term survival and development.
7. Establish a research fund for the purpose of encouraging research projects that help the Navajo Nation meet its long-term goals.
8. Construct new dorm facility in Crownpoint.

The biggest unmet need will be for dorm buildings in Chinle.

Classroom/student union/cafeteria at Chinle

One classroom building is in the planning/construction process at Chinle. However, to change the Chinle Instructional Site into a full-service campus another building will have to be built. Enrollment growth at Chinle has been spectacular. This proves the need and desire for higher education in the area. However, baccalaureate degrees and services like food, full-service counseling, economic development, the launching of health-related and trade degrees such as automotive technology and welding, and career advisement cannot be undertaken without further developments on the campus. NTU will be able to expand enrollments in Chinle as well as better serve Arizona chapterhouses with this funding. Plans exist for a 7.5 million dollar facility.

Faculty Housing in Chinle

A crises need in Chinle is for faculty housing. There are simply no housing units available for faculty in the Chinle area. To further develop the Chinle Campus housing for faculty will be necessary. The development of baccalaureate and additional associate degrees will be impossible without faculty housing. A total of 2 million dollars will be spent on this project.

General Classroom/faculty Office Building in Crownpoint

One of the biggest challenges at Crownpoint currently are the old mobile classroom units that have been in place for decades. These units are all deteriorating and are becoming increasingly expensive to maintain and operate, especially during the winter. They absolutely need to be replaced with a new classroom/faculty office building in the near future before they become completely unusable. There are 14 mobile classroom units that will need to be replaced with classrooms more conducive to student learning. The campus would also like to launch a welding program. Plans exist for a 10 million dollar facility.

Crownpoint Faculty Housing

The need for faculty housing in Crownpoint continues. There is simply no housing available in the area for new faculty. The need has been a long-standing challenge to continuing strengthening the academic and trades curriculum. A total of 1.5 million dollars will be spent on this project.

Renovation of Old Dorm into Campus Administrative and Counseling Center in Crownpoint

The Old Dorm building in Crownpoint has experienced such water damage and deterioration over the years that it has become an eyesore on campus in addition to being unusable. This facility needs to be gutted and rebuilt, replacing the offices in mobile classrooms for administrators and counselors with a new facility. A total of 2.25 million dollars will be spent on this project.

Endowment

One of the important elements for developing a university and ensuring it meets the goals set for it by the Navajo Legislature and President is an endowment. An endowment is designed to keep the principal amount intact while using the investment income from dividends to provide for the university's long-term financial stability and development. Almost all universities in the United States have a strong endowment. NTU currently has a small endowment. This funding will help strengthen the NTU endowment, helping to secure its long-term future for the Navajo people. 5 million dollars will be invested in the endowment.

Research Fund for Helping the Navajo Nation Meet Long-term Goals

One of the most important reasons that states and governments establish and support universities is to encourage research into areas that promise to further economic development, employment, better health, better education, better land and resource use, better law enforcement, or some other goal important to citizens. NTU has been working to build partnerships with tribal departments and organizations. This funding will provide grants to students and faculty to help with research projects that help these departments and organizations, including the council and President, achieve long-term goals that will better the lives of Navajo people. A total of 1.75 million will be put into a fund designed to encourage such partnership and research efforts.

Crownpoint Campus Dorm

NTU has certified architectural drawings for a three-story student housing for the Crownpoint Campus. Since students attend NTU from every region of Navajo, it is a residential campus. Without a place to live while going to school, Navajo students cannot attend NTU. Unfortunately, NTU cannot accommodate all the Navajos who want to attend the university currently. The dorms end up turning students away every semester. This project is shovel-ready. 10 million dollars will be spent building a new Crownpoint dorm.

