



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

FAX TRANSMITTAL FORM

TO: LEANNE S. FROM: ED S.PHONE #: 456-5574 PHONE #: 208-7956FAX #: 456-7028 FAX #: (202) 208-7508NUMBER OF PAGES INCLUDING COVER PAGE: 7DATE: 10-17-96

REMARKS: ATTACHED ARE SOME
ADDITIONAL THOUGHTS/EXAMPLES
OF SCENARIOS THAT ARE
LIKELY TO OCCUR

PLEASE CALL ME IF YOU
WOULD LIKE TO DISCUSS
ANY OF THESE EXAMPLES
OR IF THERE ARE
IT NEEDED

TYPICAL PROBLEM: A tribal college has experienced an increase in enrollment. Members are moving back to the reservation from the urban areas because they are unemployed and unprepared for many of the high tech jobs. There is an increase in the number of high school graduates who are unable to afford to go to college off reservation. Former high school drop-outs who are completing the GED program on the reservation are more comfortable within the environment offered by the tribal college making use of Native language and culture as supplemental learning resources.

TYPICAL OBSTACLES: The college infrastructure is challenged to meet the needs of the expanded student population. More student support services are needed, for example, to address the needs of adults returning to school for training in vocational areas but with which they are not yet tested for aptitude. Other support services are needed for remediation of students who are in transition from equivalency study to college coursework. Adequate staff are not available to carry increased teaching loads to meet the student enrollment as well as to carry additional counseling workload to diagnose and inventory students' learning needs.

IMPACT OF PRESIDENT CLINTON'S EXECUTIVE ORDER: One of the major efforts of participants in carrying out the purposes of the executive order is building tribal-Federal partnerships to emphasize increased assistance to tribal colleges. Through the five year plans developed by each executive department and participating agency, the challenge of tribal colleges to meet the varying academic, remedial, and vocational learning needs of students is recognized. Programs at a number of agencies dealing with employment training, adult education, vocational careers, higher education, and post-secondary training are readily available federal programs that would be factored into an integrated plan. As agencies learn more about tribal colleges, they would recognize that tribal colleges are eligible recipients for programs in which they are not currently participating to the extent that is needed. Because tribal colleges operate at a lower cost per student and have a higher successrate in graduating students, agencies can consider redirecting resources. In addition, mainstream institutions with less experience and success in working with students from reservation communities may be encouraged to partner more frequently with the Federal funding agencies and the tribal college in enrolling the student after he completes his preliminary courses at the tribal college. Again, the tribal college would benefit from the partnership initiated by the executive order and the resources would follow the students to the tribal college. The involvement of the private sector is charged to the Board of Advisors in helping tribal colleges build infrastructure and develop endowments.

IMPACT: (applied to same scenario as above)

Student enrollment increases and student needs are varied. Students are from wide geographic distances on reservation. Roads are in need of improvement and are overutilized. DOT and state and tribal collaboration includes road upgrades in the five year plan to facilitate transportation to schools.

IMPACT: (applied to same scenario as above)

Student enrollment increases and student housing becomes an option under an arrangement with HUD, private lenders, and Fannie Mae through extended leases on buildings that are constructed to house students. Activity is planned through the 5 year plans.

IMPACT: (applied to same scenario as above)

Tribal college and Federal agency and private sector company enter into an agreement to establish a training resource center at a tribal college to support training needs for an emerging technology established near the reservation community. Five year plan outlines faculty exchange, IPAs, and executives on loan to the college.

TYPICAL PROBLEM: There is an increase in the reservation population because many tribal members are returning from urban and off-reservation areas where they had gone mainly to find work or for education and training. The tribal college is enrolling more students and rapidly growing beyond the current capacities of the basic infrastructure. The returning members cite lack of academic skills and unfamiliarity with mainstream cultural approaches as barriers to full participation. Some cite alcohol and drug problems while others have become single parent heads of households. In most cases extended family support has been limited to these members off the reservation. The tribal college enrollment will double in the next 5 years if the trend continues and once those members who are currently under 16 years old graduate from high school. Most tribal populations are younger than the general population with median ages under 21 years.

TYPICAL OBSTACLES: The tribal college is straining its capacity to support these students who are typically older than undergraduates, maintain family responsibilities, lack desired academic proficiency, and need extensive support services ranging from health and career counseling to academic remediation and day care. Full services are not available or have not yet been established. The capacity to serve the diversity of student needs is not keeping up with the growth of enrollment. The tribal college's infrastructure has not had the opportunity to grow in partnership with the private sector or with Federal and local governments.

IMPACT OF PRESIDENT CLINTON'S EXECUTIVE ORDER: The tribal college is recognized as a resource capable of supporting people with a diversity of needs. Opportunities for individual achievement and expanded assistance are identified through coordinated planning. The Federal Head Start program agrees to work with the tribal college to establish a site at the tribal college and the tribal college begins to train students on-site in early childhood certification. Federal and State Adult education resources are targeted to the reservation community and the tribal college works with the tribal department of education to operate an adult basic education program leading to a certificate which opens the door to enrollment in the tribal college once the general educational equivalency requirements have been met. Various Federal health services programs and local support groups agree to work on campus with the tribal college and the tribal health department to provide drug education and counseling that prepares students to begin vocational training and career skills development. The overall results are an integrated planning effort by Federal, local, and tribal programs that recognizes the tribal colleges as a valuable resource and puts resources where a variety of students can gain access. The tribal college benefits by building infrastructure that meets both non-traditional students needs and the academic demands of higher education.

TYPICAL PROBLEM: Local schools want to diversify curricula by implementing studies about local reservation communities.

TYPICAL OBSTACLES: There are limited native language speakers outside the reservation community. There are no certified Native teachers and few Native paraprofessionals in the local schools. The closest mainstream university is a 2 hour drive over local roads. The school system has not yet been able to develop materials.

IMPACT OF PRESIDENT CLINTON'S EXECUTIVE ORDER: The tribal college is recognized as a resource. The accredited college courses and the qualified college staff are able to work with the educational systems to establish standards and meet the accreditation needs. The local schools and the tribal college enter into a partnership which is supported by the executive departments and participating agencies that program federal resources into the schools to develop curriculum, create innovative teaching approaches, and reform schools. The tribal college is less than 30 minutes drive from most of the school buildings and maintains a Native Language and Cultural Resource Center that has been in ongoing operation at the tribal college for a number of years. Elders and native scholars become consultants to the schools in developing curriculum that accurately portrays the reservation community, its history, and culture. Local tribal educators begin to work with the schools in preparing tribal college students as credentialed teachers, or certified classroom aides, and bilingual instructors. Inservice for tenured staff also is carried out by the tribal college in cooperation with the schools and facilitates innovative teaching methods and school reform.

TYPICAL PROBLEM: Within the Northern Plains where 10 - 15 tribal colleges are located, a number of the executive departments regularly hold video conferencing with their regional and field offices which are located in these remote locations. There is no readily available conference center. Neither private sector nor governmental facilities have an interest in establishing a telecommunications center. Down-linking is expensive, there is limited demand for ongoing services, and technology is rapidly changing. The executive departments rent equipment or contract with out of area vendors to set up for each conference.

TYPICAL OBSTACLES: Although tribal colleges are located in proximity to many of these remote locations that house government field offices, they are rarely used to host meetings, carry out training, or provide telecommunications. The tribal colleges do not have the capital to establish comprehensive telecommunications centers. The tribal colleges do have an interest in building an infrastructure to support comprehensive telecommunications to promote distance learning, improve communications, and provide internet access throughout their reservation communities. Federal agencies do not contract for services with tribal colleges on a regular basis for a number of reasons.

IMPACT OF PRESIDENT CLINTON'S EXECUTIVE ORDER: The tribal college is brought on as a player with the executive departments in providing services in remote locations. The tribal college is recognized as a resource and enters into procurement agreements utilizing fees for the services they are providing to build technology at the tribal colleges. The technology programs will grow more rapidly because there is an ongoing demand that will allow the tribal colleges to provide professional services and train students. The executive order encourages federal procurement with tribal colleges as minority institutions allowing several federal agencies to solicit services as part of their plan to expand the capacity of tribal colleges.

TYPICAL PROBLEM: Federal Agencies must assure training for field staff who are in professional fields that require licensing. The professional credentials must be maintained by continuing education certification. The tribal colleges often have accredited programs in many of these professional fields but have not brought the programs up to the next level of accreditation for advanced study. The Federal agencies must contract with off reservation vendors or transport staff to training losing work time and incurring travel costs.

TYPICAL OBSTACLES: Tribal colleges have not built the infrastructure to bring their programs up to the advanced level, for example not all nursing programs are now at the Masters or Bachelors level. Access to resources through procurement agreements to provide training will allow tribal colleges to bring on additional staff to train both professionals for licensing maintenance and students for required academic qualifications to enter the professions.

IMPACT OF PRESIDENT CLINTON'S EXECUTIVE ORDER: The tribal colleges are the primary resources located in areas in which Federal agencies have often deployed field staff. Training staff is a common need among the executive departments which can carry out coordinated activities with the tribal colleges through joint procurements under the executive order. Defense, HHS, Energy, Interior, and EPA are able to contract with individual tribal colleges to establish training centers. Under the executive order and federal authorities the agencies, the tribal colleges, and the local universities can share staff through faculty exchanges and temporary assignments. This partnership fostered under the executive order can build the tribal colleges, recruit students into professional fields, and develop capacity to respond to emerging technologies. The integrated planning is cost effective and recognizes tribal colleges as resources.

Government-to-Government Relations With Native American Tribal Governments

Memorandum for the Heads of Executive Departments and Agencies

The United States Government has a unique legal relationship with Native American tribal governments as set forth in the Constitution of the United States, treaties, statutes, and court decisions. As executive departments and agencies undertake activities affecting Native American tribal rights or trust resources, such activities should be implemented in a knowledgeable, sensitive manner respectful of tribal sovereignty. Today, as part of an historic meeting, I am outlining principles that executive departments and agencies, including every component bureau and office, are to follow in their interactions with Native American tribal governments. The purpose of these principles is to clarify our responsibility to ensure that the Federal Government operates within a government-to-government relationship with federally recognized Native American tribes. I am strongly committed to building a more effective day-to-day working relationship reflecting respect for the rights of self-government due the sovereign tribal governments.

In order to ensure that the rights of sovereign tribal governments are fully respected, executive branch activities shall be guided by the following:

(a) The head of each executive department and agency shall be responsible for ensuring that the department or agency operates within a government-to-government relationship with federally recognized tribal governments.

(b) Each executive department and agency shall consult, to the greatest extent practicable and to the extent permitted by law, with tribal governments prior to taking actions that affect federally recognized tribal governments. All such consultations are to be open and candid so that all interested parties may evaluate for themselves the potential impact of relevant proposals.

(c) Each executive department and agency shall assess the impact of Federal Government plans, projects, programs, and activities on tribal trust resources and assure that tribal government rights and concerns are considered during the development of such plans, projects, programs, and activities.

(d) Each executive department and agency shall take appropriate steps to remove any procedural impediments to working directly and effectively with tribal governments on activities that affect the trust property and/or governmental rights of the tribes.

(e) Each executive department and agency shall work cooperatively with other Federal departments and agencies to enlist their interest and support in cooperative efforts, where appropriate, to accomplish the goals of this memorandum.

(f) Each executive department and agency shall apply the requirements of Executive Orders Nos. 12875 ("Enhancing the Intergovernmental Partnership") and 12866 ("Regulatory Planning and Review") to design solutions and tailor Federal programs, in appropriate circumstances, to address specific or unique needs of tribal communities.

The head of each executive department and agency shall ensure that the department or agency's bureaus and components are fully aware of this memorandum, through publication or other means, and that they are in compliance with its requirements.

This memorandum is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right to administrative or judicial review, or any other right or benefit or trust responsibility, substantive or procedural, enforceable by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

The Director of the Office of Management and Budget is authorized and directed to publish this memorandum in the Federal Register.

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages **1**

To Mike Cohen	From Ed Simermer
Dept./Agency DPC	Phone # 208-7956
Fax # 456-7028	Fax # 208-7508

NSN 7540-01-317-7368

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GENERAL SERVICES ADMINISTRATION

William Clinton

• Fm 4732 Sme 4732 ENP/PM/SUS/IE pms

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FROM DEPT OF INTERIOR

08-22-96 08:41AM

HUD's Native American Programs: Current Issues

I. The Native American Housing Assistance and Self-Determination Act of 1996 (H.R. 3219)

Description of H.R. 3219.

H.R. 3219 would block grant all federal housing assistance to Indian tribes or their tribally designated housing entities (TDHE) beginning in FY 1998. H.R. 3219 was added as an amendment to H.R. 2406, a public housing reform bill currently in Conference and is now referred to as Title VII of H.R. 2406.

The following are some of the major elements of Title VII:

- The Native American programs would be administered by Tribes who would have the flexibility to designate a "housing entity" (which may or may not be part of a tribal government), to receive grant amounts and provide housing assistance.
- Funds would be distributed on a formula basis. Specific performance standards and measures would be developed and Tribes would have a great deal of flexibility providing they meet the objectives and goals of the programs.
- In order to receive formula funding, an Indian Tribe would be required to submit a local housing management plan which will describe the mission of the Indian Tribe and the goals, objectives, and policies of the Tribe to meet the housing needs of low-income families in the Tribe's jurisdiction.

Administration's Position.

The Administration fully supports the concepts and direction of this legislation.

Since its inception, the Indian housing program has been based on policies, rules and laws formulated for the public housing program but which do not necessarily reflect the concerns of Native Americans. The consolidation of affordable housing programs under a block grant fund for Native Americans would promote self-governance and self-determination by honoring the right of each individual Tribe to make its own decisions and to set an individual course which befits its own unique situation and traditions.

While the Administration supports this legislation, we are concerned that this bill does not address rent protections for the poor. The House bill completely removes rent protections for poor households assisted under the Native American housing programs. Neither the existing Brooke Amendment (which sets tenant's rental payment at 30 percent of monthly adjusted income), nor a modified version, is included in Title VII of the House bill. The result of this

TO: Mike

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omission would be to remove the floor and the ceiling in Indian Housing, allowing the tribally designated housing entities (TDHE) to charge any amount for rent, regardless of whether the charge would be affordable to poor families. The Administration instead supports a provision that parallels our position for public housing residents: permitting a TDHE to charge up to 30 percent of monthly adjusted income.

Status of Public Housing Reform Bills.

The first meeting of the conferees to the Public Housing Reform bills (H.R. 2406 and S. 1260) is expected soon after Congress reconvenes on September 4th. In the interim, House and Committee staff are continuing to meet to resolve issues between the two bills. There remains substantial disagreement between the House and Senate on several key public housing provisions. The Administration is hopeful that a bill can still be passed.

Native American Education Facts

(Only significant differences between ethnic groups are noted.)

PRIMARY EDUCATION:

- Of Native American eighth graders enrolled in school, the majority attend public schools (92%). This figure is consistent among other ethnic groups.

ACADEMIC PROGRESS:

- The average Native American student's score on the ACT in 1994 was 18.5 out of a possible 36. This figure is approximately the median of all scores grouped by ethnicity. 20.8 was the average for all students in the same year.
- The average SAT verbal score in 1994 was 396, only a slight increase from the 1980 score. In the same year, the math score was 441, a twenty-point increase from 1980. The national averages for 1994 were 423 on verbal and 479 on math. (Black and Hispanic students scored lower than Native Americans in both subjects.)
- On a math proficiency test in 1990, Native American students received the lowest standardized scores (44.9). The national average was 53.5.
- As with other ethnic groups, the majority of Native American high school seniors expect to have a professional, business, or managerial job at age 30. (However, the percentage is lowest among Native Americans.) More Native American seniors expect to have security (police or military), technical, or service worker jobs than any other ethnic group.

EXTRACURRICULAR ACTIVITIES:

- Of those high school seniors participating in an extracurricular activity at school in 1992, Native American students have among the highest percentage of participants in athletics and vocational clubs, but the report the lowest percentage participating in academic clubs. (The percentages dropped in every category between 1982 and 1992, but this is true of most ethnic groups for the same time period.)
- Between 1982 and 1992, the percentage of all seniors participating in school-sponsored extracurriculars dropped in several areas. Native American students showed a significant decline in hobby club involvement. (30.3% to 10.8%. The national rate of participation in hobby clubs fell from 19.5% to 7.7%.)
- Native American and Black children play video games or watch television more often than other ethnic groups. More Native American children work on hobbies or read for pleasure, but fewer report attending religious activities than other ethnic groups.

SCHOOL ENVIRONMENT:

- The percentage of 12th graders exposed to drugs more than two times in 1992 is highest among Native American students (10.3% compared to 6.5% for all students). 10.8% report having been exposed once or twice.
- Parental involvement is average, although fewer Native American parents limit TV viewing and going out with friends or talk about selecting courses with their children.

