

MEMORANDUM

TO

:

Julissa M. Johnson, Policy Analyst

Office of Legislative Services

FROM

Manuel Rico, Jr., Executive Director

Office of Legislative Services

DATE

:

January 04, 2023

SUBJECT

24th Navajo Nation Council Expired Legislation

Pursuant to 2 N.N.C. § 164(A)(1), "The last day for consideration of resolutions shall be December 31st of the year immediately preceding the swearing in of the new Council", the following legislation need to be closed out as soon as possible and labeled as "Expired":

0079-19	0116-19	0182-19	0207-19	0265-19	0285-19
0308-19	0320-19	0011-20	0138-20	0209-20	0221-20
0234-20	0271-20	0292-20	0315-20	0013-21	0109-21
0111-21	0112-21	0114-21	0158-21	0161-21	0167-21
0192-21	0229-21	0259-21	0261-21	0267-21	0020-22
0035-22	0040-22	0052-22	0064-22	0076-22	0101-22
0108-22	0149-22	0157-22	0158-22	0168-22	0180-22
0190-22	0191-22	0224-22	0227-22	0228-22	0232-22
0233-22	0236-22	0238-22	0243-22	0245-22	
0259-22	0260-22	0271-22	0272-22	0275-22	0276-22

If you have any questions, please let me know.

CONCURRENCE:

Dana Bobroff, Chief Legislative Counsel

Office of Legislative Counsel

CC:

Sherylene Yazzie, Chief of Staff, Office of the Speaker

OLS Tracking Section

File

LEGISLATIVE SUMMARY SHEET Tracking No. __OO//-20

DATE: January 13, 2020

TITLE OF RESOLUTION: RELATING TO LAW AND ORDER, BUDGET AND FINANCE, HEALTH, EDUCATION AND HUMAN SERVICES, AND NAABIK'İYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; ADOPTING AND APPROVING THE NAVAJO NATION SCHOLARSHIP ENDOWMENT FUND EXPENDITURE PLAN PURSUANT TO 12 N.N.C §§ 2501 – 2508; APPROVING FUNDING OF FIFTY MILLION DOLLARS (\$50,000,000) FROM THE SÍHASIN FUND TO ESTABLISH THE NAVAJO NATION SCHOLARSHIP ENDOWMENT; ENACTING THE NAVAJO NATION SCHOLARSHIP ENDOWMENT ACT OF 2019

PURPOSE: This resolution, if approved, will enact the Navajo Nation Scholarship Endowment Act of 2019 and allocate \$50 million of Síhasin Funds for the Navajo Nation Scholarship Endowment Fund Expenditure Plan.

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

	OLD PERIOD: Law & Order Cor	nmittee
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Posting End Eligible for A	Budget & Finance Con	nmittee Thence
1	PROPOSED NAVAJO NATION (Health Education & Iduman Services Cor	
2	24th NAVAJO NATION COUNCIL – Second Year, 2020 Naabik'íyáti Cor	Thence
3	DIMPODILICED DIA	Thence
4	Navajo Nation	Council
5	1/1/5/	
6	(Prime Sponsor)	
7	o long lawren or	
8	TRACKING NO. <u>0011-20</u>	
9		
10	AN ACT	
11	RELATING TO LAW AND ORDER, BUDGET AND FINANCE, HEALTH,	
12	EDUCATION AND HUMAN SERVICES, AND NAABIK'ÍYÁTI' COMMITTEES, AND	
13	NAVAJO NATION COUNCIL; ADOPTING AND APPROVING THE NAVAJO NATION	
14	SCHOLARSHIP ENDOWMENT FUND EXPENDITURE PLAN PURSUANT TO 12	
15	N.N.C §§ 2501 – 2508; APPROVING FUNDING OF FIFTY MILLION DOLLARS	
16	(\$50,000,000) FROM THE SÍHASIN FUND TO ESTABLISH THE NAVAJO NATION	
17	SCHOLARSHIP ENDOWMENT; ENACTING THE NAVAJO NATION SCHOLARSHIP	
18	ENDOWMENT ACT OF 2019	
19		
20	BE IT ENACTED:	
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22	SECTION ONE. AUTHORITY	
23	A. The Law and Order Committee of the Navajo Nation Council is empowered to review	
24	and make recommendations to the Navajo Nation Council on proposed amendments to	
25	and enactments in the Navajo Nation Code. 2 N.N.C. § 601 (B) (14).	
26	B. The Budget and Finance Committee of the Navajo Nation Council is empowered to	
27	review and recommend to the Navajo Nation Council the budgeting, appropriation,	
28	investment, and management of all funds. 2 N.N.C. § 301 (B) (2).	
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- C. The Health, Education and Human Services Committee of the Navajo Nation Council is empowered to exercise oversight authority to review and recommend resolutions relating to social services and education. 2 N.N.C. § 401(B)(6)(a).
- D. The Naabik'iyati' Committee of the Navajo Nation Council is empowered to review all proposed legislation which requires final action by the Navajo Nation Council and shall recommend financial support and/or financing plan(s) to [the] Navajo Nation Council for the purposes set out in 12 N.N.C. § 2502 (the Navajo Nation Síhasin Fund). 2 N.N.C. §164(A)(9) and NABIJY-38-19.
- E. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).

SECTION TWO. THE NAVAJO NATION SÍHASIN FUND

A. The Navajo Nation Code at 12 N.N.C. § 2502, as amended by CJA-03-18, provides the purpose of the Navajo Nation Síhasin Fund ("Síhasin Fund") as follows:

§2502. Purpose

- A. The purposes of this Fund are to provide financial support and/or financing for:
 - The planning and development of economic development and regional infrastructure supporting economic development and community development, including such infrastructure as, but not limited to, housing, commercial and government buildings, waterline, solid waste management development, powerline projects, and transportation and communication systems, within the Navajo Nation; and
 - 2. Education opportunities for members of the Navajo Nation.
- B. For the Purpose in § 2502(A)(1), Fund expenditures for infrastructure shall not be limited by 12 N.N.C. § 1301(F) or TCDCJY-77-99.
- C. Leveraging the Fund by way of guaranteeing loans, match funding, direct funding in part, and other weighted uses of the Fund, including loan financing from the Fund, for the purposes in § 2502(A)(1), shall be favored over direct funding in whole.