Summary of Project Budgets

Chinle Classroom Building	\$ 7,500,000
Chinle Faculty Housing	\$ 2,000,000
Crownpoint Classroom Building	\$10,000,000
Crownpoint Faculty Housing	\$ 1,500,000
Renovation of Old Dorm - Crownpoint	\$ 2,250,000
Endowment Fund	\$ 5,000,000
Research Fund	\$ 1,750,000
Crownpoint Dorm	<u>\$10,000,000</u>
Total	\$40,000,000

**JOINT RESOLUTION OF THE
BOARD OF REGENTS OF DINÉ COLLEGE AND
BOARD OF REGENTS OF NAVAJO TECHNICAL UNIVERSITY**

**Requesting the Navajo Nation Council Approve the Appropriation of \$60,000,000
(Sixty Million Dollars) from the Navajo Trust Litigation Settlement Funds to Diné College
and to Navajo Technical University that Shall be Shared Equally by the Two Higher
Education Institutions of the Navajo Nation to Provide the Opportunity for the Two
Institutions to Meet their Respective Strategic Goals.**

WHEREAS:

1. The Board of Regents of Diné College and the Board of Regents of Navajo Technical University are each responsible for the administration, operations and the development of policy for their respective institutions; and
2. Pursuant to each of their enabling legislation, Diné College and Navajo Technical University are organized as institutions of higher learning for the purpose of providing post-secondary education programs that serve both the academic and vocational/technical needs of the Navajo Nation and its citizens; and
3. On August 16, 2014, the Board of Regents of Diné College and the Board of Regents of Navajo Technical University met jointly to confer and develop a request to submit to the Navajo Nation Council for an appropriation from the Navajo Trust Litigation Settlement Funds that will best meet the priorities of their respective institutions; and
4. Diné College and Navajo Technical University were created by the Navajo Nation Council with the mission to educate Navajo Nation members as a means to promote the education, economic development, as well as cultural and environmental preservation and enhancement within the Navajo Nation; and
5. The Board of Regents of Diné College and the Board of Regents of Navajo Technical University have considered and determined the strategic goals and priorities for their respective institutions that will best meet their educational mission from the Navajo Trust Litigation Settlement Funds; and
6. The Board of Regents of Diné College and the Board of Regents of Navajo Technical University determined that a joint request to the Navajo Nation Council for an appropriation of \$60,000,000 (Sixty Million Dollars) from the Navajo Trust Litigation Settlement Funds to Diné College and to Navajo Technical University that shall be shared equally by the two higher education institutions of the Navajo Nation to provide the opportunity for the two institutions to meet their respective strategic goals and priorities.

NOW THEREFORE BE IT RESOLVED THAT:

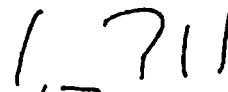
1. The Board of Regents of Diné College and the Board of Regents of Navajo Technical University hereby jointly request that the Navajo Nation Council approve the appropriation of \$60,000,000 (Sixty Million Dollars) from the Navajo Trust Litigation Settlement Funds to Diné College and to Navajo Technical University that shall be shared equally by the two higher education institutions of the Navajo Nation to provide the opportunity for the two institutions to meet their respective strategic goals.

2. The Board of Regents of Diné College and the Board of Regents of Navajo Technical University hereby jointly direct their respective President to do all things necessary to effectuate the purpose of this resolution as jointly approved by the Board of Regents of Diné College and the Board of Regents of Navajo Technical University.

CERTIFICATION

We hereby confirm that this resolution was discussed and considered jointly by the Board of Regents of Diné College and the Board of Regents of the Navajo Technical University at a duly called meeting held in Flagstaff, Arizona at which a quorum of each Board was present and that this resolution was passed by a vote of 12 in favor, 0 opposed and 0 abstained on the 16th day of August, 2014.


Fannie L. Atcitty, President
Diné College Board of Regents



Tom Platero, Chairperson
Navajo Technical University
Board of Regents



EASTERN NAVAJO AGENCY COUNCIL
THE NAVAJO NATION
P.O. Box 668
Crownpoint, New Mexico 87313
Phone: (505) 786-2090
Fax: (505) 786-2097

Russell Begay, President

Bryn Chavez
President

Johnny Johnson
Vice-President

Jonathan Nez, Vice-President

Fannie Yazzie
Secretary/Treasurer

ENAC 12-2015-07

RESOLUTION OF THE EASTERN NAVAJO AGENCY COUNCIL

SUPPORTING THE STUDENT HOUSING PROJECT APPLICATION SUBMITTED TO THE NAVAJO HOUSING AUTHORITY AND THE "BUILDING A NAVAJO UNIVERSITY PROJECT" FUNDING REQUEST SUBMITTED TO THE SIHASIN SUB-COMMITTEE OF THE NAVAJO NATION BY THE NAVAJO TECHNICAL UNIVERSITY CODIFIED AT 15 N.N.C. §§1201-12069.