HIGHER EDUCATION:

- In 1992, the majority of Native Americans (58.2%) claimed some high school experience as their highest level of education. 17.8% reported an education level of less than high school. In both categories, Native Americans had among the highest percentages. In 1990, 9.4% had a Bachelor's degree or higher. Native Americans rated among the lowest in percent receiving a Bachelor's or Master's degree.
- Of all ethnic groups, more Native American students plan to wait one or more years before going to college. The number planning to wait has increased since 1982. More Native Americans and Blacks don't plan on going to college at all. This percentage is down significantly from 1982, however. The majority, 65.7%, of Native American seniors (the lowest percentage reported of all ethnic groups) plan on attending college right after high school.
- Between 1984 and 1993, the number of Native American undergraduates and graduates increased. The change was more significant among women than men.
- Of first-time freshman enrolled on a full-time basis in 1984, only 29% graduated by 1990. This percentage is among the lowest for all ethnic groups. The national average was 53% for the same time period.
- More Native American students attend 2-year, public institutions than private or four-year colleges. The number of attendees has increased in all categories between 1984 and 1993 except for private, two-year institutions. (The number of Black and White students at two-year, private schools also fell. In other ethnic groups, the number rose.)
- Although Native Americans represented only 1% of all undergraduates in 1992-1993, they had one of the largest percentages of students receiving aid (47.8%). However, they also received the second lowest average total aid.
- Of all undergraduates receiving financial aid in 1989-1990, Native Americans have the second lowest percentage receiving loans, either federal or non-federal. They also report among the highest percentages of students participating in work-study or receiving aid other than loans.

DEGREES:

- In 1992-1993, Liberal arts/sciences and business management were the most popular associate degrees awarded to Native Americans. This reflects the general trend.
- The number of Native Americans earning Ph.D.s nearly doubled between 1982 and 1992.
- The number of Native Americans earning First-Professional degrees has fluctuated up and down between 1978 and 1989.

DATE: 08-21-96

NOTE TO MICHAEL COHEN

RE: Briefing Paper On Indian Education

FROM: Ed Simermeyer *Ed Simermeyer*

The attached briefing paper addresses Indian education within the broad parameters of the Presidential Memorandum of April 29, 1994, which reaffirms the government-to-government relationship and serves as a basis for Indian policy within the Administration. I feel the major issues are 1) tribal sovereignty and trust responsibility, 2) intergovernmental relationships and State recognition of tribal sovereignty, 3) Indian education entitlement funding, 4) tribal education goals specific, and 5) coordination of issues. There are also a number of specific issues and I have listed a few that are timely or likely to be ongoing and potentially significant. The specific issues I have listed are 1) the National Advisory Council On Indian Education, 2) executive order for tribal colleges, 3) school construction and improvement, 4) tribally controlled schools, and 5) Johnson-O'Malley. Finally, there is no doubt that the need for development of national education policy is evolving. This paper is not exhaustive of Indian education concerns that have been expressed by tribal leaders, parents of Native students, Indian educators, and others. Hopefully, this paper will provide you a background or context for further discussion. Please call me on 202-208-7956 if you have any questions.

Attachment

295-3963
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Althea Reed
CM
Pl. Kalia
DS

I N D I A N E D U C A T I O N

BACKGROUND

On April 29, 1994 President Clinton issued a Presidential Memorandum stating the Administration's policy towards American Indian and Alaska Native Governments. This statement of policy reaffirmed the Administration's commitment to the policy of "Government-to-Government" relations. Without a comprehensive education policy for Indians, a number of education policy implications will probably be derived from the Memorandum by tribal representatives, Indian educators, and parents of Indian students in the spirit of consultation, Indian self-determination, and tribal self-governance. Tribal leaders accept their inherent powers of self-government and tribal control over their own lands, resources, people, communities, and education programs. Long standing expectations of consultation are renewed by the Presidential Memorandum.

In the absence of a comprehensive national Indian education policy it is difficult to articulate how educational systems relate to Indians within the context of "Government-to-Government" as referenced in the Presidential Memorandum.

Some important questions are:

- What are the implications of intergovernmental relationships between tribal governments, Federal agencies, and state and local governments?
- How do SEAs and LEAs manage their State education responsibilities and their relationships to tribal governments and Indian parent organizations?
- What is the basis for financial support for Indian education programs?
- If most of the funds and authority for Indian education is a matter of State power, how can Indians expect the "Government-to-Government" relationship to translate into their local control over Indian education?
- How are Indian parents empowered under the Presidential Memorandum in supporting the education of their children?
- How will tribal governments exercise control over Indian education content, standards, certifications, etc. that are now under State or Federal agency control?
- What is the commitment for coordination of education issues with more than 650 Federally-recognized and State-recognized tribes and more than 500,000 Native American students in various educational systems?

Sovereignty

Since the Constitution was first ratified in 1789, there has been a Federal role in Indian education. In exchange for the loss of lands and resources and their powers of external sovereignty, Indian tribes received a continuing duty of care and protection from the United States which has been characterized by the United States Supreme Court as a "trust responsibility." Treaties, statutes, and executive orders involve individual States in recognizing tribal sovereignty. President Clinton's Policy Memorandum of April 29, 1994 reaffirms the "Government-to-Government" relationship.

Intergovernmental Relations

Under each of the State Constitutions, States have responsibility for the education of their citizens. The Federal Government has historically taken financial responsibility for the education of Indians, whether directly or through contracts to State or private schools. It is difficult for States to promote tribal control over Indian education programs if Federal funds are minimally involved. 7

Funding

From the perspective of Indian tribal governments financial support for Indian education programs is really an entitlement that arises out of the "Government-to-Government" relationship, where lands and resources have been ceded in exchange for the continuing duty of care and protection, which has historically included funds for education. While SEAs and LEAs provide most of the education services to Native American students, they do so with financial assistance received from the Federal Government's Johnson-O'Malley, Indian Education Act, and Impact Aid funding programs. The stability of Indian education funding is a policy issue growing out of the President's "Government-to-Government" policy memorandum. Tribes see education funding as an entitlement for their benefit, not for the benefit of State education administration, or Federal education program control.

Tribal Education Goals Specific

Indian tribes, educators, and parents should be able to influence the programmatic content and conduct of Indian education programs. The National Goals 2000 should be adapted to each Indian community and responsive to the legitimate educational concerns of Tribal Departments of Education and Indian parent organizations.

Coordination

The education of Native Americans is an immense and diverse undertaking involving Federal, State, tribal, and religious schools throughout the United States. The coordination of policy issues in implementing a "Government-to-Government" relationship in Federal- Indian education programs will require extensive coordination due to the number of tribes, their different characteristics, and the variety of education programs.

National Advisory Council On Indian Education

The National Advisory Council On Indian Education consists of 15 Presidentially appointed members who advise the President on the Federal programs which are serving Indian students or from which Indian students are to benefit. The Council is required to issue an annual report of their findings and recommendations to the Congress. The Council is authorized to hold public hearings and seek consultation from Indian country and others on Indian education issues and programs. In FY 1996 the Senate recommended no funds be appropriated for the Council and the House concurred. Currently, the Council has no operating funds but the terms of the members have not expired. The Department of Education is prevented from providing support since no funds have been appropriated. The staff for the Council has been terminated.

Executive Order for Tribal Colleges

An executive order for tribal colleges has been proposed in order to expand Federal assistance for Indian institutions of higher education, promote tribal sovereignty, encourage individual achievement, and advance the National Education Goals and Federal policy in Indian education. The order promotes the same successful strategies for long term development of tribal colleges which have benefited HBCUs and HSIs and addresses funding barriers and disadvantages that limit opportunities for tribal colleges.

School Construction and Improvement

The BIA facilities construction process has been ineffective in providing timely delivery of completed new school construction projects to facility occupants. The current process can take 7-8 years to provide a new or renovated school facility. Efforts at reengineering the process used to plan, design, and construct new school facilities within a 3 year time frame have begun. There is an ongoing need to examine budget planning for school construction and improvement and maintenance with respect to the appropriations. There are an unacceptable number of physical plant and safety violations in the schools that require immediate renovation and repair for which available funds are not adequate.

Tribally Controlled Schools

There has been an increase in tribally controlled schools. Currently, more than 52 % of BIA funded schools are controlled by tribal councils and/or tribal boards of education. Of the 187 facilities, 14 are dorms and 173 are schools. These 173 schools are accredited or in the process of being accredited by regional accreditation associations. Adequate resources are necessary to assure these schools meet the standards.

Johnson-O'Malley (JOM)

In 1996 the JOM program was transferred to the Tribal Priority Allocation category of the Tribal Budget System. Using a national student count from 1995, funds were transferred into each participating tribe's base funding level under the TPA. This move has increased direct tribal control over education funds.

NATIONAL INDIAN EDUCATION POLICY DEVELOPMENT

Significant policy development work is necessary to clarify the roles of Federal, State, LEA, and tribal education programs, as well as Tribal Departments of Education and Indian parent organizations, all within the context of a "Government-to-Government" relationship. There are overlapping and concurrent responsibilities which need to be clarified through policy development that provides consistency to the content and operation of Indian education programs. Development and articulation of a national education policy statement will provide structure and direction to ongoing Indian education activities.

FACSIMILE

To: *Mr. Mike Cohen*

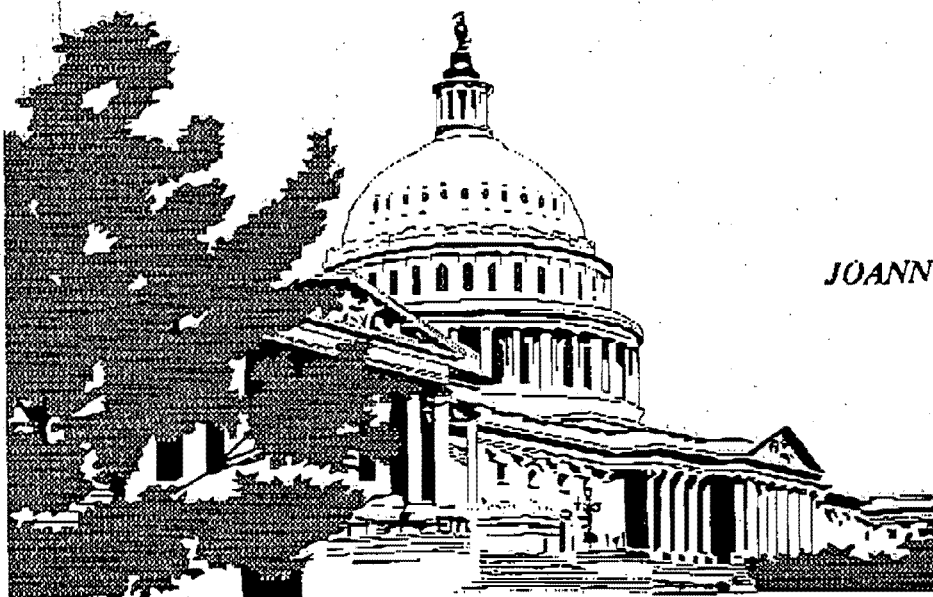
Fax #: *202 / 456 - 7028*

Re: *BIA Education*

Date: *8-22-96*

Pages *6* pages NOT including cover

Briefing Paper



From the Director's Desk:
JOANN SEBASTIAN MORRIS

DOI/BIA/OIEP
1849 C Street
Washington, D.C. 20240

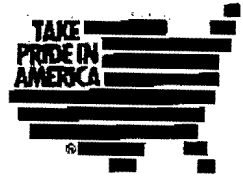
202-208-6123
Fax: 202-208-3312



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Washington, D.C. 20240



IN REPLY REFER TO:

TO: Michael Cohen
The White House

FROM: Joann Sebastian Morris, Director
Office of Indian Education Programs

DATE: August 22, 1996

SUBJECT: Briefing Paper on Indian Education in the Bureau of Indian Affairs

Background Information

Over 60% of American Indian and Alaska Native (AI/AN) people reside off-reservation today. Since there are now also public schools located on reservations and since legislation closed all former Bureau schools in Alaska, the majority of Indian children are educated in public schools. Current estimates are that 85% of AI/AN youth attend public schools, 10% are in Bureau of Indian Affairs (BIA) funded schools, and the remaining 5% attend private, mostly church-run, schools on and off the reservation.

The BIA funds 187 elementary & secondary educational institutions in 23 states, with a total student population of over 46,000. Of the 187, 173 are actual schools and 14 are dormitories that are necessary in certain remote regions on a few reservations. The majority of the BIA student population is in 4 states: Arizona, New Mexico, North Dakota & South Dakota. Of the 187, 105 are contract or grant schools meaning they are funded by the BIA but operated by the tribe or its designate (often a school board), which is 56% of our schools. More schools each year are being run directly by tribes. The Navajo Nation expects that by the year 2000 they will have taken over the balance of their 51 BIA schools! Self-determination is being clearly demonstrated in our school system.

Included in the 187 school count are 7 off-reservation boarding schools. These schools enroll students from multiple tribes in a specific region. In total, the BIA schools serve students from no less than 238 tribes.

Also, please see the attached 3-page short history of AI/AN education, taken from Leadership Beyond the Seventh Generation II, prepared by the Bureau Effective Schools Team.

Indian School Equalization Formula (ISEF) Funding

The amount of money appropriated for School Operations is distributed to schools via a formula, which takes into account several factors, such as remoteness of the community, number of

students needing special education instruction, etc. The distributed is called a Weighted Student Unit (WSU). While we continue to be funded at amounts less than the public schools per pupil, the amounts have nonetheless increased until recently.

In School Year 1992-93 - \$ per WSU was \$2594

1993-94 - \$2874

1994-95 - \$2967

1995-96 - \$2975

1996-97 - \$ per WSU could go back to \$2872

1997-98 - \$ per WSU is requested at \$3030

In FY 1996 the funds enacted for School Operations' Funding Formula were \$262,833,000. In FY 1997 the President's request for this same item is \$287,858,000. But the House mark is only \$271,739,000; and the Senate mark is only \$272,833,000.

Our ongoing concern is that the slight increases offered by Congress do not allow for much in the way of school improvement nor do they take into consideration the 3-5% annual increase in student population or the increase in cost of living, instructional materials, etc. As mentioned in our phone call, the Indian population is a young population and is the fastest growing of most "minorities" in the US. And because BIA schools place particular emphasis on cultural relevance and because more schools are being run by tribes themselves and there is greater parental control, there is a steady increase in the students wanting to attend BIA schools. Our student population is not declining.

Student Transportation

The BIA is responsible for providing safe and reliable transportation services for our schools, many of which serve very remote communities. As student enrollment increases, so does student transportation cost. And because we have many young students entering, particularly in Kindergarten, added costs are needed since schools must run double runs (morning & afternoon) for ½ day Kindergarten programs. Also with younger children, you cannot leave them at a common drop off point as one can for older students; they must be dropped at their door. This too increases mileage and thus, gasoline and maintenance costs. In this next year, the GSA has also threatened to raise their bus rental costs, which will greatly affect our programs.

In FY 1996 the amount appropriated for student transportation was \$25,807,000; the President has requested \$31,804,000. But the House mark is only \$25,789,000 (barely maintaining); and the Senate mark is only \$27,187,000.

Scholarships

The scholarship programs received \$26,285,000, which is a 10% reduction from the amount requested by the President in 1996. The BIA tries to award approximately 15,000 scholarships annually. This is a very small amount of assistance, only about 3 awards to each of the 554 tribes nationally if averaged out. For FY 1997, the President requested \$31,400,000. The House proposed to level fund, while the Senate proposed a reduction to \$25,854,000.

These reductions come at a time when the Office of Indian Education in the Dept. Of Education were cut and when the Indian Health Services scholarship program was also level funded. The

increase of Indians able to complete college will directly be affected, thereby impacting their skills level, earning capability, etc. As a nation we cannot afford to deny the poorest of the poor (as Indians are always labeled) the opportunity to become educated. And we are generally noted to be these smallest represented population in college/university.

Tribal Colleges

For the last several years, 24 of the 31 Tribally Controlled Community Colleges have been level funded. The amount appropriated in FY 1996 and requested by the President in FY 1997 remains at \$26,320,000, of which \$6,967,000 by law goes to Navajo Community College, with the balance of \$19,353,000 being divided up between the remaining 23 funded by the BIA, less than 1 million each. Yet these community-based educational institutions consistently are recognized as under-funded miracles, based on their excellent track records and the encouragement given to adults to continue their education.

Tribal Departments of Education

These entities are needed to provide needed infrastructure to all the educational programs on the average reservation: BIA program funds, Dept. of Education programs, Head Start, etc. But, unfortunately they do not receive support on the Hill for funding. There is not currently a request for funds for them in our 1997 request.



B. AMERICAN INDIAN/ALASKA NATIVE EDUCATION: A SHORT HISTORY

The decades of the 70's and 80's saw American Indians and Alaska Natives having an opportunity to gain self-control and self-determination for the first time since the white man began his aggressive and often ruthless colonization of this continent.

Today, Native Americans are wresting control of our social, economic, religious and political institutions away from non-Natives. Nowhere is this more apparent than in the field of education. There is general recognition that the schooling of Native Americans should be in the hands of Native Americans. To fully appreciate the significance of the present movement, we must review the historical record.

Before the advent of the white man, Native American education rested in the hands of ancestral tribal cultures. Native Americans, then and now, educated our youth via a rich oral tradition. Men taught boys to be men; women taught girls to be women.

There were no orphans in the old Indian tribes. Through a concept of extended families, child rearing and education were the responsibility of many appointed "uncles" and "aunts." This social and educational system provided our young with many parent-teachers, and obviated the contemporary American societal need for orphanages and day care centers.

This system also impressed the young with a sharp sense of communal responsibility, evidenced by the fact that there was no poverty as we know it today in the old tribes. Through an evenhanded sense of social justice, Native American tribal customs determined a redistribution of wealth so that no one in the tribe went hungry or homeless. It was considered a civic duty for richer members of the tribe to share their wealth with poorer members. Community responsibility was evidenced in a form of "guaranteed income" for all members of the tribe, so that an Indian's inalienable rights included food and shelter, a concept the American majority is still struggling with today.