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B. The Síhasin Fund provides that Fund Principal shall consist of all deposits made to the Síhasin Fund and that Fund Income shall consist of all earnings (interest, dividends, etc.) generated and realized by the Fund Principal, and that Fund Income shall be deposited in and added to Fund Principal until such time as a Fund Expenditure Plan is duly adopted. 12 N.N.C. §§ 2504 and 2505 (C).

SECTION THREE. FINDINGS

- A. Diné Customary Law declares and teaches that it is the right and freedom of the people that our children are provided with education to absorb wisdom, self-knowledge to empower them to make a living and participate in the growth of the Navajo Nation. 1 N.N.C. § 204(F).
- B. Scholarship Endowments are a financial tool which educational institutions commonly rely on for sustainability purposes and to attract funding from public and private entities.
- C. The establishment of the Navajo Nation Scholarship Endowment will enable the Office of Navajo Nation Scholarship and Financial Assistance (ONNSFA) to solicit contributions from public and private entities to supplement Navajo Nation contributions.
- D. The primary goal of the Scholarship Endowment is to provide funding for Navajo students pursing a college degree who are willing to return to the Navajo Nation or Navajo Indian Country after graduation to complete a minimum of four years of service to the Navajo People and/or to the Navajo Nation government, including its sub-divisions and entities.
- E. The ONNSFA 2018 Annual Report, attached as Exhibit A, highlights that \$24,127,385 was disbursed in Calendar Year 2017 to 6,755 students and \$24,397,789 was disbursed in Calendar Year 2018 to 6,680 students, but that only 53% of Navajo students were awarded financial aid in 2017 and only 51% of Navajo students were awarded financial aid in 2018.
- F. The ONNSFA 2018 Annual Report also shows that in 2018 a total of 1,517 award recipients earned a degree or certification from one of 20 educational institutions within or surrounding the Navajo Nation with the top five (5) areas of study being Nursing, General Studies, Business Administration, Psychology, and Biology and graduate degree

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- areas of study include Social Work, Business Administration, Education, Educational Leadership, and Law. Exhibit A.
- G. The ONNSFA 2018 Annual Report further explains the funding sources for student scholarships and financial assistance comes from Navajo Nation general funds, federal funds, corporate funds, and trust funds for a total of \$24,397,789 in 2018. Exhibit A.
- H. Even with the funds available for scholarships and financial aid many Navajo students do not have the opportunity to begin, or complete, a college degree program; as outlined in the 2018 Annual Report, 47% of applicants in 2017 and 49% of applicants in 2018 were denied awards. Exhibit A.
- Academic research suggests a direct correlation between education and economic growth within a developing nation, but developing nations, such as the Navajo Nation, are often unable to convince their college graduates to return and participate in growing their communities' economic objectives. This phenomenon is called "brain drain" and occurs when college graduates are recruited away from developing communities to more lucrative job markets in more economically developed areas. See Adolpho, Quintina Ava, "Navajo Nation Brain Drain: An Exploration of Returning College Graduates' Perspectives" (2015), https://scholarsarchive.byu.edu/etd/5476.
- J. Although the Navajo Nation currently disburses more than \$24 million a year to fund Navajo members' higher education, a large percentage of tribal members do not return to the Navajo Nation after receiving their education; the most commonly cited factors for this Navajo brain drain are: significant increases in annual income, comfortable living conditions and lifestyles, opportunities for career advancement, better working facilities, education and safety for families, and opportunities to learn from skilled mentors. Id.
- K. The primary goal of the Scholarship Endowment and the Navajo Nation Scholarship Endowment Fund Expenditure Plan is to reduce the Navajo brain drain and bring Navajo graduates home to the Navajo Nation.

SECTION FOUR. APPROVAL OF FUNDING

A. The Navajo Nation hereby approves the allocation of fifty million dollars (\$50,000,000) of Síhasin Funds to fund the Navajo Nation Scholarship Endowment Fund Expenditure

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- Plan as set forth in Section Five below and to establish the Navajo Nation Scholarship Endowment as set forth in Section Six below.
- B. The Síhasin Funds allocated to establish the Navajo Nation Scholarship Endowment and fund the Navajo Nation Scholarship Endowment Expenditure Plan may be further leveraged by bond or loan financing pursuant to the Navajo Nation Bond Financing Act, 12 N.N.C. § 1300 et seq., as amended, using Síhasin Fund Earnings for repayment and financing costs upon the recommendation of the Budget and Finance Committee and approval by a two-thirds (2/3) vote of all members of the Navajo Nation Council.

SECTION FIVE. APPROVAL AND ADOPTION OF EXPENDITURE PLAN

The Navajo Nation hereby approves and adopts the Navajo Nation Scholarship Endowment Fund Expenditure Plan and administration thereof as set forth below:

- A. The Navajo Nation Controller shall:
 - Develop a Fund Management Plan for the Scholarship Endowment to be approved by the Budget and Finance Committee upon recommendation of the Health Education and Human Services Committee; and
 - Determine whether the source of the fifty million dollars (\$50,000,000) allocated for the Scholarship Endowment Fund Expenditure Plan will be Síhasin Fund Principal or Income or a combination of both;
- B. The funds allocated for the Scholarship Endowment Fund Expenditure Plan shall only be expended for the purposes and in the manner specified in the Navajo Nation Scholarship Endowment at 12 N.N.C. § 1191 et al., as set forth in Section Six below.
- C. The Navajo Nation Controller shall establish the Navajo Nation Scholarship Endowment within sixty (60) days after the Health, Education and Human Services Committee's adoption of the Rules and Regulations required by 12 N.N.C. §§ 1194 and 1195, as set forth in Section Six below.