WHEREAS:

1. The Eastern Navajo Agency Council is recognized as the local government entity of the Navajo Nation government vested with decision making authority to plan, implement, and make decision in the best interest of the people; and
2. Per the 2 N.N.C. SECTION: 4028; the Eastern Navajo Agency Council is vested with government authority to review all matters affecting the community to make most appropriate recommendations when necessary to the Navajo Nation, County, State, Federal and other local agencies to beneficial to the organizations; and
3. Many people reside in, and many young people graduate from high schools located within the Eastern Navajo Agency. For economic growth and community improvement, it is imperative that high school graduates within the Eastern Navajo Agency have the opportunity to acquire a college education close to home and their families; and
4. Navajo Technical University is an accredited institution of higher learning, located in Crownpoint, New Mexico, and was chartered by the Navajo Nation to provide post-secondary programs that serve the vocational/technical and academic needs of the Navajo Nation and its citizens, 15 N.N.C. §§1201-1209; and
5. Navajo Technical University has a progressive history. In 1979, the Navajo Skill Center opened in Crownpoint, New Mexico offering workforce trade programs. In 1985, the name of the institution was changed from Navajo Skill Center to the Crownpoint Institute of Technology to coincide with the institution's expanded mission. In 2006, the name was changed to Navajo Technical College upon the institution's development of several new associate degree programs. In 2013, after bachelor's degrees and a master's degree were added, the name was changed to Navajo Technical University; and.

6. Within the Eastern Navajo Agency, the Crownpoint Chapter has a special relationship with Navajo Technical University. The Crownpoint Chapter supported Navajo Technical College's development and growth by approving the withdrawal of land within the Crownpoint Chapter community for the college's main campus facilities; and
7. For two consecutive years, Navajo Technical College was recognized by the Aspen Institute College Excellence Program as one of the top 120 community colleges in the United States; and
8. Navajo Technical University has experienced several past consecutive years of growth in student enrollment and this continued growth is impeded by lack of students housing; and
9. Navajo Technical University currently operates 31 family housing units and two dorms, one with 38 double-occupancy rooms and another with 54 double-occupancy rooms and these units and dorms all have waiting lists that cannot be served; and
10. Navajo Technical University applied for funding from the Navajo Housing Authority in 2014 to construct a student housing facility that will house approximately 260 students in 144 double-occupancy rooms, and NHA deemed it project ready with completed architect plans and drawings; and
11. Navajo Technical University submitted a resolution and funding request entitled, "Building a Navajo University Project" to the SiHasin Sub-Committee on September 2, 2015; the funding would support the University's strategic goals and support the Crownpoint campus and its instructional sites in Chinle and Tsee Nos Pos, Az; and
12. The Eastern Navajo Agency fully supports the funding requests, and respectfully requests the Navajo Housing Authority Board of Commissioners to fund the student housing application submitted by the Navajo Technical University, and also respectfully requests the SiHasin Sub-Committee to fund the "Building a Navajo University Project" funding request. Empowering Navajo Technical University to achieve its strategic goals, including building additional student housing, will enable NTU to meet the needs of its present and future students and the Navajo Nation community as an institution of higher learning.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Eastern Navajo Agency hereby fully supports the funding application and request submitted to the Navajo Housing Authority and to the SiHasin Committee of the Navajo Nation by Navajo Technical University, 15 N.N.C. §§1201-1209, to construct a new student housing facility and to achieve its strategic goals.
2. The Eastern Navajo Agency hereby strongly recommends the Navajo Housing Authority Board of Commissioners approve the project-ready student housing funding

application which was submitted to the Navajo Housing Authority in 2014 by Navajo Technical University, 15 N.N.C. §§1201-1209.