Nowhere is the compassion and wisdom of the Native American culture better exemplified than in our attitude toward criminal justice. There was no "crime" as such in the Indian tribe, as there was no word that conceptualized "criminal." Indians were more interested in making compensation to the victim and spreading the loss of crime over all members of society. In a time in which the concept of compensation for the victim is just emerging in the western legal tradition, and capital punishment is still a volatile issue, we have much to learn from our Native American ancestors.

Native American elders also developed a keen understanding of ecology and land stewardship in our young; in the last decade, these issues have brought the Indian presence and precedent to the awareness of the majority of Americans. With that awareness came the shocking disclosures of neglect of and indifference toward the Native American in our own time.

From the arrival of the white man up until the last two decades, Indian education has rested in the hands of church and state. Through their combined influence, Native Americans have been systematically denied our Native identity. Two eras emerged: the period of missionary domination from the sixteenth to the nineteenth century, and the period of federal government domination from the late nineteenth until the mid-twentieth century.

In 1611, the predominately French Society of Jesus became the first group to bring European educational disciplines to Native Americans. Active in the Great Lakes region and along the St. Lawrence and Mississippi Rivers, they were the precursors of Spanish Franciscans who



accompanied the Conquistadores into New Mexico, Texas, Arizona and California. These European religious groups created mission communities and schools for the Indian populations. English Protestants began establishing schools and colleges for the education of Indian and English youth on the eastern coast in 1617. Throughout the late eighteenth century, the Central Midwest and Pacific Northwest were partitioned among competing Christian denominations for the twin purposes of Christianizing and civilizing "savage", "unsaved" Indian populations.

This fervor of Christianity increased with the Great Religious Awakening spearheaded in the East and Midlands in the early nineteenth century. At that time the Old and New Testaments were translated into many Indian tongues, bringing a printed language to the various tribes.

Competing Christian sects vied for control of Indian education with governmental blessings. As early as 1819, Congress appropriated money to missionary societies and to individuals in the forefront of the effort to Christianize Indians. This policy remained in effect until 1873, when public protest over violation of the principle of separation of church and state forced its termination.

By that time irreparable changes had been made. By replacing the Great Spirit with Jehovah, Native Americans were stripped of our very core beliefs and cultural mores. In altering and ultimately outlawing our spiritual practices, missionaries effectively broke the Indian spirit. Gone were the tribal myths and heroes with whom Native American youth could identify. In their place, Christian schools gave the Indian classical Greek myths and Judaeo-Christian heroes.

Along with Christian theology, mission schools taught Western European theories of human nature and society. These displaced Native Americans even more by thrusting us into a foreign frame of reference. Little wonder the Indian experienced a strong sense of alienation. Thus the seeds were planted for the social ills Native Americans are heir to in our time.

If the mission schools started the process of alienation, the federal government completed it with the policy of assimilation in the late nineteenth century. Its goal was the total absorption of Indian youth into the mainstream of American life. Its fruits were a further loss of unique Indian qualities and cultural identity.

The assimilation policy was advanced through government schools. In 1879 the federal government created Carlisle Indian School in Pennsylvania, the first of its Indian institutes. This was followed in 1884 by the Indian Training School at Lawrence, Kansas, which later became the Haskell Institute.

Precedents for such action already existed. As early as 1842 there were 37 Indian schools run by the federal government. In the 1880's their number was rapidly increased to 106. This was facilitated in 1882 by an ironic governmental action providing that abandoned military posts, the most oppressive symbol of federal domination, be turned over to the Interior Department as schools for Indian children. No building could have caused more trauma to the Indian young than these schools within military installations.

Native Americans were "absorbed" into the mainstream at these institutions through militaristic rules, harsh discipline and compulsory attendance, along with a curriculum emphasizing industrial and vocational training. In 1916 a uniform course of study which ignored the unique cultural heritage of the Native Americans was established in all federal schools.

By the 1920's it was evident to policy-makers that the federal Indian school system was overcrowded, unsuited to Indian students in terms of work and study programs, deficient in health and food services, and excessively rigid in discipline.



A Senate probe resulted in the famed Meriam Report of 1928. This study recommended the retention of Indian children in native communities. It condemned the practice of taking children from their families and placing them in boarding schools many miles from home. The report stressed humanitarian values and proposed increased appropriations for Indian education. Yet the basic thinking did not veer from the policy of assimilation. The time for substantial reform had not yet come.

It came in the 1930's under Commissioner John Collier's "Indian New Deal." Educators of Indians finally moved toward recognition of cultural separateness. The aim of the new program was the acknowledgment of the unique heritage of the American Indian population. This inspired passage of the Wheeler-Howard Act of 1934 which allowed for the first time the hiring of large numbers of Indians in the rapidly growing federal Indian school system. It also authorized tuition loans for Indians at vocational and trade schools. During the Collier era, day schools were established on reservations, Indian languages were revived and Indian cultural programs were begun.

This Indian renaissance was short-lived. A sharp reversal of attitudes began after World War II. The new government policy called for unilateral termination of the special historic and treaty-bound relationship between the United States and Indian tribes. This ushered in a dark age for the American Indian. No policy could have created greater concern among the Tribes. It was a terrible threat to the little they had in land and governmental services.

By 1953 the termination policy had caused federal abandonment of nearly 60 separate Indian tribes and communities. Inhabitants were forced to relocate in cities far from their homelands. The Bureau of Indian Affairs closed all federal Indian schools in four states. In two others, the state was given full responsibility for educating Indian young. Treaties once though inviolable became meaningless.

Out of this dark time came the seeds of resistance and mobilization. In 1944 the National Congress of American Indians, the first national Indian political union, was formed. Its members protested vehemently against termination and relocation policies to no avail. But in their protest, the unity of Native American people began. The seeds were sown for a renewal of self-awareness and unified spirit.

These seeds bore fruit in the climate of the 1960's, when a growing social consciousness allowed the allocation of new monies and programs for poorer minorities. The Economic Opportunity Act of 1964 made possible the Head Start Program, Upward Bound Program, Job Corps, Vista, and a number of Indian Community Action Programs.

Amid the New Frontier and the War on Poverty, Indians entered colleges and demanded Native American Studies programs. In this new climate Indians began to travel across the country and meet other Indians, acquiring a sophisticated awareness of Indian affairs nationally. New monies allowed the creation of new jobs. Many Indian professionals returned to their homelands to devote their talents to their own people.

The long stoic silence was shattered as Indians occupied Alcatraz Island and Wounded Knee. The new generation of Native Americans had seen the record and were rightfully concerned. This was manifested in a powerful new commitment to self-determination and self-reliance. But is this so new after all? In the teachings of the tribal elders self-reliance was the core of the young warrior's education. And, if we think deeply on it, is not this a basic goal of any education process?

In the late 60's and early 70's Indian organizations such as the National Indian Education Association (1969) and the Coalition of Indian Controlled School Boards (1968) were formed by Indian people to take control of and improve Indian education.



FAITH R. ROESSEL
SPECIAL ASSISTANT TO THE SECRETARY

OFFICE OF THE SECRETARY
U.S. DEPARTMENT OF THE INTERIOR
1849 C St., N.W. - MS-5100 MIB
WASHINGTON, D.C. 20240

202-208-5904
FAX: 202-208-7508

EXECUTIVE ORDER FOR TRIBAL COLLEGES

Mac Reed - OMP
Phil Kula -

EXECUTIVE ORDER FOR TRIBAL COLLEGES

The most important issue that the DPC Working Group on American Indian and Alaskan Native Affairs is currently working on is a Draft Executive Order on Tribal Colleges. This order is much less politically difficult as the Sacred Sites Order and has broad Tribal and bi-partisan support -- I have attached a letter dated December 13, 1995 from 17 Senators (5 Republicans, 12 Democrats) urging the President to sign an Executive Order on Tribal Colleges that would be similar to the ones currently for historically black colleges and for Hispanic-Americans. I have also attached the most current draft of the order, **which Secretary Babbitt plans on sending to you sometime before the end of June.** Internally, the order should be forwarded to Mac Reed in OMB, who will begin the formal clearance process for the WH.

This draft order has been thoroughly circulated among the agency-members of the DPC working group and will be well received by the Tribes. It fits very nicely within the President's ongoing commitment to provide educational opportunity for all Americans, and it would be an issue that we could hold a successful signing ceremony for if we choose to do so.

For questions on this issue contact **Faith Roessel**, Special Assistant to Secretary Babbitt, at **208-5904**.

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MAJORITY STAFF DIRECTOR/CHIEF COUNSEL
PATRICIA M. ZELL
MINORITY STAFF DIRECTOR/CHIEF COUNSEL

United States Senate

COMMITTEE ON INDIAN AFFAIRS

WASHINGTON, DC 20510-6450

December 13, 1995

The Honorable William Jefferson Clinton
President of the United States
The White House
1600 Pennsylvania Avenue N.W.
Washington, D.C. 20500

Dear President Clinton:

Last Congress the Senate passed S.Res.264, a resolution to express the sense of the Senate that the President should issue an Executive order to promote and expand Federal assistance for Indian institutions of higher education. One year has transpired since the passage of S.Res.264 and we write to once again urge you to issue such an Executive order.

Federal support for Indian institutions of higher education is vital to the continuing success of tribally controlled community colleges, vocational educational programs, post-secondary institutions, and the individuals they serve. Unfortunately, although Indian educational institutions are experiencing an overall increase in attendance rates, they have not experienced the same level of Federal resources and program benefits that other under-served populations have received. It is our hope that an Executive order, similar to those issued for historically black colleges and universities and for educational excellence for Hispanic-Americans, will correct this oversight.

You are no doubt aware that the issuance of Executive orders for historically black colleges and for educational excellence for Hispanic-Americans have had many positive benefits for many African and Hispanic Americans facing difficult educational challenges. American Indians are facing far different obstacles in comparison to African and Hispanic American students. These differences should be taken into consideration by the responsible Federal agencies. Only four percent of American Indians and Alaska Natives who attend non-Indian colleges complete their college degrees as compared to approximately fifty-three percent of non-Indian students.

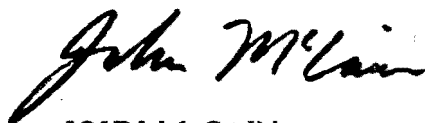
Page Two
Indian Education

Tribal colleges and vocational institutions have an excellent track record of success. Many Indian institutions of higher education are located on or near isolated reservations and serve populations that experience the highest rates of poverty and unemployment in the nation. Many Indians residing on reservations have no other access to colleges or universities. Today, tribal colleges and vocational institutions encourage Indian students who might otherwise be deterred from pursuing a college education to continue their education. The enrollment of the 29 tribal colleges alone exceeds 25,000 students and 42% of tribal college graduates go on to successfully pursue a post-secondary degree.

Perhaps the greatest barriers to the continuing success of Indian higher educational institutions are the need for increased resources and the lack of attention by the Federal government to the needs of tribal colleges. An Executive order would bring to the attention of all Federal departments and agencies the fact that tribal colleges and vocational institutions should be included in Federal policies and programs intended to benefit all institutions of higher education. Finally, in keeping with the Federal Government's trust responsibility and fiduciary duty to Indian tribes, an Executive order would serve to advance the Federal policy on Indian education which is consistent with the Federal Indian policy that you embraced in your April 1994 Executive order to all Federal government agencies.

We believe an Executive order to promote and expand Federal assistance for Indian institutions of higher education is long-overdue. We therefore urge you to act to secure the promise of higher education for American Indians by issuing the Executive order called for by Senate Resolution 264.

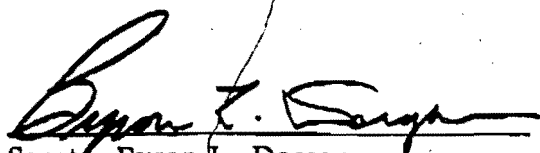
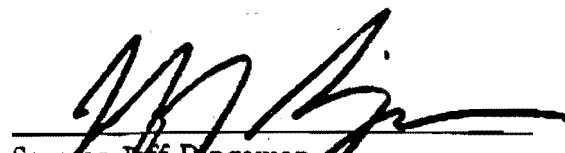
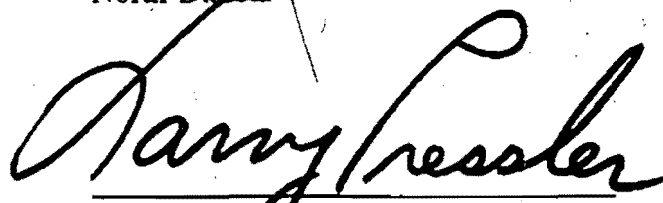
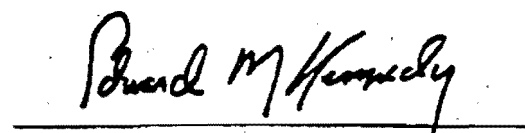
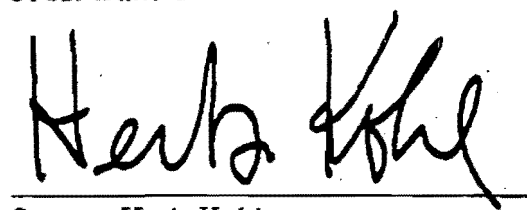
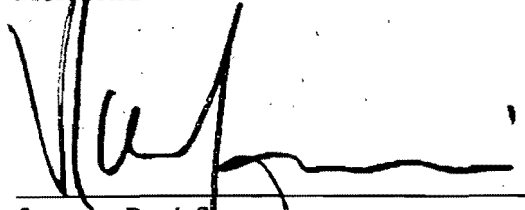
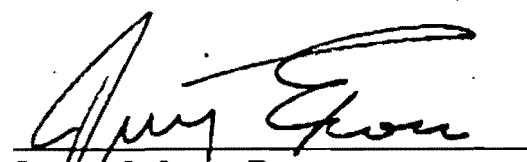
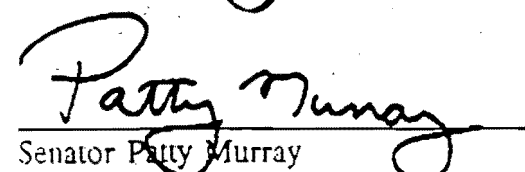
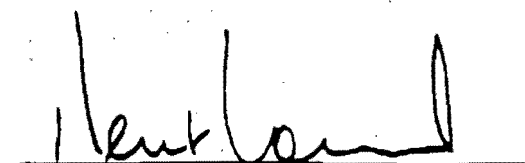
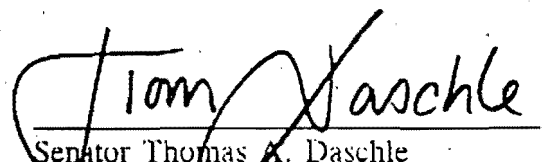
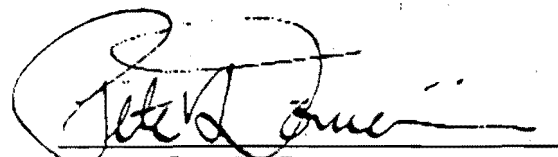
Sincerely,



JOHN McCAIN
Chairman
Committee on Indian Affairs

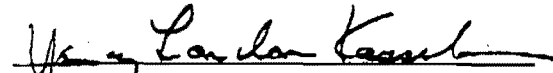


DANIEL K. INOUE
Vice Chairman
Committee on Indian Affairs

Indian Education
Page Three
Senator Byron Dorgan
North Dakota
Senator Jeff Bingaman
New Mexico
Senator Larry Pressler
South Dakota
Senator Edward M. Kennedy
Massachusetts
Senator Herb Kohl
Wisconsin
Senator Paul Simon
Illinois
Senator J. James Exon
Nebraska
Senator Patty Murray
Washington
Senator Max Baucus
Montana
Senator Kent Conrad
North Dakota
Senator Thomas A. Daschle
South Dakota
Senator Pete V. Domenici
New Mexico

Indian Education
Page Four


Senator Ben Nighthorse Campbell
Colorado


Senator Nancy Kassebaum
Kansas


Senator Paul Wellstone
Minnesota

MEMORANDUM

DATE: May 23, 1996

TO: Members of the Working Group on American Indians and Alaska Natives

FROM: Ada E. Deer _____ Gerald Tirozzi _____
Co-Chairs of Subgroup on Indian Education

SUBJECT: Proposed Draft of the Executive Order for Tribal Colleges

We are pleased to submit for your final review and comment the proposal that our Subgroup on Indian Education has prepared for an executive order for tribal colleges. As soon as we receive your comments, we will make every effort to incorporate them into the proposal.

A set of materials has been prepared to help you review the draft of the proposed order. In the materials you will find comments on each section of the draft of the proposed order, as well as a fact sheet on the executive order and the Tribal Colleges. Staff from several agencies represented on the subgroup on Indian education participated in the development of the order. As a result, we are happy to report that the proposed draft represents a full discussion of the issues and a strong collaborative effort by the members of the subgroup.

After a final draft is prepared, we will send it to Secretary Babbitt, the Chair of the Working Group, with a strong recommendation to forward the document to the Domestic Policy Council for action.

Please let us know what recommendations you have by Friday, May 31, 1996.