SECTION SIX. ENACTING THE NAVAJO NATION SCHOLARSHIP ENDOWMENT ACT

The Navajo Nation enacts the Navajo Nation Scholarship Endowment, as follows:

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3	Title 12. Fiscal Matters
4	Chapter 10. Navajo Nation Trust Funds
5	Subchapter 10. Navajo Nation Scholarship Endowment
6	
7	§1191. Establishment
8	The "Navajo Nation Scholarship Endowment" hereinafter "Scholarship Endowment"
9	is established with an initial allocation of fifty million dollars (\$50,000,000) from the
10	Navajo Nation Síhasin Fund. Any funds deposited into the Scholarship Endowment,
11	plus accrued interest, shall be used only as provided hereinafter in this subchapter.
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13	§ 1192. Purpose
14	The purpose of the Scholarship Endowment is to provide funding, including housing
15	and other living expenses, books, tuition, and post-graduate licensure, for Navajo
16	students pursing a college degree who are willing to return to the Navajo Nation or
17	Navajo Indian Country after graduation to complete a minimum of four years of
18	service to the Navajo People and/or to the Navajo Nation government, including its
19	sub-divisions and entities.
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21	§1193. Definition of Principal and Income
22	A. Scholarship Endowment Principal shall consist of the initial funding that
23	established the fund, all Navajo Nation appropriations made pursuant to the
24	Navajo Nation appropriation processes and procedures; and any contributions
25	made by any parties or entities.
26	B. Scholarship Endowment Income shall consist of all earnings, such as interest
27	and dividends, generated by the principal and interest of the Scholarship
28	Endowment.
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30	§ 1194. Expenditure of Scholarship Endowment Principal

The Scholarship Endowment principal shall only be expended as follows:

- A. For the first five (5) calendar years following establishment of the Scholarship Endowment, up to five million dollars (\$5,000,000.00) per calendar year can be made to Navajo college students for the purposes set forth in § 1192 of this subchapter in accordance with Rules and Regulations developed by the Office of Navajo Nation Scholarship and Financial Assistance and approved by the Health, Education and Human Services Committee of the Navajo Nation Council.
- B. For the first five (5) calendar years following establishment of the Scholarship Endowment, up to one million dollars (\$1,000,000.00) of the annual \$5,000,000.00 may be used to pay outstanding education loans for graduates in Priority Professions, as determined by the Office of the President and Vice-President, who are willing to return to the Navajo Nation or Navajo Indian Country after graduation to complete a minimum of four years of service to the Navajo People and/or to the Navajo Nation government, including its subdivisions and entities.
- C. Starting on the sixth (6th) year calendar year following establishment of the Scholarship Endowment, Fund Principal shall not be expended except pursuant to a referendum adopted by a two-thirds majority of those voting in an election open to all registered Navajo voters. The Navajo Nation Council may place a "Referendum to Expend Scholarship Endowment Principal" on the ballot of any primary or general election by a two-thirds (2/3) vote of the full Navajo Nation Council.

§ 1195. Expenditure of Scholarship Endowment Income

The Scholarship Endowment Income shall only be expended as follows:

A. Starting on the sixth (6th) calendar year following establishment of the Scholarship Endowment, ninety-five percent (95%) of the Scholarship Endowment Income shall be used as provided in § 1192 of this subchapter; the remaining five percent (5%) of Income shall be reinvested in the Scholarship Endowment Principal to cover the rate of inflation.

- B. Starting on the sixth (6th) year calendar year following establishment of the Scholarship Endowment, up to twenty percent (20%) of the ninety-five percent (95%) of the Scholarship Endowment Income may be used to pay outstanding education loans for graduates in Priority Professions, as determined by the Office of the President and Vice-President, who are willing to return to the Navajo Nation or Navajo Indian Country after graduation to complete a minimum of four years of service to the Navajo People and/or to the Navajo Nation government, including its sub-divisions and entities.
- C. Any awards made from the Scholarship Endowment Income to Navajo college students and graduates, shall only be awarded in accordance with Rules and Regulations developed by the Office of Navajo Nation Scholarship and Financial Assistance and approved by the Health, Education and Human Services Committee of the Navajo Nation Council.

§ 1196. Expenses

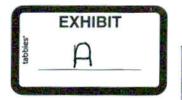
All expenses directly associated with the administration and management of the Scholarship Endowment shall be paid from the Scholarship Endowment Income as approved by the Budget and Finance Committee of the Navajo Nation Council, prior to any Income distributions made in accordance with § 1195 of this subchapter. Such expenses shall include investment advisory and management fees, audit costs, and other related expenses, pursuant to duly approved contracts for such services.

§1197. Fund Investment

All monies deposited into the Navajo Nation Scholar Endowment shall be invested in accordance with the Navajo Nation Master Investment Policies as adopted by the Budget and Finance Committee of the Navajo Nation Council.

§ 1198. Amendments

Any section or sections in this subchapter may be amended upon the recommendation of the Health, Education and Human Service Committee and the Budget and Finance





Office of Navajo Nation Scholarship & Financial Assistance 2018 Annual Report

Statistical Profile: 2017 & 2018 Calendar Years

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2017

	2017	2018
Total Number of Applications		
Submitted to the ONNSFA	17,272	16,362
No. of Students Requesting Awards: (Students are counted once whether they receive one or more awards duringa calendar year.)	12,807	13,210
Total No. of Awards: (All financial aid and scholarship awards made by ONNSFA during the calendar year are included in the total. In some instances, a student may have received two awards — one for the Spring term and another for the Fall term. Each award is counted independently.)	9,423	9,212
No. of Students Receiving Awards: (Students are counted once whether they receive one or more awards during the calendar year.)	6,755	6,680
Percentage of Students Funded: (The total number of students awarded from the total number of students that applied. Applicants are counted once.)	53%	51%
No. of Students Denied:	6,052	6,530
Enrollment Status of Recipients:		
Undergraduate Graduate	90%	87% 13%
No. of Awards by Funding Source:		
Federal Navajo Nation, Trust, Corporate	3,879 5,544	5,002 4,201
Total Federal Fund Awards to:		
Need-Based Students	7,506,622	7,079,947
Chief Manuelito Scholars Grand Total	2,464,831 \$ 9,971,453	6,567,605 \$ 9,971,453
Chief Manuelito Awards:		
Total No. of Student Awards	2,328	2,519
Total Expended From All Sources	\$ 7,875,012	\$ 8,525,684
Percentage From All Sources	33%	35%
Total Funding to:		
Undergraduate Students	20,197,956	19,967,538
Graduate Students Grand Total	3,929,429 \$ 24,127,385	4,430,251 \$ 24,397,789
Average Award to:		
Undergraduate Students	\$2,450	\$2,523
Graduate Students	\$3,330	\$3,416
No of Students Awarded:		
No of Students Awarded: Undergraduate Students Graduate Students	5,941 814	5,773 907



Apply online: www.onnsfa.org

Deadlines to apply:

2019-2020 Academic Year – June 25, 2019 2020 Winter/Spring Term – Nov. 25, 2019

Financial Need-Based Awards

(up to \$2,500 per semester)

Need-based funding is provided to students who demonstrate financial need according to the Financial Need Analysis (FNA) form submitted on their behalf by the school of attendance. Students in this category are deemed not to have sufficient personal or family resources to meet a college's or university's cost of attendance (e.g. tuition, books and housing).