3. The Eastern Navajo Agency hereby strongly recommends the SiHasin Sub-Committee approve the "Building a Navajo University Project" funding request which was submitted to the SiHasin Sub Committee Chair on September 2, 2015 by Navajo Technical University, 15 N.N.C. §§1201-1209.

CERTIFICATION

We, hereby certify the foregoing resolution was duly considered by the Eastern Navajo Agency Council at a duly called meeting in Tseyahtoh Chapter, Montmore, New Mexico, at which a quorum was present and that the same was passed by a vote of 86 in favour, and 3 opposed, and 1 abstaining, this 5th day of December 2015.

Motion by: Young Jeff Tom, Mariano Lake Chapter
Seconded by: Stanley Herrera, Alamo Navajo Chapter


Ervin Chavez, President
EASTERN NAVAJO AGENCY COUNCIL

ATTEST:


Fernie Yazzie, Secretary/Treasurer
EASTERN NAVAJO AGENCY COUNCIL



THE NAVAJO NATION
SUPREMACY
JANUARY 1986

February 4, 2016

Aneva Yazzie, Director NHA
Ervin Chavez, Chairperson, NHA Board of Commission
Morgan Blvd
Window Rock, Arizona 86515

RE: Navajo Technical University's application for a Housing Grant

Ms. Yazzie and Mr. Chavez:

The Navajo Nation fully supports the University's application for a grant from Navajo Housing Authority that will provide more housing for the Crownpoint campus. Housing is absolutely critical for any University, in growth and expansion of its programs, including new curriculum. This Administration is looking to our diné colleges, such as NTU to assist in developing training programs and professional degrees for our Government such as a police academy and accounting, where we are lacking Navajo professionals.

If approved, this grant will provide 144 housing units. This will not only increase the enrollment but open more educational opportunities for NTU and in turn the students. We understand the housing project for the Crownpoint campus is shovel-ready and the project will be put out for bid immediately. As such, will provide immediate growth to NTU.

Education is the foundation for any Government's sustainable development in economic development, social and environmental dimensions. It is education that provides the knowledge and develops the skill for our future Diné professionals and entrepreneurs. Therefore, we respectfully request your favorable consideration to this application.

Respectfully,

THE NAVAJO NATION


Russell Begaye, President


Jonathan Nez, Vice President



April 11, 2017

Aneva J. Yazzie, CEO
Navajo Housing Authority
P.O. Box 4980
Window Rock, Arizona 86515

Dear Ms. Yazzie,

Mr. Ervin Chavez, Chairperson, Navajo Housing Authority Commissioner would like me to provide an update on our Navajo Technical University (NTU) initiated student housing project in 2013. To date, NTU has paid \$1,306,729 for architect and engineer services (A&E).

As a tribal university, we serve Navajo students from across the Navajo Nation. NTU has experienced over a decade of increasing enrollment and currently serves 1,545 students.

NTU Student Project Housing Initiatives to date:

2013: Submitted a proposal to NHA to construct additional student housing in Crownpoint, NM.

2013: To expedite the project, NTU bided out architectural services and interviewed applicants.

2014: Hired John Tansley, Architect P.A. NTU kept the NHA Board of Commissioners informed of progress, and NHA Commissioners requested for Stamped designs to ensure that the project is completed timely.

2015: Stamped design plans presented to NHA in October.

2015: New NHA Commission members were appointed.

2015: Submitted a proposal to SiHaSin Subcommittee.

2017: Presented the NTU Student Housing Project to Sihasin Subcommittee and requested that they match \$14 million to construct a new student housing facility.

2017: NTU updated NHA proposal and following is a breakdown of partners to help fund the project:

Navajo Housing Authority	\$10,000,000
Navajo Technical University	\$ 4,000,000
Navajo Nation	<u>\$14,000,000</u>
Total:	\$28,000,000

NTU has made an upfront investment in this project and is hopeful that NHA will provide funding needed to complete this critical initiative. Our architects estimates that the construction will take about 18 months. We look forward to work with you in constructing a student housing facility that is desired greatly.