Because we are requesting you to expedite your review, please direct your comments to Ed Simermeyer, 202-208-7508 (fax), 202-208-7956 (tel). Should you have any questions or wish additional information, you may also contact Faith Roessel, Special Assistant to the Secretary, Department of Interior, 202-208-5904, or Jim Kohlmoos, Acting Deputy Assistant Secretary, Office of Elementary and Secondary Education, Department of Education, 202-260-1983.

Attachments

cc: Faith Roessel
Jim Kohlmoos
Ed Simermeyer

05-21-96

FINAL DRAFT AND COMMENTS
FOR DISCUSSION PURPOSES ONLY

Page 1

TRIBAL COLLEGES AND UNIVERSITIES

By the authority vested in me as President by the Constitution and the Laws of the United States of America, in reaffirmation of the special relationship of the Federal Government to American Indians and Alaska Natives, and, for the purposes of helping to: (a) ensure that Tribal Colleges and Universities are more fully recognized as accredited institutions, have access to the opportunities afforded other institutions, and have Federal resources committed to them on a sustainable basis; (b) establish a mechanism that will strengthen accessibility of Federal resources for Tribal Colleges and Universities in tribal communities; (c) promote access to high quality educational opportunity for economically disadvantaged students; (d) promote the preservation and the revitalization of American Indian and Alaska Native cultural traditions; (e) explore innovative approaches to better link tribal colleges with early childhood, elementary, and secondary education programs; and, (f) support the National Education Goals, it is hereby ordered as follows:

C O M M E N T S:

This section sets out the authority of the President to issue executive orders and introduces the purpose of this order. Reference to the Constitution and laws authorizing the President to manage the government is standard, and the unique relationship with American Indian and Alaska Native peoples is highlighted. The emphasis on current administration policy, such as the President's memorandum of April 29, 1994, to the heads of executive departments and agencies, on government to government relations with Native American tribal governments, is consistent with specific provisions in a number of statutes that confirm the special relationship. In general, the purpose of this order is to build the capacity of tribal colleges by promoting high quality educational opportunities, economic development, cultural preservation, and sovereignty. Specific points listed in this section in (a) through (f) reflect the administration's priorities and support a commitment of current Federal resources to help sustain tribal colleges. While the focus is on tribal colleges, the scope of the order is broad enough to support activities within tribal colleges that are compatible with the missions of participating agencies and that support the purpose of the order. Generally, activities may include all aspects of education and training, campus housing, agricultural extension, transportation, grounds and facilities support, cultural activities, financial management, faculty exchange, technical assistance, etc. Examples of specific activities that were not listed but discussed as part of (a) through (f) included environmental technologies and training and family literacy, which were agreed to be within the components of the order.

SECTION 1 DEFINITION OF TRIBAL COLLEGES AND UNIVERSITIES

Tribal Colleges and Universities ("Tribal Colleges") are those institutions cited in the Equity in Educational Land-Grant Status Act of 1994, P.L. 103-382, Title V, Part C, section 532, [7 USC 301], and any other institution which qualifies for funding under the Tribally Controlled Community College Assistance Act of 1978, [25 USC 1801 et seq.], and Navajo Community College, authorized in the Navajo Community College Act of 1978, PL 95-471, Title II [25 USC 640 a]

C O M M E N T S :

There are 29 currently eligible American Indian/Alaska Native Institutions of Higher Education (IHE) of which 26 are tribally controlled, 2 are operated by the Federal Government, and 1 is congressionally chartered. This order would apply to the 29 IHEs listed below:

Bay Mills Community College	Brimley, MI
Blackfeet Community College	Browning, MT
Cheyenne River Community College	Eagle Butte, SD
College of the Menominee Nation	Keshena, WI
Crownpoint Institute of Technology	Crownpoint, NM
D-Q University	Davis, CA
Dull Knife Memorial College	Lame Deer, MT
Fond du Lac Community College	Cloquet, MN
Fort Belknap Community College	Harlem, MT
Fort Berthold Community College	New Town, ND
Fort Peck Community College	Poplar, MT
Haskell Indian Junior College	Lawrence, KS
Institute of American Indian Arts	Santa Fe, NM
Lac Courtes Oreilles Ojibwa Comm. Coll.	Hayward, WI
Leech Lake Tribal College	Cass Lake, MN
Little Big Horn College	Crow Agency, MT
Little Hoop Community College	Fort Totten, ND
Navajo Community College	Tsaile, AZ
Nebraska Indian Community College	Winnebago, NE
Northwest Indian College	Bellingham, WA
Oglala Lakota College	Kyle, SD
Salish Kootenai College	Pablo, MT
Sinte Gleska University	Rosebud, SD
Sisseton Wahpeton Comm. Coll.	Sisseton, SD
SW Indian Polytechnic Inst.	Albuquerque
Standing Rock College	Fort Yates, ND
Stonechild Community College	Box Elder, MT
Turtle Mountain Community College	Belcourt, ND
United Tribes Technical College	Bismarck, ND

SECTION 2 BOARD OF ADVISORS

(a) ESTABLISHMENT - There shall be established in the Department

of Education, the President's Board of Advisors on Tribal Colleges and Universities ("Board"), a Presidential advisory committee. Notwithstanding the provisions of any other Executive order, the responsibilities of the President under the Federal Advisory Committee Act, as amended (5 U.S.C. App. 2), which is applicable to the Board shall be performed by the Secretary of Education ("Secretary"), in accordance with the guidelines and procedures established by the Administrator of General Services.

C O M M E N T S:

The Secretary of Education is designated to work with the Cabinet Officers on the basis of the broad nature of education as a common focus for each Agency's varied yet related activities with the tribal colleges. Although there has been a precedent with the Historically Black Colleges and Universities (HBCUs) and the Hispanic Serving Institutions (HSIs) executive orders in designating the Secretary of Education, there is no designation of a specific Assistant Secretary within education for lead office responsibility. For example, HBCU is in the Office of Postsecondary Education (OPE) and HSI is in the Office of Intergovernmental and Interagency Affairs (OIIA). The Tribal Colleges will be placed in the office of the appropriate Assistant Secretariat at the discretion of the Secretary.

(b) COMPOSITION - The Board shall consist of not more than 15 members who shall be appointed by the President. The Board shall consist of representatives of Tribal Colleges, and may include representatives of the higher, early childhood, elementary, and secondary education communities, tribal officials, and health, business, and financial institutions, as well as private foundations. In addition, the President may consider nominations of other representatives.

C O M M E N T S:

This directive states that tribal colleges will be represented on the Board leaving it discretionary whether other Board members be appointed from other fields. The specific disciplines of industry are not named, so Board members may be nominated from any number of representative fields, such as agriculture, energy, oil, gas, transportation, law, manufacturing, engineering, environment, etc. A Board of 15 members is considered reasonable for meeting a quorum, limiting operating costs, and representing broad interests. The National Advisory Council on Indian Education has 15 members, while the HBCU and HSI Boards have 25 members each.

ROLE OF BOARD - The Board shall provide advice regarding progress made by Federal agencies toward fulfilling the purposes and objectives of this Order and shall also provide recommendations to the President and the Secretary at least

annually on how Tribal Colleges can: 1) utilize long term development and master planning to strengthen institutional viability; 2) utilize the Federal and private sector to improve financial management and security, including private sector funding support, as well as expand and complement Federal education initiatives; 3) develop institutional capacity through use of new and emerging technologies offered by both the Federal and private sectors; 4) enhance institutional infrastructure and visual image for more efficient operation and effective recruitment and retention of students and faculty; and, 5) achieve National Education Goals and meet other high standards of educational accomplishment.

C O M M E N T S:

The primary role of the Board is to provide advice and make recommendations to the President and the Secretary and provide guidance on long term development and capacity building through federal, private, and independent resources. The individual skills and disciplines of the membership will strengthen the Board's recommendations on progress in specific areas and on how to fulfill the purposes and objectives of the order and concentrate on those relevant and appropriate activities. The White House Initiative Office will work closely with the Board. The Board will operate within the provisions for Advisory Committees and establish By-Laws, etc. The Board will review the annual reports of the agencies and make recommendations on the basis of the progress made in the 5 year plans, emerging changes in technology, and currently available private sector resources, etc.

(d) **SCHEDULED MEETINGS** - The Board shall meet at least annually to provide advice and consultation on Tribal Colleges and relevant Federal and private sector activities and to transmit reports and present recommendations.

C O M M E N T S:

The minimum expectation is the Board will meet annually with a quorum. Depending on budget restrictions, more frequent meetings may occur. In addition to face to face meetings, discussions and planned work group business can be carried out via conference calls. The use of an executive committee to prepare for the full group meetings by setting the agenda and formulating issues for the full group is another cost efficient alternative to complement the annual meeting as a minimum requirement.

SECTION 3 OFFICE OF WHITE HOUSE INITIATIVE

The White House Initiative on Tribal Colleges and Universities, housed in the Department of Education, shall: (1) provide the staff support for the Board; (2) assist the Secretary in the role of liaison between the executive branch and Tribal Colleges; (3) serve the Secretary in carrying out his responsibilities under this order; and, (4) manage an interagency partnership and ensure the effective coordination and appropriate participation of all "key" agencies.

C O M M E N T S:

The staff of this office serve as the Federal day to day liaison with the Board; and, when needed, assist the agencies in general coordination with the tribal colleges or in facilitating meetings and initiating efforts with agencies and tribal colleges to start up activities. The staff will also play a role in information management for the Board and the Secretary in consolidating plans and annual reports. The staff will meet the Secretary's day to day needs in carrying out the order and will respond to the needs of the Board as requested. Overall, the White House Initiative Office will promote interagency management efforts that pool resources to support activities with tribal colleges and that initiate partnerships and collaborative approaches to fulfilling the purposes of the Order. The concept of a White House Initiative Office is consistent with the creation of a Presidentially appointed advisory board and with the HBCU and the HSI offices, which are named White House Initiative Offices.

SECTION 4 DEPARTMENT AND AGENCY PARTICIPATION

Each executive department and designated agency shall appoint a senior official, who is a full-time officer of the Federal Government and who is responsible for management or program administration. The official shall report directly to the department or agency head or designated agency representative on department or agency activity under this order and to serve as liaison to the White House Initiative. To the extent permitted by law and regulation, each executive department and designated agency shall provide appropriate information in readily available formats requested by the White House Initiative staff pursuant to this order.

C O M M E N T S:

It is important to involve senior managers to bring the level of effort to an appropriate point of accountability for a Presidential initiative that is government wide. The appointment of a senior official has proven successful in previous orders for the HBCU and HSI. Senior managers are in a position to review available resources, make decisions to commit the agencies, maintain regular contact with agency heads, and review progress, opportunities, and barriers, as well as bring problems to resolution and timely action. The use of readily available

formats should facilitate the collection and management of information, provide appropriate information on a timely basis, and limit reporting burdens.

SECTION 5 "FIVE YEAR FEDERAL PLAN TO ASSIST TRIBAL COLLEGES AND UNIVERSITIES"

Each executive department and designated agency shall, in collaboration with Tribal Colleges, develop and document a five year plan of the agency's effort to fulfill the purpose of this order. These five year plans shall include annual performance indicators and appropriate measurable objectives for the agency. The plans shall address among other relevant issues a) barriers to Tribal Colleges to funding opportunities and to participation in Federal programs; b) ways of eliminating inequalities and disadvantages; c) technical assistance and information that will be made available to Tribal Colleges regarding the program activities of the agency and the preparation of applications or proposals for grants, cooperative agreements, or contracts; and, d) an annual goal of agency funds to be awarded in grants, cooperative agreements, contracts, and procurements under Executive Order #12928, "Promoting Procurement with Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals, Historically Black Colleges and Universities, and Minority Institutions", and related surplus property type acquisitions under Section 923 of the 1996 Farm Bill, to tribally controlled colleges and universities. The plans may also emphasize e) access to high quality educational opportunity for economically disadvantaged Indian students; f) the preservation and revitalization of American Indian and Alaska Native cultural traditions; g) innovative approaches to better link tribal colleges with early childhood, elementary, and secondary education programs; and, h) the National Education Goals.

Each participating executive department and designated agency shall submit its five year plan to the White House Initiative Office for consolidation. In consultation with the Board, the White House Initiative Office shall review these five year plans and develop the integrated Five Year Plan for Assistance to Tribal Colleges, which the Secretary shall review and submit to the President. The Five Year Federal Plan for Assistance to Tribal Colleges may be revised within the five year period.

Each participating agency shall submit to the White House Initiative Office an Annual Performance Report that shall measure each agency's performance against the objectives set forth in its five year plan. In consultation with the Board, the White House Initiative Office shall review and consolidate these Annual Performance Reports, which shall be submitted to the Secretary and the Director of the Office of Management and Budget annually for review.

C.O.M.M.E.N.T.S.:

The call for 5 year plans is consistent with Federal reinvention efforts that project grants and cooperative agreements over a 60 month period to avoid unnecessary paper work and reduce both Federal staff work and general public burden imposed by outdated government processes. Over this longer planning period agencies can implement strategic objectives with tribal colleges to meet long term development goals with greater continuity. The use of electronic commerce and other procurement reforms also support planning over multiple year cycles. The annual report allows an agency to assess and self-correct by making annual or appropriate mid-course corrections. Reporting annually also allows the tribal colleges to work closely and more confidently with Federal agencies on implementation and to phase in activities over multiple years, thereby limiting start and stop delays that are characteristic of annual cycles.

SECTION 6 PRIVATE SECTOR

In cooperation with the Board, the White House Initiative Office shall work to encourage the private sector to assist Tribal Colleges through increased use of such strategies as: a) matching funds to support increased endowments; b) expertise to facilitate the development of more effective ways to manage finances, improve information management, strengthen facilities, and improve course offerings; and, c) additional resources for increasing and developing faculty.

C.O.M.M.E.N.T.S.:

The private sector role is pivotal for long term stability of tribal colleges and for engaging resources that complement and expand Federal and tribal efforts. The interest of the tribes, the private sector, and government is in developing infrastructure which in turn strengthens a tribal community, its workforce, and citizenry. Because there is a limitation to Federal resources and since some tribes are engaged in commercial activity, the involvement of private sector resources is necessary for the expanded development of tribal colleges as a community based resource. Private sector collaboration can improve educational opportunities, enrollment, the colleges' physical plant, and the overall financial management of the institutions. The White House Initiative Office will need to develop strategies to engage the private sector, consult with the Board, and facilitate collaboration with federal agencies.

SECTION 7 ADMINISTRATION

a) Members of the Board of Advisors shall serve without compensation, but shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in Government service, (5 U.S.C.

5701-5707).

b) The Board of Advisors and the White House Initiative Office shall be funded and staffed for their activities through a joint agreement among the participating Federal agencies.

c) The Department of Education shall provide administrative services, resources, and assistance for the Board.

C.O.M.M.E.N.T.S.:

Serving without compensation except for travel and per diem is in line with Federal Advisory Committee Act. Providing federal staff support is a standard expectation that is assigned by the order to the Department of Education. There is a need for participating agencies to share costs and pool resources in order to fund staffing, travel, and other costs without burdening any one agency disproportionately and in order to carry out the order government-wide. Examples of viable cost sharing arrangements for agencies include pro-rated or voluntary contributions to an established operating budget, in-kind services, targeted funding of discrete costs, non-reimbursable details of personnel, etc. There have been successful precedents set in the HSI and HBCU orders in which agencies have worked out a variety of cost sharing and budget support activities.

05-21-96

Q. & A FACT SHEET

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EXECUTIVE ORDER FOR TRIBAL COLLEGES

What Is The Purpose Of An Executive Order For Tribal Colleges?

An executive order for tribal colleges will promote and expand Federal assistance for Indian institutions of higher education and foster the advancement of the National Education Goals. By bringing to the attention of all Federal agencies that tribal colleges exist and by requiring the inclusion of tribal colleges in Federal policies and programs intended for institutions of higher education, an executive order will advance Federal policy in Indian education. An executive order reaffirms the special relationship of the Federal Government to American Indians and Alaska Natives, promotes tribal sovereignty, and supports individual educational achievement.

Why is an Executive Order for Tribal Colleges needed?

In order to survive, Tribal Colleges need and deserve the recognition, opportunities, and commitment of resources that sustain an ongoing level of effort from public and private sources. Executive Orders have set a precedent for Federal and private sector participation in the development of Historically Black Colleges and Hispanic Serving Institutes on a sustainable basis. Executive Orders for Historically Black Colleges and Universities have been authorized by every President since Jimmy

Carter. In 1994, President Clinton continued the Executive Order for Hispanic Serving Institutions that President Bush initiated in 1990. Currently, Tribal Colleges have received a significant level of bi-partisan Congressional support for establishing an Executive Order. In 1994 United States Senate Resolution 264 and United States House of Representatives Resolution 539 were introduced. The Senate Committee on Indian Affairs endorsed the resolution and wrote a follow up letter to the President. The Senate passed the resolution unanimously.

Issuing an executive order will follow precedent and help ensure accountability and maintenance of this kind of support for Tribal Colleges on a sustainable basis. Federal aid is vitally important to Tribal Colleges because they are located on Federal trust territory and receive little or no state funding. An executive order will help Tribal Colleges continue to achieve long term institutional development and maintain viable services for American Indians and Alaska Natives on an equitable basis.

What Are Tribal Colleges?

Since the Navajo Nation began the first Tribal College 28 years ago, Tribal Colleges have offered a unique blend of academic excellence and traditional American Indian and Alaska Native cultures and values. The 29 Tribal Colleges located across 12 states primarily offer associate degrees and some have established baccalaureate and graduate degree programs. Students who attend these schools are from over 200 pueblos, villages, and tribes, as well as many rural communities. Many of the colleges existed previously as Federal boarding schools and high schools which were later converted to community colleges, technical learning centers, and four year institutions.