Awards of up to \$2,500 per semester or \$5,000 per academic year are provided to Students based upon their individual need assessment. Primary funding sources of need-based awards are PL 93-638 funds and Navajo Nation Funds.

No-Need-Based Awards

(\$1,000 per semester)

No-need-based funding is provided to students, who are deemed to have enough resources to meet the cost of attendance at a college or university of their choice.

Chief Manuelito Scholarships

(\$3,500 per semester)

Merit-based scholarships are provided students, who achieve a high grade point average and a commensurate ACT or SAT college test score. Students are required to complete courses in Navajo Language (1 unit) and Navajo Government (% unit) prior to the application deadline to be considered for this scholarship. Full-time undergraduate students may also qualify for the Chief Manuelito scholarship under the 24/3 rule by completing 24 credit hours of college-level courses with a 3.0 GPA.

Graduate Student Awards

(\$2,500 to \$5,000 per semester)

Grant awards are provided to Navajo students seeking graduatelevel degrees.

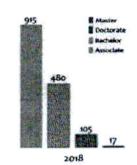
Part-Time Undergraduate and Graduate Awards

Funding is available for eligible part-time undergraduate and graduate students. Part-time application requirements and award amounts vary.

Increasing Higher Education Attainment Rates

Number and Type of Degrees Attained by ONNSFA Award Recipients





awarded Navajo Nation financial assistance or scholarship from 2016 to 2018. A majority of the degrees were attained from institutions within the Four-Corners region.

Data was compiled from 28 schools within this area. Schools ranged from two-year to four-year institutions including: Arizona State University, Chandler Coconino Community College, Diné College, Fort Lewis College, Navajo Technical University, University of New Mexico, New Mexico State University, New Mexico Highlands University and Northern Arizona University.

Rising Numbers of Navajo College Students

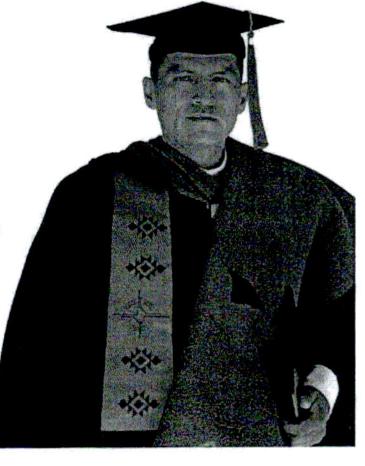
The number of Navajo students seeking a college degree continues to increase. From 2010 to 2018, a total of 125,175 students submitted applications for scholarships to the Office of Navajo Nation Scholarship & Financial Assistance.

Meanwhile an average of 56 percent of applicants were not funded. Funding for students is imperative as many students depend on financial assistance and scholarships from the Navajo Nation to help meet educational costs, which continue to rise significantly.

Thus, the ONNSFA continues to seek partnerships to increase resources to Navajo college student The table below provides a snapshot of the number of college degrees earned by students

LEFT Perry R. James of Continental Divide, NM received the first Master of Arts degree in Diné Cuiture, Language & Leadership at Navajo Technical University in 2016. NTU has since strengthened the program and several more have attained a Master of Arts Degree. The university has begun to take the initial steps in implementing a doctorate program.

The ONNSFA is proud to partner with NTU in providing up to \$2,500 per semester for full-time students pursuing a bachelor degree in any of NTU's ten bachelor degree program or up to \$5,000 per semester for students seeking a Masters degree. Funding under this agreement covers full-time enrollment for up to six continuous semesters. For information contact the NTU Admissions Office at 505.786.4100.

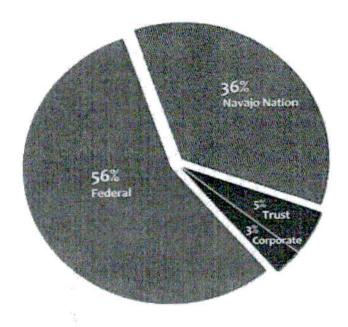


Summary of Awards by Funding Source

Federal Funds	Number of Awards	Total Award Amount
Chief Manuelito Scholarships	1.950	\$ 6,567,605
Need-Based	3,058	7,079,947
Total	5,008	5 13,647,552
Navajo Nation General Funds	Number of Awards	Total Award Amount
Chief Manuelito Scholarships	569	\$ 1,958,079
Need-Based	819	1,599,801
Sales Tax Revenue	373	1,342,295
Vocational	941	2,101,392
Teacher Education	136	320,986
Univ of Arizona College of Medicine	9	66,797
No-Need	141	141,000
Higher Education Grant	332	1,179,676
Total	3,320	5 8,710,026
Corporate Funds	Number of Awards	Total Award Amount
Peabody Energy	75	\$ 265,502
Chevron / P&M	193	193,000
Sussman	11	93,172
Questar/Four Corners	96	92,000
Kinder Morgan/El Paso	25	84,666
Navajo Nation Oil & Gas, Co.	3	14,500
Diné Scholarship Annual Fund	8	9,049
Total ////	411	\$ 751,889
Trust Funds	Number of Awards	Total Award Amount
Navajo Nation Graduate Trust	62	\$ 233,502
Navajo Nation Vocational Trust	139	296,460
Navajo Engineering & Construction Authority Trust	194	259.750
Tucson Electric Trust	27	46,952
ASU Law	17	235,680
UNM Law	34	215,978
Total	14073 S	S 1,288,322
Total - All Sources	9,212	\$24,397,789

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Funding Sources



2018 Calendar Year

Federal Funds: \$ 13,647,552
General Funds: 8,710,026
Trust Funds: 1,288,322
Corporate Funds: 751,889

Total: \$24,397,789

Calendar Year 2018

Total Awarded: \$24,397,789 Number of Awards: 9,212

From January 1 to December 31, 2018, the Office of Navajo Nation Scholarship and Financial Assistance awarded a total of \$24,397,789 in scholarships and financial aid. The total number of students who received awards from the four funding sources equated to 6,680. The total number of awards made from all funding sources amounted to 9,212. The pie chart above illustrates the proportion of each funding source to the total amount administered by the ONNSFA.