Sincerely,

Dr. Elmer J. Guy,
President

NHA Hooghan—Center of Family Growth, Strength and Beauty **NAVAJO HOUSING AUTHORITY**

RESOLUTION NHA- 4725-2017

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE NAVAJO HOUSING AUTHORITY

Approving a Conditional Funding Commitment of \$5,576,293 From Program Income Funds for the Construction Of a New Navajo Technical University College Housing Facility

WHEREAS:

1. Public Law 104-330, the Native American Housing Assistance and Self Determination Act of 1996 (NAHASDA), was enacted to provide housing assistance that recognizes the rights of Indian Self-determination and Self-governance through a program known as Indian Housing Block Grant (IHBG); and
2. The Navajo Housing Authority (NHA) (a) was created and established as a public body of the Navajo Nation under the laws of the Navajo Nation at 6 N.N.C. § 601 and its Plan of Operation is codified thereunder; (b) pursuant to 24 CFR 1000.206 of the NAHASDA regulations, is the Tribally Designated Housing Entity (TDHE) for the Navajo Nation and is an eligible recipient of IHBG pursuant to Navajo Nation Council (NNC) Resolution CD-82-03; and (c) is otherwise regulated by HUD NAHASDA program requirements set forth in the Code of Federal Regulations, Title 24 Housing and Urban Development, Parts 85 and 1000; and
3. Pursuant to 6 N.N.C., Sections 605 and 616(b)(3), the Board of Commissioners of the NHA is empowered with the authority to manage the affairs of the NHA with the power to do all things necessary or desirable to secure the financial aid or cooperation of the federal government in the undertaking of providing safe, decent and sanitary housing; and
4. Starting first as Navajo Skill Center in 1979 and now known as Navajo Technical University (NTU), NTU developed over time into a respected technical-vocational tribal university that addresses the continually changing requirements of its students. NTU provides university readiness programs, certificates, associate, baccalaureate, and graduate degrees that are designed to prepare students for entry into careers and further education; and
5. NTU was created through a charter from the Navajo Nation and is now a tribal university with the main campus in Crownpoint, New Mexico and instructional sites located in Chinle and Teec Nos Pos, Arizona. It serves roughly 1,500 students per year who are over 96% Navajo; and
6. Several years ago, NTU was a sub recipient of IHBG funds for the construction of two major dormitories and student family apartments at the Crownpoint campus. Since then NTU has experienced significant growth rate during the past seven years and has filled all housing units on the Crownpoint campus. A significant number of students from different parts of the Navajo Nation have enrolled at NTU creating a greater demand for student housing; and

NHA RESOLUTION NHA-4725-2017

April 13, 2017

Page | 2

7. Student enrollment at NTU continues to increase year over year with the number projected to grow in the next few years; and

8. Because of the continuing growth of the student population at NTU, there is a need for more student housing at the Crownpoint campus. NTU management has met with the Siihasin Subcommittee and informed the subcommittee of the need for additional funding for its proposed new student housing; and

9. The preliminary estimate to construct a new three story 145 rooms student housing facility would cost about \$27,600,000. The design for the new facility has already been completed and stamped designs are now available. NTU is willing to contribute \$4,000,000 for the construction of the new facility; and

10. The NHA Board of Commissioners previously approved \$4,423,707 of 2017 IHBG funds that is subject to the final 2017 Congressional appropriations and therefore, in an ongoing effort and support of the need for college housing, the NHA Board of Commissioners believes that it is appropriate to approve a conditional supplemental program income funding commitment of \$5,576,293 for a total of \$10,000,000 toward development of the student housing contingent upon NTU obtaining additional funding to complete development of the student housing facility. If additional funding is obtained to complete the development, NHA's funding would be provided over a two-year time period. If NTU is not able to obtain the remaining balance of \$13.6 million for construction, then the NHA funding commitment will not be available.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Commissioners of the Navajo Housing Authority hereby approves and authorizes a conditional supplemental funding commitment of five million five hundred and seventy-six thousand two hundred and ninety-three dollars (\$5,576,293) using Program Income funds to construct a new Navajo Technical University student housing facility in Crownpoint, New Mexico, to be provided over a two-year period to assist in the construction of the new student housing facility.