Tribal Colleges are significant in the successful development of tribal education systems and in the increasing levels of post-secondary education participation and training achieved by American Indian and Alaska Native students. Tribal Colleges promote sovereignty, economic development, and preservation of culture and language through education and training. The Carnegie Foundation, in its 1989 report on the condition of Tribal Colleges, entitled, "Tribal Colleges: Shaping The Future Of Native America," refers to them as "under funded miracles." The Carnegie report highlights that the Tribal Colleges successfully implement academic programs which not only uphold the highest academic standards, but also provide services which support strong cultural and community values. Capable tribal students, who might otherwise never know personal achievement and success, become committed community leaders.

Historically, Tribal Colleges have been created to serve the tribally specific needs of their respective communities. From child care to spiritual well being, Tribal Colleges strive to serve all the needs of their American Indian and Alaska Native students population. As a result, success in responding to

individual student learning needs and supporting high levels of community participation and achievement have been unparalleled outside the Tribal College environment.

Why have the Tribal Colleges succeeded?

Tribal Colleges have achieved many successes over the short 25 years of their existence. They are a tribute to what can be achieved through taking individual responsibility in spite of low levels of funding and recognition. Nonetheless, a general public lack of awareness that Tribal Colleges are developing as successful and viable academic institutions is a significant barrier. Tribal Colleges must overcome many barriers in both the public and private sectors, as well as throughout the education community. For example, most Federal departments and agencies are unaware that Tribal Colleges exist and, either do not recognize them in many minority based funding programs, or limit their access in Federal partnerships because of a general lack of awareness of the capabilities of Tribal Colleges. In spite of this lack of recognition and lack of resources, Tribal Colleges continue to identify local educational and training needs. They continue to offer opportunities that would not otherwise be available for postsecondary learning in reservation communities.

How are the Tribal Colleges funded?

The primary source of funding for Tribal Colleges has been limited to specific legislation. The amount of local tribal support for each college varies and depends on the amount of available tribal funds that can be committed each year to the college. Tribal Colleges also access private sector and independent foundation funds which are usually dedicated to limited projects with discrete objectives.

How many Tribal Colleges and students are there?

Currently, there are 29 Tribal Colleges in 12 states with an overall enrollment of approximately 25,000 students. The Tribal Colleges have traditionally served as highly effective bridges to mainstream four year postsecondary institutions and have now reached a 42 % transfer rate to four year institutions. Transfer students from Tribal Colleges are 4 times more likely to complete bachelor's degree programs than other Native students who enter four year institutions as freshmen.

What courses do the Tribal Colleges offer?

Total programs conducted in the Tribal Colleges have grown to offer 350 degree and 179 vocational certificate programs of study. Five institutions offer bachelor's degrees, twenty-eight offer associate degrees, and twenty-six offer vocational certificates while two offer master's degrees. Popular degree programs are in business, liberal studies, protective services,

education, Native American studies, and computer science. Some certificate programs are offered in business, construction trades, computer, health, and education. The relationship of specific tribal needs to programs offered by Tribal Colleges is reflected in tribal concerns for economic progress, social assistance, strengthening culture, improving schools, and student transfer to other colleges.

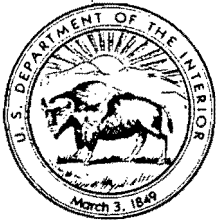
What does an Executive Order for Tribal Colleges require?

A White House Initiative Office is placed in the Department of Education with staff to act as a liaison between the executive departments and the Tribal Colleges.

A Presidentially appointed Board of Advisors is formed to make recommendations to the President on participation by the Tribal Colleges in Federally sponsored programs. The Board also provides advice to the President and to the Secretary of Education on strategies to increase the private sector role in the colleges and sustain long term development.

Each executive department and designated agency develops a Five Year Federal Plan to assist Tribal Colleges, which describes the proposed agency actions to fulfill this order, and issues an annual performance report on progress.

The Secretary of Education and the Director of OMB with the advice of the Board review the agency plans and submit them to the President for consideration.



THE SECRETARY OF THE INTERIOR
WASHINGTON

AUG 19 1996

Ms. Carol Rasco
Assistant to the President for Domestic Policy
The White House
Washington, D. C. 20500

Dear Ms. Rasco:

As the Chair of the Working Group on American Indians and Alaska Natives of the White House Domestic Policy Council, I am extremely pleased to present for your review a proposed Executive order for tribal colleges and universities that was approved by the Members of the Working Group on July 8, 1996 -- our third meeting this year. On behalf of the Working Group, it is my strong recommendation that the Executive order be signed by the President.

The co-chairs of the Working Group's Subgroup on Education, Ada E. Deer, Assistant Secretary-Indian Affairs, Department of the Interior, and Gerald N. Tirozzi, Assistant Secretary for Elementary and Secondary Education, Department of Education, have worked closely with their respective Departments in the development of the proposed order. They have also spent a considerable amount of time conferring with the Working Group Members including the Office of Management and Budget, consulting with tribal educators, and working with the staff of the White House Initiative Offices for Historically Black Colleges and Universities and Hispanic Serving Institutions. We hope that this consensus-building approach will expedite consideration and approval of the proposal.

President Clinton has already signed two other higher education Executive orders, one for Historically Black Colleges and Universities (September, 1993) and the other for Hispanic Serving Institutions (February, 1994). The Working Group believes that if the Executive order is signed by the President, it will 1) promote opportunities for Federal assistance to tribal colleges, 2) increase tribal self-determination and individual achievement, 3) advance the National Education Goals and Federal Indian education policies, and 4) clarify that tribal colleges and universities are eligible recipients for the many Federal programs in which there is currently limited or no participation by these institutions.

To carry out these purposes, this proposal creates a Presidentially-appointed Board of Advisors and a White House Initiative Office within the Department of Education. Each participating agency would prepare a five-year plan on how they will provide opportunities for tribal colleges and universities and report annually on progress made towards fulfilling the purposes of the order. The proposal incorporates the best components of the two existing orders and adds sections that encourage innovation and recognize the unique circumstances of tribal colleges and Indian communities.

Ms. Carol Rasco

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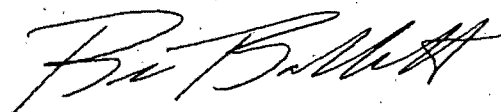
There is significant bi-partisan support for the concept of a tribal college Executive order. In the last Congress, both the Senate and the House introduced resolutions expressing the sense of Congress on this issue. The Senate version, S. Res. 264, passed the Senate unanimously on September 21, 1994. In this Congress, Senate and House members have sent letters of support to the President urging his action.

The proposed order is consistent with our Administration's policies that reaffirm the commitment to a special relationship with American Indians and Alaska Natives in the spirit of the Presidential Memorandum of April, 1994, on Government-to-Government Relations with Indian Tribes. It also focuses attention on the needs of Indian education -- long neglected, at a time when education, generally, is a national priority for the President.

I reiterate the support of the Working Group to approve this proposal that has enormous potential for making a real difference not only for the tribal colleges and universities, but in the daily lives of many Indian children, students, parents, elders, educators, and leaders who rely on these institutions in some way or another. They and their communities face fierce challenges and stress at this time, and adoption of an Executive order would complement this Administration's ongoing efforts to bolster the quality of life and standard of living in Indian Country.

I am enclosing a copy of the memorandum from the Subgroup on Education, the proposed Executive order for tribal colleges and universities, a section-by-section explanation, and letters of tribal and bi-partisan congressional support. If you or your staff have any questions, please contact Faith Roessel, a Special Assistant in my office, at 202-208-5904.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bill Clinton", with a stylized flourish at the end.

Enclosures

cc: Mr. Tom Shea, Office of the Deputy Chief of Staff, White House
Hon. Jacob J. Lew, Acting Director, Office of Management and Budget
Honorable Richard Riley, Secretary, U. S. Department of Education
Members of the Working Group on American Indians and Alaska Natives

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Memorandum To Secretary

Babbitt

MEMORANDUM

TO: The Secretary, Department of the Interior
Chairman, Working Group on American Indians and Alaska Natives
of the White House Domestic Policy Council

FROM: Assistant Secretary,
Elementary and Secondary Education
Department of Education

Assistant Secretary,
Indian Affairs
Department of the Interior

SUBJECT: Proposed Executive Order for Tribal Colleges

We are pleased to submit to you the proposed executive order for tribal colleges. As Co-Chairs of the Subgroup on Indian Education for the Working Group on American Indians and Alaska Natives, we believe the proposal represents a strong collaborative effort which has given full consideration to the comments and recommendations of the Working Group.

The purpose of the order is to expand Federal assistance for Indian institutions of higher education, promote tribal sovereignty and individual achievement, and advance the National Education Goals and Federal policy in Indian education. To carry out these purposes, the order creates a Presidentially appointed Board of Advisors and a White House Initiative Office within the Department of Education. Each participating agency will develop a five year plan that details how they will assist tribal colleges in participating in Federal programs, addressing barriers to funding opportunities, and eliminating inequalities and disadvantages. Each plan may also emphasize innovative approaches that better link tribal colleges with early childhood, elementary, and secondary education programs and that provide assistance in meeting the National Education Goals. Each participating agency will prepare a report on annual progress for the Board of Advisors which shall be reviewed by the Secretary of Education and the Director of the Office of Management and Budget.

We expect tribal colleges will benefit from some of the same successful strategies that Historically Black Colleges and Universities and Hispanic Serving Institutions have enjoyed under their respective orders. As a matter of equity, a tribal college order is ready for consideration. A high level of bi-partisan support has been expressed by the Congress. The interests of the American Indian Higher Education Consortium, National Indian Education Association and the National Advisory Council on Indian Education are also met.

Members of the Working Group have completed their review. We addressed all of the issues raised and final revisions have been made to the document. There were three areas that were of interest to most agencies. First, in terms of management and administration, the order emphasizes

staff and take a lead coordinating role, each participating agency will support and help fund appropriate components of the order. For example, we are working on a funding and staffing arrangement in which the Department of Education would be responsible for the needs of the Board of Advisors and the Secretary while the other participating agencies would share in providing the needed support for the Initiative portion of the order. This type of collaborative arrangement will enable the tribal colleges to maximize the opportunities available within the Department of Education as well as take advantage of activities in other agencies. Such a collaborative arrangement is consistent with Section 613 of Public Law 104-52. The administration of this executive order follows precedent with similar executive orders where Federal management strategies have been successfully developed and implemented by interagency agreements and memoranda of understanding.

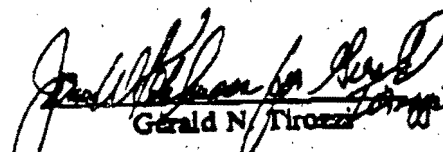
Second, the concept of a five year plan for Federal agencies to assist tribal colleges is innovative. Agencies are favorable to the concept but realize that there are limitations based on the availability of funds since budgets are appropriated on an annual basis. The five year plans are consistent with grants that operate on a 60 months cycle and with the strategic plans most agencies are implementing as various reinventions evolve. Tribal-Federal planning and commitment of resources is becoming more complex as tribes continue to exercise self-determination and more actively engage in self-governance so that planning for more than one year allows scheduling flexibility and time to consult, project program activities, commit to objectives, and estimate resources.

Finally, tribal sovereignty and the unique relationship to American Indians and Alaska Natives is reaffirmed in the order. The order does not infringe on the sovereignty of tribes, nor does it set up tribal colleges to compete with tribes. There is no conflict between tribal colleges and tribes since tribal colleges operate only by charters issued by their tribes.

We are confident that we are presenting an appropriate executive order for tribal colleges for your consideration as Chairman of this Working Group for the Domestic Policy Council. In all, the order is consistent with our Administration's policies that reaffirm the commitment to a special relationship with American Indians and Alaska Natives and our highest regard and priority for quality education.

It is our strong recommendation that you forward the proposed executive order for tribal colleges to the Domestic Policy Council for signature by the President.


Ada E. Deer


Gerald N. Tirozzi

Attachments:

Tab 1: Executive Order

Tab 2: Transmittal Letter to Ms. Carol Rasco

Executive Order

EXECUTIVE ORDER FOR TRIBAL COLLEGES AND UNIVERSITIES

07-08-96

DRAFT

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By the authority vested in me as President by the Constitution and the Laws of the United States of America, in reaffirmation of the special relationship of the Federal Government to American Indians and Alaska Natives, and, for the purposes of helping to: (a) ensure that Tribal Colleges and Universities are more fully recognized as accredited institutions, have access to the opportunities afforded other institutions, and have Federal resources committed to them on a sustainable basis; (b) establish a mechanism that will strengthen accessibility of Federal resources for Tribal Colleges and Universities in tribal communities; (c) promote access to high quality educational opportunity for economically disadvantaged students; (d) promote the preservation and the revitalization of American Indian and Alaska Native cultural traditions; (e) explore innovative approaches to better link tribal colleges with early childhood, elementary, and secondary education programs; and, (f) support the National Education Goals, it is hereby ordered as follows:

SECTION 1 DEFINITION OF TRIBAL COLLEGES AND UNIVERSITIES

Tribal Colleges and Universities ("Tribal Colleges") are those institutions cited in the Equity in Educational Land-Grant Status Act of 1994, P.L. 103-382, Title V, Part C, section 532, [7 USC 301], any other institution which qualifies for funding under the Tribally Controlled Community College Assistance Act of 1978, [25 USC 1801 et seq.], and Navajo Community College, authorized in the Navajo Community College Act of 1978, P.L. 95-471, Title II [25 USC 640 a]

SECTION 2 BOARD OF ADVISORS

(a) ESTABLISHMENT - There shall be established in the Department of Education, the President's Board of Advisors on Tribal Colleges and Universities ("Board"), a Presidential advisory committee. Notwithstanding the provisions of any other executive order, the responsibilities of the President under the Federal Advisory Committee Act, as amended (5 U.S.C. App. 2), with respect to the Board, shall be performed by the Secretary of Education ("Secretary"), in accordance with the guidelines and procedures established by the Administrator of General Services.

(b) COMPOSITION - The Board shall consist of not more than 15 members who shall be appointed by the President. The Board shall consist of representatives of Tribal Colleges, and may include representatives of the higher, early childhood, elementary, and secondary education communities, tribal officials, and health, business, and financial institutions, as well as private foundations. In addition, the President may consider nominations of other representatives. Members of the Board will serve terms of two years and may be reappointed to additional terms. In the event a member fails to serve a full term an individual appointed to replace that member will serve the remainder of the term. Upon the termination of the Board all terms will expire.

EXECUTIVE ORDER FOR TRIBAL COLLEGES AND UNIVERSITIES

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(c) **ROLE OF BOARD** - The Board shall provide advice regarding progress made by Federal agencies toward fulfilling the purposes and objectives of this order and shall also provide recommendations to the President and the Secretary at least annually on how Tribal Colleges can: 1) utilize long term development and master planning to strengthen institutional viability; 2) utilize the Federal and private sector to improve financial management and security, including private sector funding support, as well as expand and complement Federal education initiatives; 3) develop institutional capacity through use of new and emerging technologies offered by both the Federal and private sectors; 4) enhance institutional infrastructure and visual image for more efficient operation and effective recruitment and retention of students and faculty; and, 5) achieve National Education Goals and meet other high standards of educational accomplishment.

(d) **SCHEDULED MEETINGS** - The Board shall meet at least annually to provide advice and consultation on Tribal Colleges and relevant Federal and private sector activities and to transmit reports and present recommendations.

SECTION 3 OFFICE OF WHITE HOUSE INITIATIVE

There shall be established in the Department of Education the White House Initiative on Tribal Colleges and Universities, which shall be authorized to: (1) provide the staff support for the Board; (2) assist the Secretary in the role of liaison between the executive branch and Tribal Colleges; (3) serve the Secretary in carrying out his responsibilities under this order; and, (4) utilize the services, personnel, information, and facilities of other Federal, State, tribal, and local agencies with their consent, and with or without reimbursement, consistent with applicable law. To the extent permitted by law and regulations, each Federal agency shall cooperate in providing resources, including personnel detailed to the Initiative, to meet the objectives of the order.

SECTION 4 DEPARTMENT AND AGENCY PARTICIPATION

Each executive department and designated agency shall appoint a senior official, who is a full-time officer of the Federal Government and who is responsible for management or program administration, to serve as liaison to the White House Initiative. The official shall report directly to the department or agency head or designated agency representative on department or agency activity under this order and serve as liaison to the White House Initiative. To the extent permitted by law and regulation, each executive department and designated agency shall provide appropriate information in readily available formats requested by the White House Initiative staff pursuant to this order.