Federal Funds (BIA P.L. 93-638)

Total: \$13,647,552

No. Students Awarded: 4,116

No. of Awards: 5,008

Federal funds, provided though a P.L. 93-638 contract with the Navajo Region Bureau of Indian Affairs, comprised about 56 percent of the funds awarded by the Navajo Scholarship Office. Federal funds are used to award undergraduate students with financial need

as determined by the student's Financial Need Analysis and also for merit-based awards to Chief Manuelito Scholars.

Navajo Nation General Fund

Total: \$8,710,0261

No. Students Awarded: 2,817

No. of Awards: 3,320

Navajo Nation General Funds comprised about 36 percent of scholarship funds. These funds are used to provide awards to graduate students, undergraduates and students enrolled in the Navajo Teacher Education program.

Trust Funds

Total: \$1,288,322

No. Students Awarded: 421

No. of Awards: 473

Interest revenue from trust funds comprised about 6 percent of funds awarded by ONNSFA in 2018. Policies for trust funds including the Graduate Trust Fund, the Navajo Engineering & Construction Authority Trust Fund, the

Vocational Education Trust Fund and Tucson Electric Funds stipulate that "10% of the fund [market value] shall be used as scholarship and financial assistance." Interest revenue from these sources fluctuate from year-to-year based upon market value.

Corporate Funds

Total: \$751,889

No. Students Awarded: 400

No. of Awards: 411

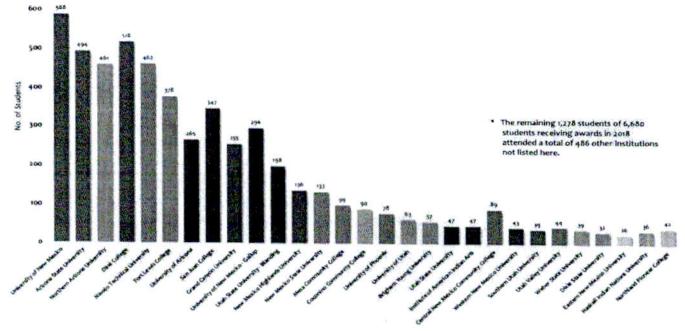
Contributions from corporations comprised about 3 percent of the total funds awarded by ONNSFA in 2018. Leases with companies including Peabody Energy, Chevron Mining, Inc., Questar/Four Corners and Kinder Morgan/El Paso Natural Gas include a provision that companies make a contribution to the scholarship fund.

Note: The total number of students awarded from all funding sources (7,754) differs from the total number of awards (9,212) due to the fact that students may have received awards from a combination of funding sources and are counted in each source.

2018 ONNSFA Awards

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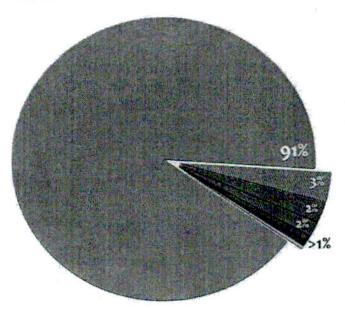
Awards to Students at 29 Schools Account for 81 Percent of Funds

In 2018, ONNSFA awarded a total of \$24,397,789 to 6,680 students attending a total of 516 different institutions throughout the United States.

The 29 institutions listed accounted for 81 percent of total ONNSTA funding and students attending. A majority of the 29 institutions listed are located within the four corners area.

Institution	Amount Funded	No. Students	Institution	Amount Funded	No. Student
Iniversity of New Mexico	\$ 2,615,726	588	University of Phoenix	235,213	78
Arizona State University	2,274,512	494	University of Utah	234,397	63
forthern Arizona University	1,825,305	461	Brigham Young University	229,022	57
Piné College	1,612,538	518	Utah State University	217,583	47
lavajo Technical University	1,451,810	462	Institute of American Indian Arts	208,662	47
ort Lewis College	1,418,988	378	Central NM Community College	189,086	89
Iniversity of Arizona	1,176,664	265	Western New Mexico University	178,337	43
an Juan College	967,464	347	Southern Utah University	163,700	39
Grand Canyon University	896,330	255	Utah Valley University	143,806	44
Iniversity of New Mexico - Gallup	859,171	296	Weber State University	130,144	39
Jtah State University - Blanding	616,026	198	Dixie State University	108,500	32
New Mexico Highlands University	570,026	136	Eastern New Mexico University	106,832	26
iew Mexico State University	538,669	133	Haskell Indian Nations University	104,844	36
Mesa Community College	268,206	99	Northland Pioneer College	102,000	42
Coconino Community College	260,827	90	* Other 486 Institutions	4,693,401	1,278
			Total:	\$ 24,397,789	6,680

2018 ONNSFA Denials



Reasons For Denial	No. of Students
Incomplete/Missing Documents	5,950
₩ Withdrawal/Failure to Repay Funds	222
Maximum Number of Terms Exceeded	146
■ Disqualification	107
■ Not Admitted Into Degree Program	46
■ Seeking Second Degree at Same Level	39
m Institution Not Regionally Accredited	13
Default Status With Student Aid	6
m Received Other Aid	1
Total	6,530

49 Percent of All Applicants Denied

In 2018, a total of 13,210 students applied to the Office of Navajo Nation Scholarship & Financial Assistance (ONNSFA).

Approximately 51 percent or 6,680 students who applied received an award. Another 49 percent or 6,350 applicants were denied. Applicants were denied for several reasons including:

incomplete/Missing Documents

Ninety-one percent (5,950 students) either submitted incomplete applications or failed to provide all required documents.

Withdrawal/Failure to Repay Funds
Three percent or 222 applicants were
denied due to outstanding debts to the
ONNSFA arising from withdrawing from
school without proper justification. All
applicants with outstanding debts to the
ONNSFA are disqualified.

Maximum Number of Terms Exceeded

Two percent or 146 applicants were defined due to exceeding the maximum number of terms which generally are:

ORDSONED DE PROCESANTE DE CAMBIOLISTE DE L'ARREST DE L

- Undergraduates: Ten semesters or fifteen quarters;
- Graduates: Five semesters or seven quarters;
- Two-Year Institutions: Five academic terms or sixty-four semester credit hours, or equivalent amount of quarter or trimester credit hours.