2. The supplemental funding commitment of \$5,576,293 of NHA Program Income funding commitment to construct a new student housing facility in Crownpoint, New Mexico, is contingent upon (1) NTU securing funding from any other source for the remaining construction costs to complete the new facility; (2) NTU providing at least four million dollars of its own funding for the construction of its new facility; and (3) the U.S. Department of Housing and Urban Development's approval of the Navajo Nation 2018 Indian Housing Plan for the year in which the development project is included in that Indian Housing Plan.

3. The Board of Commissioners of the Navajo Housing Authority hereby authorizes and directs the Chief Executive Officer to take all other necessary action to effectuate this resolution.

CERTIFICATION

Commissioner Kenneth Chester, moved that the foregoing Resolution NHA-4725-2017 be adopted and this was seconded by Commissioner Kenneth Peterson.

Same was passed by the following vote:

AYES: 6 NAYS: 0 ABSTAINED: 1

The Secretary, thereupon, declared said motion carried and said Resolution NHA-4725-2017 was adopted this 13th day of April 2017.


Ervin Chavez, Chairperson
NHA BOARD OF COMMISSIONERS

ATTEST:

Christina Lewis, Secretary/Treasurer
NHA BOARD OF COMMISSIONERS

RESPECTIVE CHIEF: 
LEGAL REVIEW: 
CHIEF EXECUTIVE OFFICER: 

NHA Hooghan—Center of Family Growth, Strength and Beauty **NAVAJO HOUSING AUTHORITY**

VIA ELECTRONIC & U.S. MAIL

May 11, 2017

Dr. Elmer Guy, NTU President
Navajo Technical University
P.O. Box 849
Crownpoint, NM 87313

Subject: Conditional Funding Commitment Approval Letter

Dear Dr. Guy,

It is with great pleasure to inform you that the NHA Board of Commissioners approved supplemental funding of \$5,576,293 from program income funds for the new NTU college housing facility conditioned on the premise that the remaining funds for the construction is secured from any other source to complete the new facility pursuant to the NHA Resolution NHA-4725-2017 (copy enclosed).

Please also recall, the FY 2017 Indian Housing Plan (IHP) had approved \$4,423,707 in IHBG funds which Congress recently approved final appropriations and NHA should be receiving its official funding allocation notice soon. Hence, NHA would have contributed a total of \$10,000,000 toward the total construction cost of \$28 million to accommodate the vital college housing needed for our Navajo college students.

We hope this conditional approval letter will be useful in your efforts to secure the additional funds needed to fund the total estimated cost of \$28 million in order to pursue meeting the leadership pillars of our Navajo Nation government.

If you have any questions, please call me at 928-871-2602/03.

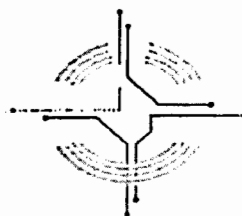
Sincerely,

NAVAJO HOUSING AUTHORITY


Aneva J. Kazzie
Chief Executive Officer

Enclosure

CC: NHA Board of Commissioners
Marlene Lynch, NHA CFO



NITSÁHÁKEES

NÁHAT'A

'IINA

SIIM HASIN

NAVAJO TECHNICAL UNIVERSITY

ESTABLISHED 1979

June 14, 2017

Aneva J. Yazzie, CEO
Navajo Housing Authority
P.O. Box 4980
Window Rock, Arizona 86515

Dear Ms. Yazzie:

I am writing to express Navajo Technical University's (NTU) sincere thank you for the funding Navajo Housing Authority (NHA) and its NHA Commissioners have granted toward building dorms on the main campus in Crownpoint, NM. NHA has long been an excellent partner with NTU as it strives to improve the economic and social conditions of all the Navajo people by providing high quality higher education. Because of this latest action by NHA the Housing Authority is certainly a participant in forwarding these goals. We especially appreciate the aid of the NHA staff in this latest endeavor to build new dorms.