EXECUTIVE ORDER FOR TRIBAL COLLEGES AND UNIVERSITIES

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SECTION 5 FIVE-YEAR FEDERAL PLAN

Each executive department and designated agency shall, in collaboration with Tribal Colleges, develop and document a Five-Year Plan of the agency's effort to fulfill the purpose of this order. These Five-Year Plans shall include annual performance indicators and appropriate measurable objectives for the agency. The plans shall address among other relevant issues a) barriers to Tribal Colleges to funding opportunities and to participation in Federal programs; b) ways of eliminating inequalities and disadvantages; c) technical assistance and information that will be made available to Tribal Colleges regarding the program activities of the agency and the preparation of applications or proposals for grants, cooperative agreements, or contracts; and, d) an annual goal of agency funds to be awarded in grants, cooperative agreements, contracts, and procurements, related excess property type acquisitions under Section 923 of the 1996 Farm Bill, and the transfer of excess and surplus Federal computer equipment under Executive Order 12999 to tribally controlled colleges and universities. While these goals are based exclusively on the status of tribal Indians as quasi-sovereign entities, agencies shall use the procedures set forth in Executive Order #12928, "Promoting Procurement with Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals, Historically Black Colleges and Universities, and Minority Institutions." The Plans may also emphasize e) access to high-quality educational opportunity for economically disadvantaged Indian students; f) the preservation and revitalization of American Indian and Alaska Native cultural traditions; g) innovative approaches to better link Tribal Colleges with early childhood, elementary, and secondary education programs; and, h) the National Education Goals.

Each participating executive department and designated agency shall submit its Five-Year Plan to the White House Initiative Office for consolidation. In consultation with the Board, the White House Initiative Office shall review these Five-Year Plans and develop the integrated Five-Year Plan for Assistance to Tribal Colleges, which the Secretary shall review and submit to the President. The Five-Year Federal Plan for Assistance to Tribal Colleges may be revised within the five-year period.

Each participating agency shall submit to the White House Initiative Office an Annual Performance Report that shall measure each agency's performance against the objectives set forth in its five year plan. In consultation with the Board, the White House Initiative Office shall review and consolidate these Annual Performance Reports, which shall be submitted to the Secretary and the Director of the Office of Management and Budget annually for review.

EXECUTIVE ORDER FOR TRIBAL COLLEGES AND UNIVERSITIES

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SECTION 6 PRIVATE SECTOR

In cooperation with the Board, the White House Initiative Office shall work to encourage the private sector to assist Tribal Colleges through increased use of such strategies as: a) matching funds to support increased endowments; b) developing expertise and more effective ways to manage finances, improve information systems, build facilities, and improve course offerings; and, c) increasing resources to, and training of faculty.

SECTION 7 DETERMINATION

The Board of Advisors shall terminate two years after the effective date of this Executive Order unless the Board is renewed by the President prior to the end of that two-year period.

SECTION 8 ADMINISTRATION

a) Members of the Board of Advisors shall serve without compensation, but shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in Government service, (5 USC 5701-5707).

b) The Board of Advisors shall be funded by the Department of Education. With the consent of the Department of Education, other agencies participating in the White House Initiative shall support the White House Initiative Office consistent with statutory authority and shall make use of 3 USC Section 112 to the extent permitted by law. The Board of Advisors and the White House Initiative Office shall be staffed and supported consistent with other White House initiatives.

c) The Department of Education shall provide administrative services and staff support for the Board.

Section By Section

Explanation

INTRODUCTION:

This section sets out the authority of the President to issue executive orders and introduces the purpose of this order. Reference to the Constitution and laws authorizing the President to manage the government is standard, and the unique relationship with American Indian and Alaska Native peoples is highlighted. The emphasis on current administration policy, such as the President's Memorandum of April 29, 1994, to the Heads of Executive Departments and Agencies, on Government to Government Relations with Native American Tribal governments, is consistent with specific provisions in a number of statutes that confirm the special relationship. In general, the order would assure accreditation of Indian institutions of higher education and their access to Federal funding and programs on an equitable basis; establish a White House Initiative Office and a Board of Advisors; promote tribal sovereignty and individual academic achievement, and advance the National Education Goals and Federal policy in Indian education. Specific points listed in this section in (a) through (f) reflect this administration's priorities and support a commitment of current Federal resources to help sustain tribal colleges. While the focus is on tribal colleges, the scope of the order is broad enough to support activities within tribal colleges that are compatible with the missions of participating agencies and that support the purposes of the order. Generally, activities may include all aspects of education and training, campus housing, agricultural extension, transportation, grounds and facilities support, cultural activities, financial management, faculty exchange, technical assistance, etc.

SECTION 1 DEFINITION OF TRIBAL COLLEGES AND UNIVERSITIES

There are 29 eligible American Indian/Alaska Native Institutions of Higher Education (IHE) of which 26 are tribally controlled, 2 are operated by the Federal Government, and 1 is Congressionally chartered. This order would apply to the 29 IHE's listed below:

Bay Mills Community College
Blackfeet Community College
Cheyenne River Community College
College of the Menominee Nation
Crownpoint Institute of Technology
D-Q University
Dull Knife Memorial College
Fond du Lac Community College
Fort Belknap Community College
Fort Berthold Community College

Brimley, MI
Browning, MT
Eagle Butte, SD
Keshena, WI
Crownpoint, NM
Davis, CA
Lame Deer, MT
Cloquet, MN
Harlem, MT
New Town, ND

DRAFT EXECUTIVE ORDER FOR TRIBAL COLLEGES

Fort Peck Community College
Haskell Indian Nations Univ.
Institute of American Indian Arts
Lac Courtes Oreilles Ojibway Comm. Coll
Leech Lake Tribal College
Little Big Horn College
Little Hoop Community College
Navajo Community College
Nebraska Indian Community College
Northwest Indian College
Oglala Lakota College
Salish Kootenai College
Sinte Gleska University
Sisseton Wahpeton Comm. Coll.
SW Indian Polytechnic Inst.
Standing Rock College
Stonechild Community College
Turtle Mountain Community College
United Tribes Technical College

Poplar, MT
Lawrence, KS
Santa Fe, NM
Hayward, WI
Cass Lake, MN
Crow Agency, MT
Fort Totten, ND
Tsaile, AZ
Winnebago, NE
Bellingham, WA
Kyle, SD
Pablo, MT
Rosebud, SD
Sisseton, SD
Albuquerque, NM
Fort Yates, ND
Box Elder, MT
Belcourt, ND
Bismarck, ND

SECTION 2 BOARD OF ADVISORS

(A) ESTABLISHMENT - The Secretary of Education is designated to work with the Cabinet Officers and provide a liaison with the Board of Advisors.

(B) COMPOSITION - Tribal colleges will be represented on the Board which may also include appointees from other fields. Specific disciplines are not named, so Board members may be nominated from any number of representative fields, such as agriculture, energy, oil, gas, transportation, law, manufacturing, engineering, environment, etc. A Board of 15 members is considered reasonable for meeting a quorum, limiting operating costs, and representing broad interests. The National Advisory Council on Indian Education has 15 members, while the Boards of the Historically Black Colleges and Universities and the Hispanic Serving Institutions have 25 members each. Each length of term on the Board of Advisors is limited to two years by the Federal Advisory Committee Act; however, the President has authority to renew membership on the Board.

© ROLE OF BOARD - The primary role of the Board is to provide advice and make recommendations to the President and the Secretary and provide guidance on long term development and capacity building through federal, private, and independent resources. The Board will operate within the provisions for Advisory Committees and establish By-Laws, etc. The Board will review the annual reports of the agencies and make recommendations on the basis of agency progress in the 5 year plans, taking into account emerging changes in technology, currently available private sector resources, and the like.

DRAFT EXECUTIVE ORDER FOR TRIBAL COLLEGES

(d) **SCHEDULED MEETINGS** - It is expected that the Board will meet annually with a quorum. Depending on the budget, more meetings may occur. In addition to face to face meetings, Board business may be carried out via conference calls and other technologies. The use of an executive committee to prepare for the full group meetings by setting the agenda and formulating issues for the full group is another cost efficient alternative to complement the annual meeting as a minimum requirement.

SECTION 3 OFFICE OF WHITE HOUSE INITIATIVE

Staff of this office carry out day to day operations of the White House Initiative, assist agencies in general coordination with tribal colleges, and facilitate in starting up activities between agencies and tribal colleges. Education Department staff will meet the Secretary's day to day needs in carrying out the order and will respond to the needs of the Board as requested. Overall, the White House Initiative Office will promote interagency management efforts that support activities with tribal colleges and that initiate partnerships and collaborative approaches to fulfilling the purposes of the order. This is consistent with the offices for the Historically Black Colleges and Universities and the Hispanic Serving Institutions, which are designated as "White House Initiatives".

SECTION 4 DEPARTMENT AND AGENCY PARTICIPATION

By appointing a senior manager in each participating department and agency, the intent is to raise the awareness and accountability for this Presidential initiative. Appointing senior officials has proven successful in implementing similar orders. Senior managers are in a position to review available resources, make decisions to commit the agencies, maintain regular contact with agency heads, review progress, opportunities, and barriers, as well as resolve problems and ensure timely action. The use of readily available formats should facilitate the collection and management of information, provide appropriate information on a timely basis, and limit reporting burdens.

SECTION 5 FIVE-YEAR FEDERAL PLAN

The call for 5-year plans is consistent with Federal reinvention efforts that project grants and cooperative agreements over a 60 month period to avoid unnecessary paper work and reduce both Federal staff work and the burden of outdated government processes. Over this longer planning period agencies can implement strategic objectives with tribal colleges to meet long term development goals with greater continuity. The use of electronic commerce and other procurement reforms also support planning over multiple year cycles. The annual report allows an agency to assess and self-correct by making annual or appropriate mid-course changes. Reporting annually also allows the tribal colleges to work closely and more confidently with Federal agencies on implementation and to phase-in activities over multiple years, thereby limiting start and stop delays that are characteristic of annual cycles.

SECTION 6 PRIVATE SECTOR

The private sector role is pivotal for long term stability of tribal colleges and should complement and expand Federal and tribal efforts. The interest of tribes, the private sector, and government is in developing infrastructure which in turn strengthens a tribal community, its workforce, and citizenry. Because there is a limitation to Federal resources and since some tribes are engaged in commercial activity, the involvement of private sector resources is necessary for the expanded development of tribal colleges as a community based resource. Private sector collaboration can improve educational opportunities, enrollment, the colleges' physical plants, and the overall financial management of the institutions.

SECTION 7 TERMINATION

In accordance with the Federal Advisory Committee Act, the Board will terminate unless the President renews it prior to the expiration of two years after it's establishment.

SECTION 8 ADMINISTRATION

Serving without compensation except for travel and per diem is in line with the Federal Advisory Committee Act. Providing federal staff support to the Board is a standard expectation that is assigned by the order to the Department of Education. Federal agencies shall put forth a collaborative effort with the Department of Education. Participating entities shall develop interagency agreements and memoranda of understanding that commit resources to support the order. Each entity shall make use of 3 U.S.C. Section 112, the Economy Act, and Section 415 of the Department of Education's authorizing legislation for interagency agreements enabling cooperative efforts and shared program management. Such collaborative efforts and joint funding arrangements shall allow all Federal agencies to share program management for the White House Initiative Office to the extent permitted by law while the Department of Education alone provides staffing and funding for the Board of Advisors and the Secretary of Education. The minimum staffing for all activities related to the order should be consistent with other White House Initiative Offices to assure practical operating levels and staffing.

Tribal Support

TRIBAL SUPPORT

The American Indian Higher Education Consortium, the National Advisory Council On Indian Education, and the National Indian Education Association are three prominent Native education organizations representing broad inter-tribal interests. The American Indian Higher Education Consortium is composed of tribal colleges and has advocated for an executive order over the last several years. The National Advisory Council On Indian Education is a Presidentially appointed board composed of regional tribal representation, responsible for issuing an annual report on education programs that serve American Indians and Alaska Natives. The Council is also required to advise the President and the Federal government on education programs, primarily serving students in grades K-12. The National Indian Education Association has the largest membership of Indian educators, parents, and students and serves to keep tribes and educators abreast of education programs in general and works closely with tribal departments of education, States, and the National Education Association.

The following letters document widespread tribal support for the order:

July, 1996 Support Letter from the American Indian Higher Education Consortium

March, 1996 Support letter from the National Advisory Council On Indian Education

Dec., 1995 Support letter from the National Indian Education Association



AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM

121 Oronoco Street • Alexandria, Virginia 22314

703-838-0400 • Telefax 703-838-0388 • e-mail: aihec@aol.com.

July 19, 1998

The Honorable William Jefferson Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

As President of the American Indian Higher Education Consortium (AIHEC), I am writing on behalf of this nation's 29 American Indian Tribal Colleges. It is my understanding that your Domestic Policy Council is currently examining a draft Tribal College Executive Order, and will soon be forwarding its recommendation to you. For many years AIHEC has urged the adoption of an Executive Order for Tribal Colleges and strongly endorses this proposed draft. (Please refer to the attached "Advocacy for a Tribal College Executive Order.")

AIHEC was founded in 1972 by six of the first American Indian Tribal Colleges. It has since grown to represent the 29 existing Tribal Colleges throughout the United States, serving students from 250 tribes. There are more than 25,000 students attending these colleges. The Tribal Colleges were created in response to the unique higher education needs of Indian peoples, and in recognition of the tremendous importance of postsecondary education to tribal economic development, cultural preservation, and sovereignty. The Tribal College movement represents the most significant development in American Indian educational history.

Despite their notable success and profound achievements, Tribal Colleges are today the most poorly funded institutions of higher education in this country. Their core funding, realized from the "Tribally Controlled Community College Assistance Act of 1978," remains grossly inadequate. This causes the Colleges to depend on discretionary grants from the federal government in order to survive, yet, their participation in federal programs is surprisingly low. Most federal departments and agencies are unaware of the Tribal Colleges' existence and often inadvertently exclude them. This exclusion has added to the struggle these developing institutions face. A Presidential Executive Order would raise Tribal College awareness throughout the federal government and would promote and expand the Colleges' participation in federal programs.

For over 15 years AIHEC has worked toward the implementation of a Presidential Executive Order. During this time, Executive Orders have been signed promoting Historically Black Colleges and Universities (HBCUs) and the Hispanic-Serving Education Community. The American Indian Tribal Colleges' record of achievement merits this same recognition and status.

MEMBER INSTITUTIONS

Bay Mills Community College
Brimley, Michigan

Blackfeet Community College
Browning, Montana

Cheyenne River Community College
Eagle Butte, South Dakota

College of the Menominee Nation
Keshena, Wisconsin

Crowpoint Institute of Technology
Crowpoint, New Mexico

D-Q University
Davis, California

Dull Knife Memorial College
Lame Deer, Montana

Fort Du Lac Community College
Cloquet, Minnesota

Fort Belknap Community College
Harlem, Montana

Fort Berthold Community College
New Town, North Dakota

Fort Peck Community College
Poplar, Montana

Haskell Indian Junior College
Lawrence, Kansas

Institute of American Indian Arts
Santa Fe, New Mexico

Lac Courte Oreilles Ojibwa
Community College
Hayward, Wisconsin

Leech Lake Tribal College
Cass Lake, Minnesota

Little Big Horn College
Crow Agency, Montana

Little Hoop Community College
Fort Totten, North Dakota

Navajo Community College
Bain, Arizona

Nebraska Indian Community College
Winnebago, Nebraska

Northwest Indian College
Bellingham, Washington

Oglala Lakota College
Kyle, South Dakota

Red Crow Community College
Cardston, Alberta-Tolo-Oto, Canada

Salish Kootenai College
Pablo, Montana

State College University
Rosebud, South Dakota

Sisseton Wahpeton Community College
Sisseton, South Dakota

Southwestern Indian Polytechnic Institute
Albuquerque, New Mexico

Sitting Rock College
Fort Yates, North Dakota

Sornachild Community College
Box Elder, Montana

Turtle Mountain Community College
Belcourt, North Dakota

United Tribes Technical College
Bismarck, North Dakota

AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM

Letter to President Clinton
July 19, 1996
page 2

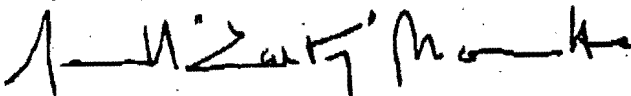
Like the Hispanic-Serving Institutions and the HBCUs, the Tribal Colleges hold much promise for the future. They must be treated equally in being afforded the same opportunities for development and advancement.

The Tribal Colleges have also gained strong bi-partisan support in Congress. A Senate Resolution urging the signing of a Tribal College Executive Order unanimously passed in the 103rd Congress. Additionally, many Members of Congress and Senators have written to you and your Cabinet Secretaries, urging the adoption of a Tribal College Executive Order. (Please refer to attachment.)

The signing of this Order will have historic significance to Indian Country. The 29 American Indian Tribal Colleges are most appreciative and very hopeful that this long-term goal may soon become a reality...a reality that will have a dramatically positive impact on the Tribal Colleges, their Indian students, and the many reservation communities they serve. On their behalf, I respectfully request that you sign this Order as soon as possible and take the necessary steps to ensure its full enactment.

Thank you for your prompt consideration of and attention to this critical matter, and for your support of American Indian higher education.

Respectfully,



Gerald "Carty" Monette, President
American Indian Higher Education Consortium
and Turtle Mountain Community College

attachment
GCM/vng

cc. The Honorable Carol Rosco
Chair, Domestic Policy Council

The Honorable Bruce Babbitt, Secretary
U.S. Department of the Interior

The Honorable Ada Deer, Assistant Secretary
U.S. Bureau of Indian Affairs

The Honorable Dr. Gerald Tirozzi, Assistant Secretary
Elementary and Secondary Education, U.S. Department of Education

AIHEC Delegation Members of the United States Senate
and the U.S. House of Representatives

AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM

AIHEC's Advocacy for a Tribal College Executive Order

Since the late 1970s, a Presidential Executive Order for Tribal Colleges has been a vision of the American Indian Higher Education Consortium (AIHEC). Many positive gains have been made over the years with each of the former Administrations, and strong Congressional endorsement has been demonstrated. Below is a chronology of AIHEC's advocacy, focusing only on the Clinton Administration. Contact the AIHEC office at (703) 838-0400 for copies of any documents listed below.

