

RESOLUTION OF THE
NAVAJO NATION COUNCIL

Approving and Adopting the Navajo Engineering and Construction Authority Trust Fund for Scholarships and Amending Resolution CS-64-96 by Appropriating \$1,000,000 from the Undesignated Reserves for the Navajo Engineering and Construction Authority Trust Fund for Scholarships and Waiving Navajo Nation Council Resolutions for this Appropriation

WHEREAS:

1. The Navajo Nation Council is the governing body of the Navajo Nation, pursuant to 2 N.N.C. §102 (A); and

2. Pursuant to Resolution GSCO-81-95, the Office of Navajo Nation Scholarship and Financial Assistance (ONNSFA) is established and continued to provide financial assistance to eligible Navajo students to pursue their educational goals; and

3. The Navajo Engineering and Construction Authority Board of Directors declared a dividend for scholarships in the amount of \$1,000,000 for Fiscal Year 1995, Resolution NECA 12-8-95; and

4. By Resolutions ECJY-69-96 and BFAU-107-96, attached hereto and incorporated herein as Exhibits "B" and "C", respectively, the Education and Budget and Finance Committees of the Navajo Nation Council supported, concurred, appropriated and recommended the Navajo Nation Council appropriate and distribute \$1,000,000.00 dividend contribution from Navajo Engineering and Construction Authority, a Tribal Enterprise, to establish and authorize a Navajo Engineering and Construction Authority Trust Fund for Scholarships; and

5. The Navajo Nation Council hereby acknowledges that there is a need to establish a Navajo Engineering and Construction Authority Trust Fund for Scholarships to ensure that future generations of Navajo students will have a permanent source of funds from which scholarships will be awarded.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Nation Council hereby approves and adopts the Navajo Engineering and Construction Authority Trust Fund for Scholarships, as outlined in Exhibit "A", attached hereto and incorporated herein.

2. The Navajo Nation Council hereby amends Resolution CS-64-96 appropriating \$1,000,000 from the Undesignated Tribal Reserves and shall be deposited into the Navajo Engineering and Construction Authority Trust Fund for Scholarships as a Fund Principal.

3. The Navajo Nation Council further waives the Navajo Nation Council Resolutions CS-45-84, CMA-28-93, CAP-31-94, CMA-25-96 and CS-64-96 Condition of Appropriation No. 6 for this appropriation from the Tribal Undesignated Reserves.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 55 in favor, 0 opposed and 0 abstained, this 21st day of January 1997.



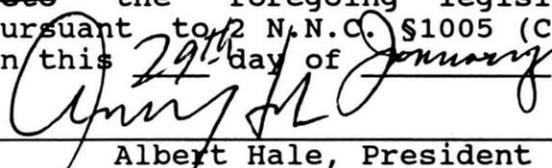
 Kelsey A. Begaye, Speaker
 Navajo Nation Council
 JAN 27 1997

 Date Signed

Motion: Walter Atene
 Second: Joe Salt

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I hereby ^{sign into law} ~~give notice that I will not~~ ~~veto~~ the foregoing legislation, pursuant to 2 N.N.C. §1005 (C)(10), on this 29th day of January 1997.



 Albert Hale, President
 Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (C)(10), this ___ day of _____, 1997 for the reason(s) expressed in the attached letter to the Speaker.

 Albert Hale, President
 Navajo Nation

EXHIBIT A

Establishing and Authorizing the Navajo Engineering and Construction Authority Trust Fund for Scholarships

SECTION 1. Establishment.

There is hereby established, the "Navajo Engineering and Construction Authority Trust Fund for Scholarships" (Fund), with an initial appropriation of \$1,000,000 as approved by the Navajo Nation Council. Additional appropriations may be made from time to time by the Navajo Nation Council provided that additional sources of revenue and/or funds are available for appropriation. Any money deposited into the Fund, plus accrued interest, shall be used only as provided hereinafter.