Disqualification

Two percent or 107 applicants were denied due to violation of the ONNSFA's polices including not maintaining the required grade point average, repeating courses, or falsifying information.

Not Admitted Into Degree Program

A total of 46 applicants were denied due to not gaining admission to a degree program. Graduate applicants are required to submit a regular Letter of Acceptance to the graduate program of study in addition to a Regular Letter of Admission from the graduate university.

Seeking Second Degree at Same Level

A total of 39 applicants were denied as they were requesting additional funds toward a second undergraduate, graduate or postgraduate degree at the same level.

Institute Not Regionally Accredited

A total of 13 applicants were denied as the institutions they sought to attend were not accredited by a regional accrediting association or the appropriate accrediting association for highly specialized majors.

Default Status With Student Aid

Six applicants were denied due to default status. Students who are in default on a federal student loan are ineligible for additional federal student aid.

Received Other Aid

One applicant was denied due to receiving aid for other sources.

Student Awards (by Chapter)

Chapter Affiliation

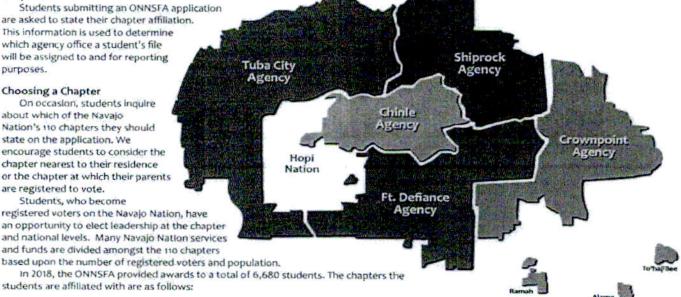
Students submitting an ONNSFA application are asked to state their chapter affiliation. This information is used to determine which agency office a student's file will be assigned to and for reporting purposes.

Choosing a Chapter

On occasion, students inquire about which of the Navajo Nation's 110 chapters they should state on the application. We encourage students to consider the chapter nearest to their residence or the chapter at which their parents are registered to vote.

Students, who become registered voters on the Navajo Nation, have an opportunity to elect leadership at the chapter and national levels. Many Navajo Nation services and funds are divided amongst the 110 chapters

In 2018, the ONNSFA provided awards to a total of 6,680 students. The chapters the students are affiliated with are as follows:



Ft. Defiance Agency 1,628 Students Cornfields - 42

Coyote Canyon - 53 Crystal - 61 Dilkon - 48 Ft. Defiance - 322

Ganado 86 Greasewood Springs - 38 Houck-45

Indian Wells - 32 Jeddito - 45 Kinlichee 68 Klagetoh - 40 Low Mountain - 28 Lupton-26

Mexican Springs - 33 Nahata Dziil - 29 Naschitti - 58 Oak-Pine Springs - 36

Red Lake - 38 Sawmill - 50 St. Michaels - 136 Steamboat - 52

Teestoh - 46

(Ft. Defiance Agency) Tohatchi - 76

Twin Lakes - 63 White Cone - 40 Wide Ruins-36

Crownpoint

Agency 1,340 Students Alamo-20 Baca/Haystack - 44 Bahaali- 41 Becenti-50 Casamero Lake - 19 Chichiltah - 59 Church Rock - 106 Counselor - 29

Crownpoint - 200 Huerfano 60 lyanbito - 41 Lake Valley - 12 Littlewater - 18

Manuelito - 38 Mariano Lake - 39 Nageezi - 42 Nahodishgish - 19

(Crownpoint Agency) Olo Encino · 17

Pueblo Pintado - 25 Ramah - 42 Red Rock - 63

Pinedala . 39

Rock Springs - 61 Smith Lake - 16

Standing Rock - 28 Thoreau - 59 Tohajiilee - 46

Torreon/Star Lake - 35 Tsavatoh · 44

White Rock - 18

Whitehorse Lake - 10

Shiprock Agency 1,429 Students

Aneth - 110 Beclabito - 33 Cove - 17 Gad (Cahi - 26 Mexican Water - 26 Nenahnezad - 112 Newcomb - 13 Red Mesa - 74 Red Valley -33

(Shiprock Agency)

Rock Point - 86 San Juan - 42 Sanostee - 53

Sheepsprings - 33 Shiprock - 448

Sweetwater - 46 Teec Nos Pos - 57 T'ils Tsoh Sikaad - 29

Tsé Daa K'aan - 55 Toadlena/

Two Grey Hills - 27 Upper Fruitland - 93 Unknown - 6

Tuba City Agency 1,190 Students

Birdsprings - 29 Bodaway/Gap - 46 Cameron 45 Chilchinbeto - 34 Coalmine Canyon - 25 Coppermine 46 Dennehotso - 33 Inscription House - 33 Kaibeto - 37 Kayenta - 148

(Tuba City Agency)

Lechee-50 Leupp-62

Navajo Mountain - 45

Oliato - 87 Shonto-62

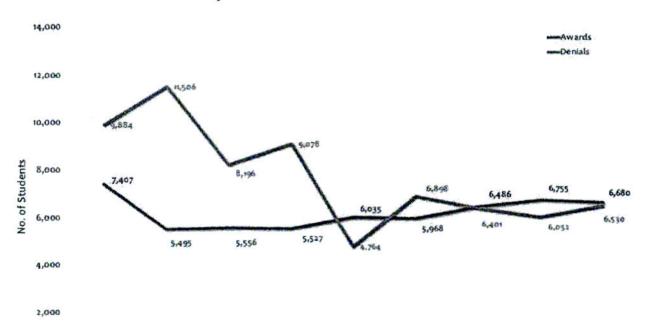
Tolani Lake - 27 Tonalea - 45 To naneesdizi- 336

Chicle Agency 1.07 F Students

Black Mesa - 23 Chinle - 385 Forest Lake - 24 Hard Rock - 29 Lukachukai - 100 Many Farms -90 Nazlini - 46 Piñon - 72 Rough Rock - 43 Round Rock - 54 Tachee/Blue Gap - 47 Tsaile/Wheatfields - 87 Tselani/Cottonwood - 55