- early 1993 Meetings with Secretary Babbitt early in his Administration
- 2/93 Support letter from Senator Paul Simon to Secretary Babbitt
- 3/93 Congressional Support letter to the President and to Secretary Babbitt which urged the enactment of the Executive Order (33 Members of Congress)
- 6/93 Support letter from Senator Tom Daschle to Secretary Babbitt
- 9/93 Support letter from Congressman Tim Johnson to Secretary Babbitt
- 10/93 Support letter from Senator Max Baucus to Secretary Babbitt
- 3/94 Response letter from President Clinton to Congressman Kent Conrad referring the Tribal College Executive Order matter to his Domestic Policy Council
- 6/94 Support letter from Senator Robert Kerry to Secretary Babbitt
- 9/94 U.S. House Resolution 539 and U.S. Senate Resolution 264 introduced
- 10/94 U.S. Senate Resolution 264 passed unanimously
- 10/94 Follow-up letter from Senate Indian Affairs Committee Chairman Daniel Inouye
- 1/95 Meeting with Faith Roessel, former Special Assistant to Assistant Secretary Ada Deer
- 2/95 Meeting with Loretta Avent, Special Assistant to the President, Intergovernmental Affairs
- 6/95 Memorandum from Assistant Secretary Deer to the Assistant Secretary for Policy, Management, and Budget, requesting that the E.O. be forwarded for the President's signature
- 6/95 Meeting and correspondence with U.S.D.A. Under Secretary Karl Stauber
- 8/95 North Dakota tribal leaders meeting with Loretta Avent, Special Assistant to the President, Intergovernmental Affairs
- 8/95 Support letter to President Clinton from Congressman Earl Pomeroy
- 9/95 Congressional meetings
- 12/95 Meeting with Faith Roessel, Special Assistant to Secretary Babbitt
- 12/95 Support letter from National Indian Education Association (NIEA)
- 12/95 Interagency Briefing on Tribal Colleges conducted by Dr. Janine Pease-Prety on Top
- 12/95 Congressional support letters (with over 50 signatures) to the President and his Domestic Policy Council
- 12/95 Meeting with Madeleine Kunin, Deputy Secretary of Education
- 1/96 AIHEC Winter Conference Hill Meetings at which Tribal College E.O. was a priority issue (29 Tribal College Presidents and 25 Tribal College students)
- 1/96 AIHEC Press Conference - federal budget crisis & focus on the Tribal College E.O.

AIHEC's Advocacy for a Tribal College Executive Order

Page Two

- 2/96 Meeting with Bill Mehojah and Charles Gebae, BIA
- 2/96 AIHEC Testimony before House Interior Appropriations Subcommittee (included justifications for an E.O.)
- 3/96 Meeting with Joel Kaplan, House Interior Appropriations Subcommittee
- 3/96 Meeting with Joanne Morris, Director, and Bill Mehojah, OIEP, BIA
- 3/96 Meeting with Faith Roessel
- 3/96 Meeting with Irene James, OMB
- 3/96 Meeting with ANA and Department of Agriculture, Re: Resources
- 3/96 Meeting with Executive Order White House Offices on HBCUs and Educational Excellence for Hispanic Americans
- 3/96 Conference call hosted by Domestic Policy Council Sub-working Group Co-Chairs Ada Deer and Dr. Gerald Tirozzi, attended by representatives from several departments and four Tribal College Presidents
- 4/96 Wrote article on E.O. for NACIE newsletter
- 4/96 Meeting with Jim Kohlmoos, Special Assistant to the Assistant Secretary for Elementary and Secondary Education, and College of Menominee Nation Vice President Tom Davis
- 4/96 Reviewed Draft #7 of E.O. and prepared comments for Sub-working Group
- 4/96 AIHEC Testimony before Senate Interior Appropriations Subcommittee, Senate Indian Affairs Committee, and House National Security Committee (included justifications for an E.O.)



NATIONAL INDIAN EDUCATION ASSOCIATION

121 ORONOCO STREET
ALEXANDRIA, VA 22314
PH. (703) 838-2870
FAX (703) 838-1620

December 11, 1995

President William J. Clinton
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

As president of the National Indian Education Association (NIEA) and on behalf of its Board of Directors and membership, I am writing to urge your favorable consideration of and support for a Department of Interior-approved draft Executive Order for America's twenty-nine tribally-controlled community colleges. This proposed Executive Order would establish a Presidential Advisory Committee within the United States Department of Education and would direct agencies to administer their grants-making and regulation processes in full consideration of the tribal colleges.

We have long been concerned that no Executive Order exists for the tribal colleges, whereas for years similar Executive Orders have been promulgated for Historically Black Colleges and Universities and Hispanic-Serving Institutions. The proposed Executive Order, when approved by you, will serve to rectify an oversight that has caused tribal colleges to be left out of consideration for Education Department funding.

For over twenty years, tribal colleges, which are members of NIEA and the American Indian Higher Education Consortium (AIHEC), have made significant contributions to the field of Indian education. Their impact on the communities and students they serve has been enormous and has directly resulted in advancements for Indian people throughout the nation. Furthermore, since they are located in rural and remote areas, the colleges serve multiple uses as a community center, library, tribal archives, career and job counselling center, town meeting hall, and child development center, in addition to their academic responsibilities. Tribal colleges serve as badly-needed bridges for Indian students to mainstream into four-year postsecondary institutions -- their work keeps Indian students in school through graduation. They also help lay the solid foundation for tribal and national economic growth by turning out educated, employable citizens. The colleges have done all this despite being consistently and seriously underfunded since their inception in the early 1970's.

As president of the nation's oldest and largest organization which works for the advancement of educational opportunities for American Indian and Alaska Native people, and on behalf of all the tribal colleges and their 25,000 students, I urge you, Mr. President, to give tribal colleges what has been given to the Historically Black Colleges and Universities and the Hispanic-Serving Institutions, but denied American Indian and Alaska Native people: equal access in competing for all federal education programs and funding opportunities. I urge your support for and signing of the proposed Executive Order.

Letter to President Clinton
December 11, 1995
Page 2

Thank you for your attention to our request. NIEA Executive Director Lorraine Edmo will be pleased to address any questions you or your staff may have about this matter.

Sincerely,

Allen Tsinigine

Allen Tsinigine
President

cc: Secretary Richard Riley, U.S. Department of Education
Secretary Bruce Babbitt, U.S. Department of the Interior
Margaret Perez, President, American Indian Higher Education Consortium



National Advisory Council on Indian Education

Street: 1250 Maryland Avenue S.W., The Portals, Suite 6211 • Mail: 600 Independence Avenue S.W., The Portals, Suite 6211
Washington D.C. 20202-7556 • 202/205-8353 • Fax 202/205-9446

March 26, 1996

Veronica Gonzales
Interim Executive Director
American Indian Higher Education Consortium, (AIHEC)
121 Oronoco Street
Alexandria, Virginia 22314
RE: Letter of Support for Tribal College Executive Order

AIHEC and Member Institutions:

The National Advisory Council on Indian Education (NACIE) would like to offer its support and official endorsement as AIHEC works to establish a Presidential Executive Order on Tribally Controlled Community Colleges. NACIE members met on March 11 in Washington, DC and after being briefed on the executive order's concept decided to provide AIHEC with this letter of support. AIHEC member institutions and staff have laid much groundwork and deserve credit for carrying out this important initiative. In addition, the substantial support generated through Congress and the White House should allow for turning this educational concept into a tribal reality. We realize that much work lies ahead as you gather the federal support needed to finish the development of this order. The inclusion of the Departments of Education and Interior resources should help to provide the agency endorsement needed for such a plan to succeed.

While this effort has a high probability of success we encourage you to ensure that the needs of the tribal colleges, and the Indian communities these colleges serve, remain in focus. Since this effort is indeed a tribal college initiative, AIHEC and member institutions should be allowed the opportunity to develop an executive order specific to their needs. Whatever agency is authorized to implement the order should also ensure that tribal college needs are met in fulfilling the executive order's directives. We encourage you to keep in touch with the members of NACIE on the progress of this initiative. With twenty five years of experience in carrying out our mission under the Indian Education Act within the U.S. Department of Education, NACIE can provide insight into how similar Indian initiatives can succeed within the domain of the federal government. Good luck with this and future endeavors on behalf of all American Indians.

Sincerely and on Behalf of the NACIE
Council,

Joseph Abeyta
NACIE Chair

BI-PARTISAN CONGRESSIONAL SUPPORT

The following documents are attached for your information and express the ongoing bi-partisan interest that Congress has had in an executive order for tribal colleges.

12-13-95	Senate support letter to the President
12-14-95	House support letter to the President
12-14-95	House support letter to Carol Rasco, Domestic Policy Council
03-08-94	Response from the President to Senator Kent Conrad
09-21-94	Senate Resolution 264
09-15-94	House Resolution 539
03-29-93	Congressional support letter to Secretary Babbitt (co-signed by 33 Members)

Other Congressional support letters to Secretary Babbitt:

Congressman Earl Pomeroy
Congressman Tim Johnson
Senator Tom Dashle
Senator Daniel Inouye
Senator J. Robert Kerry
Senator Paul Simon
Senator Max Baucus

The high level of support for an executive order for tribal colleges is wide spread and bi-partisan. Congressional support has been expressed in the last Congress by S. Res. 264 that passed the Senate unanimously on 09-21-94 and by H. Res. 539 which was introduced in the House on 09-15-94. The resolutions express the sense of the Congress that the President issue an executive order to promote and expand Federal assistance for Indian institutions of higher education.

Bi - Partisan Congressional

Support

JOHN MCCAIN, ARIZONA, CHAIRMAN
DANIEL K. INOUE, HAWAII, VICE CHAIRMAN

FRANK MURKOWSKI, ALASKA
BLAKE BOSTON, WASHINGTON
PETE V. DOMENICI, NEW MEXICO
BARRY LAMOND KASSIDBAUM, KANSAS
DON NICOLE, OKLAHOMA
BEN HIGHTHORSE CAMPBELL, COLORADO
CRAIG THOMAS, WYOMING
ORRIN G. HATCH, UTAH

KENT CONRAD, NORTH DAKOTA
HARRY REID, NEVADA
PAUL SIMON, ILLINOIS
DANIEL K. AKAKA, HAWAII
PAUL WELLSTONE, MINNESOTA
BYRON L. DORGAN, NORTH DAKOTA

STEVEN J.W. HEELEY,
MAJORITY STAFF DIRECTOR/CHIEF COUNSEL
PATRICIA M. ZELL,
MINORITY STAFF DIRECTOR/CHIEF COUNSEL

United States Senate

COMMITTEE ON INDIAN AFFAIRS

WASHINGTON, DC 20510-6450

December 13, 1995

The Honorable William Jefferson Clinton
President of the United States
The White House
1600 Pennsylvania Avenue N.W.
Washington, D.C. 20500

Dear President Clinton:

Last Congress the Senate passed S.Res.264, a resolution to express the sense of the Senate that the President should issue an Executive order to promote and expand Federal assistance for Indian institutions of higher education. One year has transpired since the passage of S.Res 264 and we write to once again urge you to issue such an Executive order.

Federal support for Indian institutions of higher education is vital to the continuing success of tribally controlled community colleges, vocational educational programs, post-secondary institutions, and the individuals they serve. Unfortunately, although Indian educational institutions are experiencing an overall increase in attendance rates, they have not experienced the same level of Federal resources and program benefits that other under-served populations have received. It is our hope that an Executive order, similar to those issued for historically black colleges and universities and for educational excellence for Hispanic-Americans, will correct this oversight.

You are no doubt aware that the issuance of Executive orders for historically black colleges and for educational excellence for Hispanic-Americans have had many positive benefits for many African and Hispanic Americans facing difficult educational challenges. American Indians are facing far different obstacles in comparison to African and Hispanic American students. These differences should be taken into consideration by the responsible Federal agencies. Only four percent of American Indians and Alaska Natives who attend non-Indian colleges complete their college degrees as compared to approximately fifty-three percent of non-Indian students.

Tribal colleges and vocational institutions have an excellent track record of success. Many Indian institutions of higher education are located on or near isolated reservations and serve populations that experience the highest rates of poverty and unemployment in the nation. Many Indians residing on reservations have no other access to colleges or universities. Today, tribal colleges and vocational institutions encourage Indian students who might otherwise be deterred from pursuing a college education to continue their education. The enrollment of the 29 tribal colleges alone exceeds 25,000 students and 42% of tribal college graduates go on to successfully pursue a post-secondary degree.

Perhaps the greatest barriers to the continuing success of Indian higher educational institutions are the need for increased resources and the lack of attention by the Federal government to the needs of tribal colleges. An Executive order would bring to the attention of all Federal departments and agencies the fact that tribal colleges and vocational institutions should be included in Federal policies and programs intended to benefit all institutions of higher education. Finally, in keeping with the Federal Government's trust responsibility and fiduciary duty to Indian tribes, an Executive order would serve to advance the Federal policy on Indian education which is consistent with the Federal Indian policy that you embraced in your April 1994 Executive order to all Federal government agencies.

We believe an Executive order to promote and expand Federal assistance for Indian institutions of higher education is long-overdue. We therefore urge you to act to secure the promise of higher education for American Indians by issuing the Executive order called for by Senate Resolution 264.

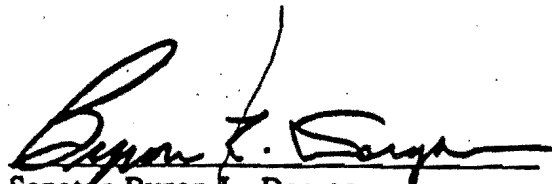
Sincerely,



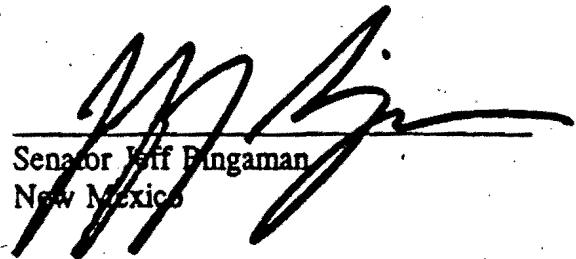
JOHN McCain
Chairman
Committee on Indian Affairs



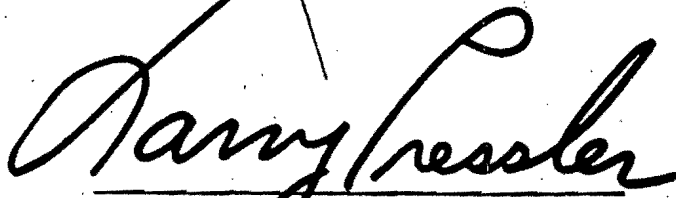
DANIEL K. INOUE
Vice Chairman
Committee on Indian Affairs



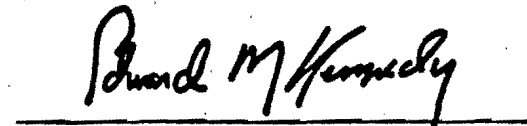
Senator Byron Dorgan
North Dakota



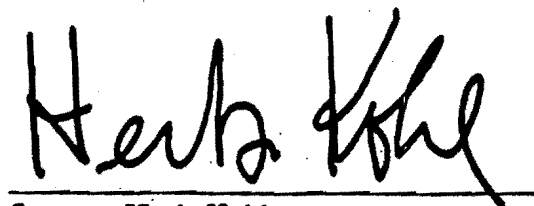
Senator Jeff Bingaman
New Mexico



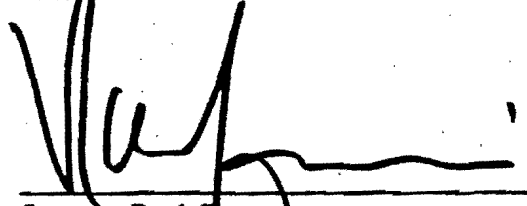
Senator Larry Pressler
South Dakota



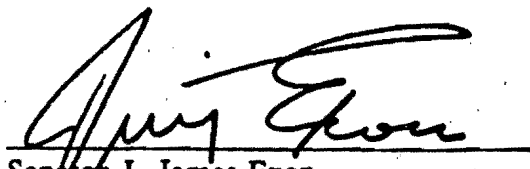
Senator Edward M. Kennedy
Massachusetts



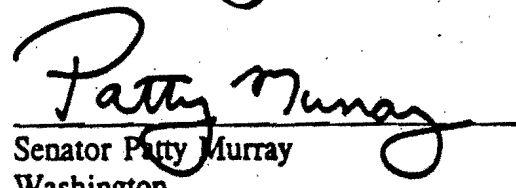
Senator Herb Kohl
Wisconsin



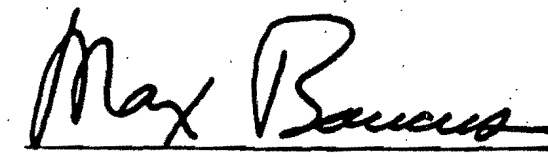
Senator Paul Simon
Illinois



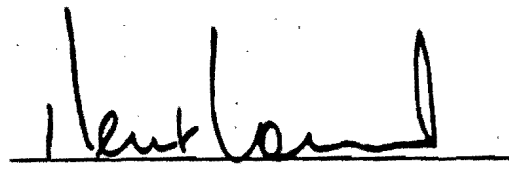
Senator J. James Exon
Nebraska



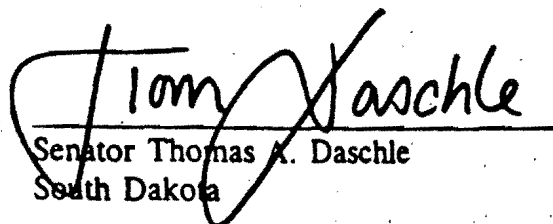
Senator Patty Murray
Washington



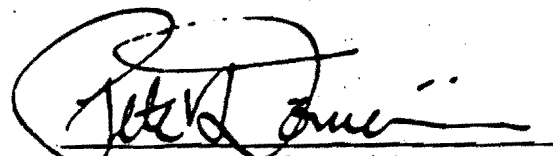
Senator Max Baucus
Montana



Senator Kent Conrad
North Dakota



Senator Thomas A. Daschle
South Dakota



Senator Pete V. Domenici
New Mexico

Congress of the United States
House of Representatives
Washington, D.C. 20515

December 14, 1995

President Bill Clinton
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

We are writing relative to the proposed Executive Order for the nation's American Indian Tribal Colleges.