SECTION 2. Investment of the Fund.

(a) All amounts of money deposited in the Fund shall be invested as soon as practical in accordance with Investment Objectives and Investment Policies of the Navajo Nation as formally adopted by the Budget and Finance Committee of the Navajo Nation Council.

(b) A Parental Investment Plan shall be established to allow the Navajo People to invest a portion of their salary to be able to financially support their children who wish to attend college.

SECTION 3. Definition of Principal and Income

(a) Fund Principal shall consist of all Navajo Nation appropriations made pursuant to the Tribal Appropriation Process and Procedures; and any contributions made by parties or entities.

(b) Fund Income shall consist of all earnings (Interest dividends, etc.) generated by the Principal of the Fund.

SECTION 4. Expenditure of Fund Principal.

Fund Principal shall not be expended except pursuant to a referendum adopted by a two-thirds vote of all registered Navajo Voters. The Navajo Nation Council may place a Referendum to Expend Fund Principal on the ballot of any primary, general or special election by a two-thirds vote of the full membership of the Navajo Nation Council.

SECTION 5. Expenditure of Fund Income.

(a) Four percent (4%) of the Fund (Market Value) shall be used as Scholarships on an annual basis. The market value to be used in determining the budget amount will be the previous Fiscal Year End market value of the fund. The unexpended portion of the Fund (Market Value) Income shall be reinvested in the Fund to cover the rate of inflation and to provide for reasonable Fund Growth.

(b) Scholarships to Navajo Students wishing to attend post-secondary institutions and colleges shall be awarded in accordance with Policies and Procedures of the Office of Navajo Nation Scholarship and Financial Assistance.

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SECTION 6. Annual Audited Report.

The Fund shall be audited annually by outside external auditors. At the end of each Fiscal Year, an audit report shall be distributed to the members of the Navajo Nation Council and interested members of the Navajo Public. The report shall be written in easily understandable language. The report shall include financial statements, a statement of the amount of money received by the Navajo Nation Trust Fund for Undergraduate Scholarships from each investment during the period, a statement of investments of the Fund including an appraisal at market value, a description of Fund investment activity during the period covered by the report, a statement of the Fund performance and other information relevant to the management of the Fund.

SECTION 7. Amendments.

Any Section or sections herein may be amended by the majority vote of the full membership of the Navajo Nation Council except that SECTION 4 may only be amended as provided for in SECTION 4.

SECTION 8. Expenses.

All expenses directly associated with the administration and management of the Fund shall be paid from the Fund Income as approved by the Budget and Finance Committee of the Navajo Nation Council. Such expenses shall include investment advisory and management fees, audit costs and other related expenses, all pursuant to duly approved contracts for such services.

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EXHIBIT B

BFAU-107-96

RESOLUTION OF THE BUDGET AND FINANCE COMMITTEE OF THE NAVAJO NATION COUNCIL

Appropriating and Recommending that the Navajo Nation Council appropriate and distribute \$1,000,000.00 Dividend Contribution from Navajo Engineering and Construction Authority, a Tribal Enterprise, To Establish and Authorize a Navajo Engineering and Construction Authority Trust Fund for Scholarships

WHEREAS:

1. Pursuant to 2 N.N.C. §371, the Budget and Finance Committee is established and continued as a standing committee of the Navajo Nation Council; and

2. Pursuant to 2 N.N.C. §374 (B)(1)(2), the Committee shall recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds and to the extent permitted by Federal or Navajo Nation laws and regulations, the Committee shall appropriate, allocate, cancel, reappropriate and review the use of Navajo Nation funds received including but not limited to all grants, contracts, gifts and other funds from all sources; and

3. The Navajo Engineering and Construction Authority Board of Directors declared a dividend for scholarships in the amount of \$1,000,000.00 for Fiscal Year 1995, Resolution NECA-12-8-95; and