Whippoorwill Springs - 38

2010-2018 Awards/Denials



			221,5	200,	2010
Year	#Applicants	Awards	%	Denials	%
2010	17,291	7,407	43%	9,884	57%
2011	17,001	5,495	32%	11,506	68%
2012	13,752	5,556	40%	8,196	60%
2013	14,605	5,527	38%	9,078	62%
2014	10,799	6,035	56%	4,764	44%
2015	8,913	5,968	46%	6,898	54%
2016	12,887	6,486	50%	6,401	50%
2017	2,017	6,755	53%	6,052	47%
2018	19,309	6,680	51%	6,530	49%



MEMORANDUM

TO:

Honorable Carl Slater

Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields and Tsé

Ch'izhí Chapters

Honorable Daniel Tso

Littlewater, Pueblo Pintado, Torreon, Whitehorse Lake, Baca/Brewitt, Casamero

Lake, Ojo Encino, and Counselor Chapters

FROM:

Dana L. Bobroff, Chief Legislative Counsel

Office of Legislative Counsel

DATE:

January 13, 2020

SUBJECT:

RELATING TO LAW AND ORDER, BUDGET AND FINANCE, HEALTH, EDUCATION AND HUMAN SERVICES, AND NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; ADOPTING AND APPROVING THE NAVAJO NATION SCHOLARSHIP ENDOWMENT FUND EXPENDITURE PLAN PURSUANT TO 12 N.N.C §§ 2501 – 2508; APPROVING FUNDING OF FIFTY MILLION DOLLARS (\$50,000,000) FROM THE SÍHASIN FUND TO ESTABLISH THE NAVAJO NATION SCHOLARSHIP ENDOWMENT; ENACTING THE NAVAJO NATION

SCHOLARSHIP ENDOWMENT ACT OF 2019

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) 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 ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

THE NAVAJO NATION LEGISLATIVE BRANCH INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0011-20 SPONSOR: Carl R. Slater

TITLE: An Action Relating To Law And Order, Budget And Finance, Health, Education And Human Services, And NAABIK'IYATI Committees, And Navajo Nation Council; Adopting And Approving the Navajo Nation Scholarship Endowment Fund Expenditure Plan Pursuant To 12 N.N.C. §§2501-2508; Approving funding Of Fifty Million Dollars (\$50,000,000) From The Síhasin Fund To Establish The Navajo Nation Scholarship Endowment; Enacting The Navajo Nation Scholarship Endowment Act Of 2019

Date posted: January 15, 2020 at 6:45 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.

THE NAVAJO NATION LEGISLATIVE BRANCH INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0011-20

SPONSOR: Honorable Carl Slater

TITLE: An Act Relating to Law and Order, Budget and Finance, Health, Education and Human Services, and Naabik'íyáti Committees, and Navajo Nation Council; adopting and approving the Navajo Nation Scholarship Endowment Fund Expenditure Plan pursuant to 12 N.N.C. §§2501-2508; approving funding of Fifty Million Dollars (\$50,000,000) from the Síhasin Fund to establish the Navajo Nation Scholarship Endowment; enacting the Navajo Nation Scholarship Endowment Act of 2019

Posted: January 15, 2020 at 6:45 PM

5 DAY Comment Period Ended: January 20, 2020

Digital Comments received:

Comments Supporting	None
Comments Opposing	None
Inconclusive Comments	None

Legislative Tracking Secretary Office of Legislative Services

21/20 8:21eAm

Date/Time

LAW AND ORDER COMMITTEE 24TH NAVAJO NATION COUNCIL

SECOND YEAR 2020

COMMITTEE REPORT

Mr. Speaker,

The LAW AND ORDER COMMITTEE to whom has been assigned:

Legislation No. 0011-20: An Act Relating to Law and Order, Budget and Finance, Health, Education and Human Services, and Naabik'iyati' Committees, and Navajo Nation Council; Adopting and Approving the Navajo Nation Scholarship Endowment Fund Expenditure Plan Pursuant to 12 N.N.C. §§ 2501 – 2508; Approving Funding of Fifty Million Dollars (\$50,000,000) from the Síhasin Fund to Establish the Navajo Nation Scholarship Endowment; Enacting the Navajo Nation Scholarship Endowment Act of 2019 – Sponsors: Honorable Carl R. Slater/Honorable Vince James

Has had it under consideration and reports the same with the recommendation that it DO PASS with no amendments

And thereafter referred to Budget and Finance Committee

Respectfully submitted,

Eugenia Charles-Newton, Chairwoman

Law and Order Committee 24th Navajo Nation Council

Date: February 11, 2020

Main Motion: Honorable Vince James Second: Honorable Eugene Tso

Vote : 2-0-3 (Chairwoman not voting)

LAW AND ORDER COMMITTEE Special Meeting February 11, 2020

VOTE TALLY SHEET:

Legislation No. 0011-20: An Act Relating to Law and Order, Budget and Finance, Health, Education and Human Services, and Naabik'iyati' Committees, and Navajo Nation Council; Adopting and Approving the Navajo Nation Scholarship Endowment Fund Expenditure Plan Pursuant to 12 N.N.C. §§ 2501 – 2508; Approving Funding of Fifty Million Dollars (\$50,000,000) from the Síhasin Fund to Establish the Navajo Nation Scholarship Endowment; Enacting the Navajo Nation Scholarship Endowment Act of 2019 – Sponsors: Honorable Carl R. Slater/Honorable Vince James

Motion: Vince James Second: Eugene Tso Vote: 2-0-3

Vote Tally:

Yea: VJames/ETso

Nay:

Not Voting: ECNewton

Excused: OTso Absent: EYazzie

Eugenia Charles-Newton, Chairwoman

Law and Order Committee

Laureen Spencer, Legislative Advisor

Office of Legislative Services

24th NAVAJO NATION COUNCIL

Second Year 2020

Mr. Speaker:

The **BUDGET & FINANCE COMMITTEE** to whom has been assigned

NAVAJO LEGISLATIVE BILL # 0011-20:

An Act Relating to Law and Order, Budget and Finance, Health, Education and Human Services, and Naabikiyati Committees, and Navajo Nation Council; Adopting and Approving the Navajo Nation Scholarship Endowment Fund Expenditure Plan Pursuant to 12 N.N.C. §§ 2501-2508; Approving Funding of Fifty Million Dollars (\$50,000,000) from the Sihasin Fund to Establish the Navajo Nation Scholarship Endowment; Enacting the Navajo Nation Scholarship Endowment Act of 2019 Sponsored by Carl Slater, Vince James, and Kee Allen Begay, Council Delegates

has had it under consideration and reports the same with the recommendation that It Table without amendment.