The inclusion of supplemental funding of \$5,576,293 and 2018 Indian Housing Plan funding of \$4,423,707 will be matched by funding of \$4,000,000 from NTU. NTU will also be securing funding from other NTU acquired sources to make the Crownpoint dorm project happen.

If the Navajo Nation is to ever achieve a self determination that truly puts its affairs in the hands of the Navajo people, our people are going to have to achieve an ever increasing number of associate, baccalaureate, and graduate degrees. The fact that NHA not only understands this, but is willing to support the efforts to achieve an increasingly educated Navajo citizenry speaks volumes about the long-term vision of the organization.

Again, I, as well as the rest of NTU, including its Board of Regents, students, faculty, and staff, want to thank you. We believe you are truly helping to fashion a brighter and stronger future for the Navajo people.

Sincerely yours,

Dr. Elmer Guy, President
Navajo Technical University

NHA Hooghan—Center of Family Growth, Strength and Beauty **NAVAJO HOUSING AUTHORITY**

August 31, 2017

Dr. Elmer Guy, President
Navajo Technical University
Post Office Box 849
Crownpoint, NM 87313

Re: Conditional Funding Commitment for College Housing

Dear Dr. Guy:

On April 13, 2017, the Navajo Housing Authority (NHA) Board of Commissioners by resolution NHA-4725-2017, approved a conditional funding commitment of \$5,576,293 from Program Income for the construction of a new Navajo Technical University College housing. The commitment was contingent upon NTU obtaining additional funding of \$13.6 million to complete development of the housing facility. It's been over four (4) months since NHA's approval of this commitment and we have yet to receive any communication from NTU on the status of securing other funding sources.

While the commitment also included \$4,423,707 of 2017 NAHASDA funds, the final 2017 Indian Housing Block Grant (IHBG) allocated to the Navajo Nation by the U.S. Department of Housing and Urban Development (HUD) was substantially less than what NHA had estimated to receive. With this reduction, all projects proposed to be funded in the 2017 Indian Housing Plan have been reduced on a prorated basis. As a result, the proposed NAHASDA funding for your project has been reduced to \$3,696,996. Please be reminded that these funds are subject to a two-year obligation period beginning October 1, 2016 and any funds not spent within this two-year period will be subject to recapture. Due to continued concerns being expressed by the Navajo Nation leadership of NHA not spending IHBG timely, we are advising NTU to secure additional funding by September 30, 2017 so that the College Housing Project can be initiated to start spending IHBG funds.

Your response to the status of NTU's obligation to secure \$13.6 million from other sources is appreciated. If you should have any questions, please contact our office at 928-871-2697.

Sincerely,

NAVAJO HOUSING AUTHORITY



Roberta Roberts, Interim Chief Executive Officer

cc: Marlene Lynch, NHA Chief Financial Officer
Nellie Gilmore, Grants Manager, NHA/GMD

NAVAJO NATION

118

4/21/2023

Navajo Nation Council Spring Session

01:28:43 PM

Amd# to Amd# Legislation 0059-23: Amending
MOT Tolth, G CAP-39-18 to Extend the Sihasin
SEC Begay, N Funds Reversion Deadline for
Navajo Technical University's....

PASSED

Yeas : 16

Nays : 1

Excused : 5

Not Voting : 1

Yea : 16

Arviso, S
Aseret, L
Begay, H
Begay, N

Charles-Newton, E
Claw, S
James, V
Jesus, B

Nez, A
Notah, N
Parrish, S
Simpson, D

Slater, C
Tolth, G
Tso, O
Yanito, C

Nay : 1

Yazzie, C

Excused : 5

Crotty, A
Damon, S

Johnson, C

Nez, R

Simonson, G

Not Voting : 1

Daniels, H

Presiding Speaker: Curley, C