4. By Resolution ECJY-69-96, attached hereto and incorporated herein as Exhibit "B", the Education Committee of the Navajo Nation Council supported, concurred and recommended that the Budget and Finance Committee of the Navajo Nation Council and the Navajo Nation Council appropriate and distribute \$1,000,000.00 dividend contribution from Navajo Engineering Construction Authority, a Tribal Enterprise, to establish and authorize a Navajo Engineering and Construction Authority Trust Fund for Scholarships; and

5. There is a need to establish a Navajo Engineering and Construction Authority Trust Fund for Undergraduate Scholarships to ensure that future generations of Navajo students will have a permanent source of funds from which scholarships will be awarded.

NOW THEREFORE BE IT RESOLVED THAT:

The Budget and Finance Committee of the Navajo Nation Council hereby appropriates and recommends that the Navajo Nation Council appropriate and distribute \$1,000,000.00 Dividend Contribution from Navajo Engineering and Construction Authority, a Tribal Enterprise, to establish and authorize a Navajo Engineering and Construction Authority Trust Fund for Scholarships, as outlined in Exhibit "A", attached hereto and incorporated herein.

COPY

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Budget and Finance Committee of the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 4 in favor, 0 opposed and 0 abstained, this 13th day of August 1996.


Mark Maryboy, Chairperson
Budget and Finance Committee

Motion: Victor Joe
Second: Ernest Hubbell

EXHIBIT C

ECJY-69-96

RESOLUTION OF THE EDUCATION COMMITTEE OF THE NAVAJO NATION COUNCIL

Supporting and Recommending that the Government Services Committee of the Navajo Nation Council Concur in the Acceptance and Recommend that the Budget and Finance Committee of the Navajo Nation Council and Navajo Nation Council Appropriate and Distribute \$1,000,000.00 Dividend Contribution from Navajo Engineering and Construction Authority, a Tribal Enterprise, To Establish and Authorize a Navajo Nation Trust Fund for Scholarships

WHEREAS:

1. Pursuant to 2 N.N.C. §§481 and 484(B)(4), the Education Committee is established and continued as a standing committee of the Navajo Nation Council and is the oversight committee of the Division of Dine' Education; and
2. Pursuant to Resolution GSCO-81-95, the Office of Navajo Nation Scholarship and Financial Assistance (ONNSFA) is established and continued to provide financial assistance to eligible Navajo students to pursue their educational goals; and
3. The Navajo Engineering and Construction Authority Board of Directors declared a dividend for scholarships in the amount of \$1,000,000.00 for Fiscal Year 1995, Resolution NECA 12-8-95; and
4. There is a need to establish a Navajo Nation Trust Fund for Scholarships to ensure that future generations of Navajo students will have a permanent source of funds from which scholarships will be awarded; and
5. The funds are now being held in Miscellaneous Dividend Income Account Number 2-11090-0320 and will be transferred, including all accumulated interest revenue income up to date, into an established Trust Fund Account.

NOW THEREFORE BE IT RESOLVED THAT:

The Education Committee of the Navajo Nation Council hereby supports and recommends that the Government Services Committee of the Navajo Nation Council concur in the acceptance and recommend that the Budget and Finance Committee of the Navajo Nation Council and Navajo Nation Council appropriate and distribute \$1,000,000.00 Dividend Contribution from the Navajo Engineering and Construction Authority, a Tribal Enterprise, to establish a Navajo Nation Trust Fund for scholarships, as outlined in Exhibit "A", attached hereto and incorporated herein.

COPY

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Education Committee of the Navajo Nation Council at a duly called meeting at Sanostee, Navajo Nation (New Mexico), at which a quorum was present and that same was passed by a vote of 4 in favor, 0 opposed and 0 abstained, this 12th day of July, 1996.

Leonard Chee
Leonard Chee, Chairperson
Education Committee

Motion: Kenneth Nez
Second: Harry Jackson

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