And, therefore referred to the HEALTH, EDUCATION, & HUMAN SERVICES Committee

[Electronically read into the record; on February 18, 2020 agenda; main motion held by Elmer P. Begay seconded by Raymond Smith, Jr.; Table until agents are in attendance; Tabling motion made by Elmer P. Begay seconded by Jimmy Yellowhair Vote: 2-1 yeas: Jimmy Yellowhair, Elmer P. Begav nay: Raymond Smith, Jr.]

Respectfully submitted, Jamie Henio, Chairman Not Adopted: Adopted: Legislative Advisor 18 February 2020

The vote was in favor opposed yeas: nays: Main Motion: Second:

BUDGET AND FINANCE COMMITTEE

18 February 2020 Regular Meeting

VOTE TALLY SHEET:

Legislation No. 0011-20: An Act Relating to Law and Order, Budget and Finance, Health, Education and Human Services, and Naabikiyati Committees, and Navajo Nation Council; Adopting and Approving the Navajo Nation Scholarship Endowment Fund Expenditure Plan Pursuant to 12 N.N.C. §§ 2501-2508; Approving Funding of Fifty Million Dollars (\$50,000,000) from the Sihasin Fund to Establish the Navajo Nation Scholarship Endowment; Enacting the Navajo Nation Scholarship Endowment Act of 2019 Sponsored by Carl Slater, Vince James, and Kee Allen Begay, Council Delegates

Motion: Elmer P. Begay Second: Raymond Smith, Jr. Vote: 0-0, Chairman not voting

[Electronically read into the record; on February 18, 2020 agenda; main motion held by Elmer P. Begay seconded by Raymond Smith, Jr.; Table until agents are in attendance; Tabling motion made by Elmer P. Begay seconded by Jimmy Yellowhair Vote: 2-1 yeas: Jimmy Yellowhair, Elmer P. Begay nay: Raymond Smith, Jr.]

Vote Tally:

Jamie Henio	
Jimmy Yellowhair	
Raymond Smith Jr.	
Elmer P. Begay	
Amber K. Crotty	
Nathaniel Brown	

Excused: Nathaniel Brown, Amber K. Crotty

Jamie Henio, Chairman

Budget & Finance Committee

Deggy Natai, Legislative Advisor

Budget & Finance Committee

Committee Report

THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL to whom has been assigned;

LEGISLATION NO. 0011-20

AN ACTION RELATING TO LAW AND ORDER, BUDGET AND FINANCE, HEALTH, EDUCATION AND HUMAN SERVICES, AND NAABIK'IYATI COMMITTEES AND NAVAJO NATION COUNCIL; ADOPTING AND APPROVING THE NAVAJO NATION SCHOLARSHIP ENDOWMENT FUND EXPENDITURE PLAN PURSUANT TO 12 N.N.C. §§ 2501 - 2508; APPROVING FUNDING OF FIFTY MILLION DOLLARS (\$50,000,000) FROM THE SIHASIN FUND TO ESTABLISH THE NAVAJO NATION SCHOLARSHIP ENDOWMENT; ENACTING THE NAVAJO NATION SCHOLARSHIP ENDOWMENT ACT OF 2019

(Note: Eligible for Committee Action January 21, 2020)

Sponsor: Honorable Carl R. Slater Co-Sponsor: Honorable Vince James

Co-Sponsor: Honorable Kee Allen Begay, Jr.

Co-Sponsor: Honorable Daniel E. Tso

Has had under consideration and report the same with the recommendation that Legislation 0011-20 PASS with no Amendment and no Directive; and therefore referred the same to the NAABIK'IYATI' COMMITTEE OF THE NAVAJO NATION COUNCIL

Respectfully Submitted,

Pernell Halona, Chairperson Pro Tem

Health, Education and Human Services Committee

February 26, 2020 - Main Motion

Motion by: Honorable Paul Begay, Jr. Seconded by: Honorable Edison J. Wauneka

Vote: 3 in favor; 0 Opposed; Chairperson Pro Tem Not Voting Yeas: Paul Begay, Jr.; Edison J. Wauneka; Daniel E. Tso

Nays: None

Absent (excused): Carl R. Slater; Charlaine Tso

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE Regular Meeting February 26, 2020

Roll Call Vote Tally Sheet

LEGISLATION NO. 0011-20

AN ACTION RELATING TO LAW AND ORDER, BUDGET AND FINANCE, HEALTH, EDUCATION AND HUMAN SERVICES, AND NAABIK'IYATI COMMITTEES AND NAVAJO NATION COUNCIL; ADOPTING AND APPROVING THE NAVAJO NATION SCHOLARSHIP ENDOWMENT FUND EXPENDITURE PLAN PURSUANT TO 12 N.N.C. §§ 2501 - 2508; APPROVING FUNDING OF FIFTY MILLION DOLLARS (\$50,000,000) FROM THE SIHASIN FUND TO ESTABLISH THE NAVAJO NATION SCHOLARSHIP ENDOWMENT; ENACTING THE NAVAJO NATION SCHOLARSHIP ENDOWMENT; ENACTING THE

(Note: Eligible for Committee Action January 21, 2020)

Sponsor: Honorable Carl R. Slater Co-Sponsor: Honorable Vince James

Co-Sponsor: Honorable Kee Allen Begay, Jr.

Co-Sponsor: Honorable Daniel E. Tso

February 26, 2020 - Main Motion

Motion by: Honorable Paul Begay, Jr. Seconded by: Honorable Edison J. Wauneka

Vote: 3 in favor; 0 Opposed; Chairperson Pro Tem Not Voting Yeas: Paul Begay, Jr.; Edison J. Wauneka; Daniel E. Tso

Nays: None

Absent (excused): Carl R. Slater; Charlaine Tso

Pernell Halona, Chairperson Pro Tem

Health, Education and Human Services Committee

Beverly Martinez, Legislative Advisor

Health, Education and Human Services Committee