It is our understanding that the Department of the Interior approved a draft Executive Order earlier in the year pertaining to federal departmental consideration of Tribal Colleges in the promulgation of regulations. Your Domestic Policy Council will be discussing the issue within the next few weeks. For Tribal Colleges, which have so effectively served America's Indian populations, the equity that would come with this Executive Order is long overdue.

An Executive Order which includes the establishment of a Presidential Advisory Committee within the Department of Education and directs agencies to facilitate the grant and regulating process with full consideration of Tribal Colleges, would represent a crucial step toward the realization of equal educational opportunities for American Indian students attending Tribal Colleges. For years, similar Executive Orders have existed and been re-enacted for Historically Black Colleges and Universities and Hispanic-Serving Institutions.

Congress has for many years been overwhelmingly supportive of the concept of an Executive Order for Tribal Colleges, expressing broad bi-partisan endorsement of the issue. In March of 1993, 33 Members of both Houses wrote to Interior Secretary Babbitt requesting his support in moving the Tribal College Executive Order initiative forward. Additionally, in October of 1994, the Senate unanimously passed S. Res. 264, which urged the president to swiftly enact this Order, and a similar resolution was introduced in the House.

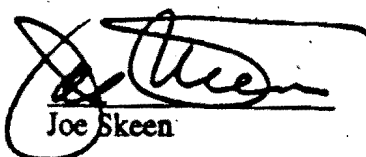
The 29 Tribal Colleges in the United States are bright centers of hope for their reservation communities. Despite inadequate levels of funding, Tribal Colleges are unmatched in the retention, matriculation, and job placement of American Indian students. Since their inception, the Tribal Colleges have faced serious difficulty in obtaining necessary funding and have suffered from a lack of successful participation in federal programs. It is now more imperative than ever to make an effort to allow them an equal opportunity to compete in all federal education programs and funding opportunities.

Because American Indians are modest in population and most of their communities are located in remote, isolated regions, it is absolutely critical that the federal government not overlook their right to equal educational opportunity. For these reasons, we urge you to enact an Executive Order on behalf of the Tribal Colleges and the 25,000 students they serve.

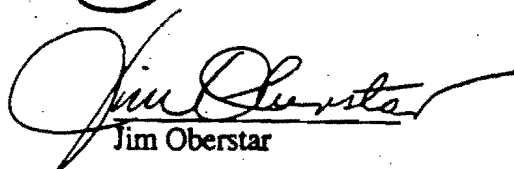
Thank you for your consideration of our request and we look forward to working with you to meet the needs of Native American students throughout the country.

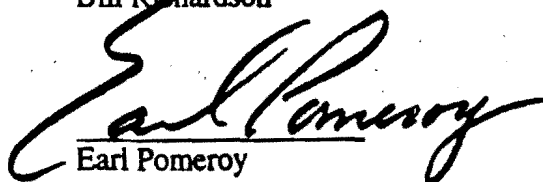
Sincerely,


Tim Johnson


Joe Skeen

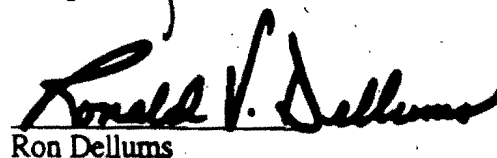

Bill Richardson


Jim Oberstar


Earl Pomeroy

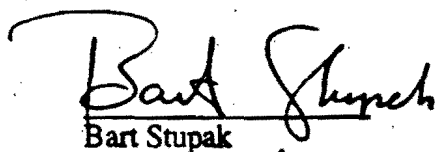

Doug Bereuter

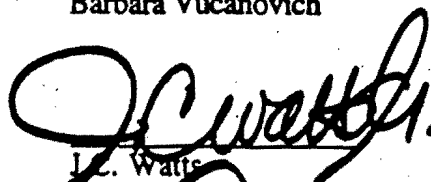

Pat Williams

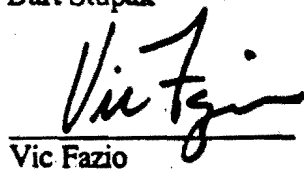

Ron Dellums

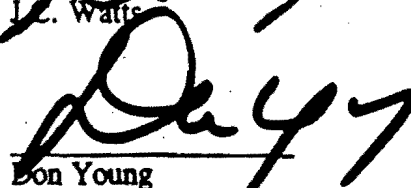

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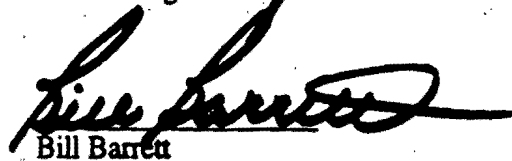

Bart Stupak

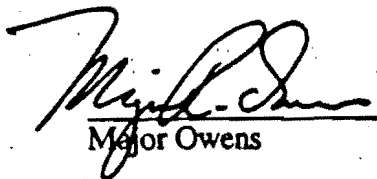

J.C. Watts

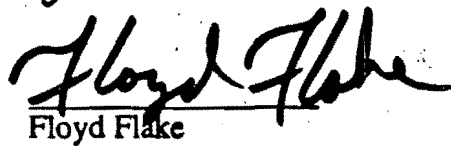

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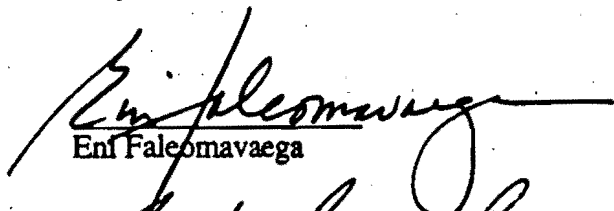

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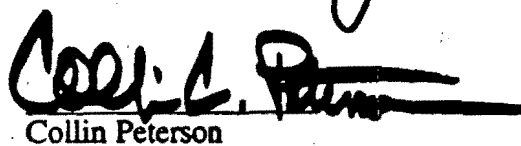

Major Owens

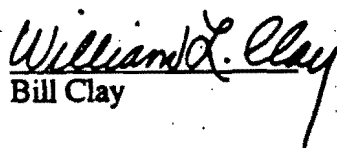

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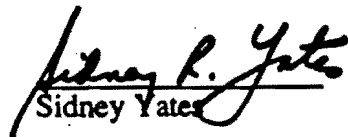

Eni Faleomavaega

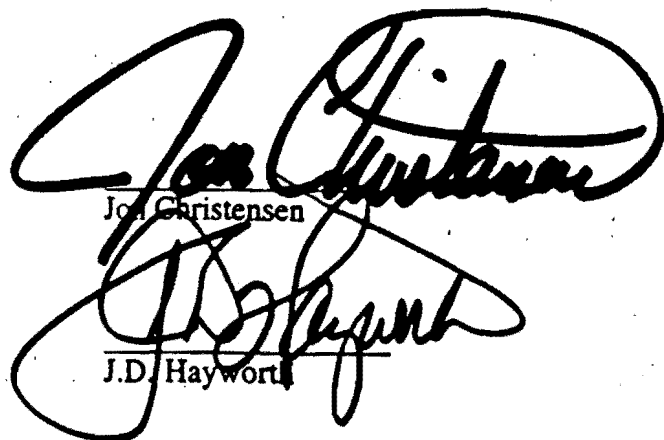

Carlos Romero-Barcelo

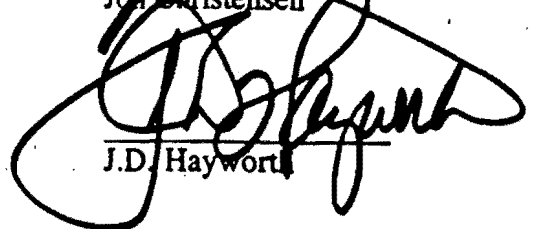

Matthew Martinez


Collin Peterson

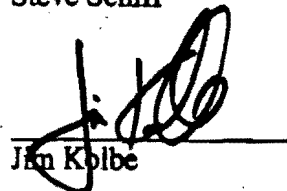

Bill Clay


Sidney Yates


Jon Christensen


J.D. Hayworth


Steve Schiff


Jim Kolbe


Thomas Petri


George Nethercutt


Jim Bunn

Congress of the United States
House of Representatives
Washington, D.C. 20515

December 14, 1995

Carol Rasco
Domestic Policy Director
Old Executive Office Building, Room 213
Washington, DC 20500

Dear Director Rasco:

We are writing relative to the proposed Executive Order for the nation's American Indian Tribal Colleges.

It is our understanding that the Department of the Interior approved a draft Executive Order earlier in the year pertaining to federal departmental consideration of Tribal Colleges in the promulgation of regulations. Apparently, the issue will be discussed by the Domestic Policy Council within the next few weeks. For Tribal Colleges, which have so effectively served America's Indian populations, the equity that would come with this Executive Order is long overdue.

An Executive Order which includes the establishment of a Presidential Advisory Committee within the Department of Education and directs agencies to facilitate the grant and regulating process with full consideration of Tribal Colleges, would represent a crucial step toward the realization of equal educational opportunities for American Indian students attending Tribal Colleges. For years, similar Executive Orders have existed and have been re-enacted for Historically Black Colleges and Universities and Hispanic-Serving Institutions.

Congress has for many years been overwhelmingly supportive of the concept of an Executive Order for Tribal Colleges, expressing broad bi-partisan endorsement of the issue. In March of 1993, 33 Members of both Houses wrote to Interior Secretary Babbitt requesting his support in moving the Tribal College Executive Order initiative forward. Additionally, in October of 1994, the Senate unanimously passed S. Res. 264, which urged the president to swiftly enact this Order, and a similar resolution was introduced in the House.

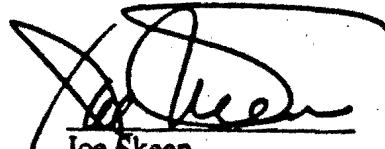
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Because American Indians are modest in population and most of their communities are located in remote, isolated regions, it is absolutely critical that the federal government not overlook their right to equal educational opportunity. For these reasons, we urge you to prioritize Domestic Policy Council consideration of an Executive Order on behalf of the Tribal Colleges and the 25,000 students they serve.

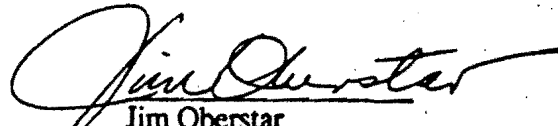
Thank you for assistance in this matter and we look forward to working with the President to meet the needs of Native American students throughout the country.

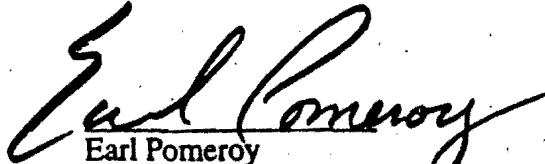
Sincerely,

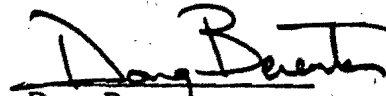

Tim Johnson

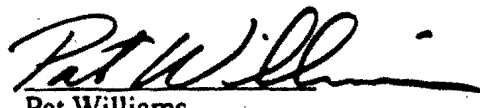

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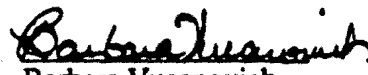

Earl Pomeroy

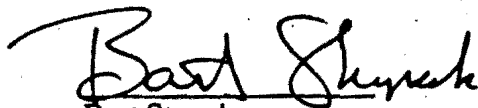

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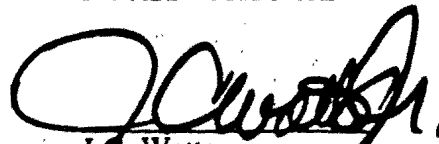

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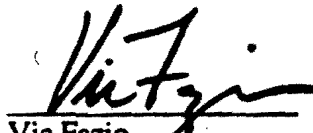

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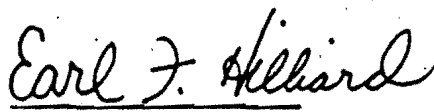

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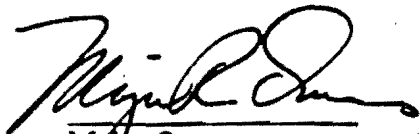

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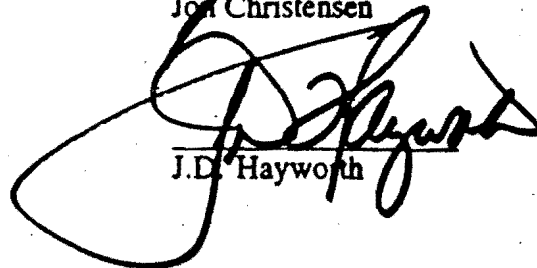

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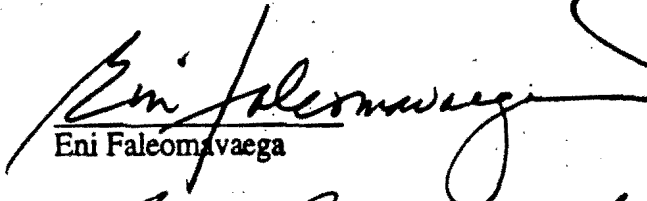

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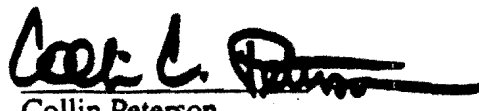

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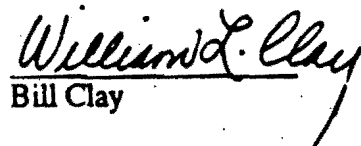

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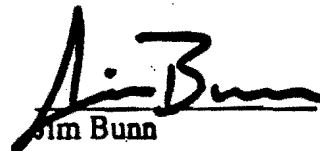

Jim Kolbe

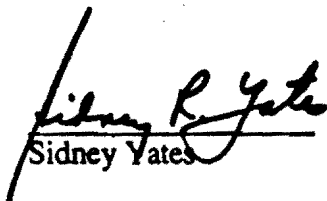

Collin Peterson


Thomas Petri


Bill Clay


George Nethercutt


Jim Bunn


Sidney Yates

THE WHITE HOUSE

WASHINGTON

March 8, 1994

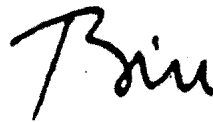
Dear Kent:

Thank you very much for your letter informing me of the status of the proposed Executive Order on tribal colleges.

Extending the promise of educational excellence and opportunity to all Americans is one of my Administration's most important goals. I am proud of my our record clarifying the status of minority scholarships and in strengthening the executive orders for Historically Black Colleges and Universities and Hispanic educational institutions. As another important element of this agenda for educational excellence and opportunity, I have asked my Domestic Policy Council to take the lead in determining the current status of the Executive Order on tribal colleges and to work with the Department of the Interior to explore ways of resolving the issues that have impeded its completion.

I very much hope that this matter can be brought to a successful conclusion. Once again, let me express my appreciation for your leadership in this important area.

Sincerely,



The Honorable Kent Conrad
United States Senate
Washington, D.C. 20510



Carl Pomeroy
Congress of the United States
North Dakota

August 29, 1995

The Honorable William Clinton
President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

In March of 1993, I joined with 32 of my colleagues to request that you sign an Executive Order on behalf of the nation's 29 American Indian and tribal colleges. Today, I am writing to again urge you to sign the proposal approved by the Assistant Secretary for Indian Affairs, Ada Deer.

Such an Executive Order would represent a significant step in the realization of equal educational opportunity for American Indian students attending tribal colleges. Similar Executive Orders already exist for Historically Black Colleges and Universities and Hispanic-Serving Institutions.

Enclosed is a draft of the Executive Order which has been approved by the Bureau of Indian Affairs at the Department of the Interior. Though the issue is completely non-controversial, it has taken years for the subject to garner the proper attention of the Department of the Interior.

Congressional support for the Executive Order is overwhelming. In addition to the aforementioned March, 1993 letter, I co-sponsored a resolution in the 103rd Congress to encourage the creation of an advisory commission on tribally controlled institutions of higher learning (H. Res. 539). The Senate unanimously passed its counterpart, S. Res. 264, which urged swift action by your Administration, in October of 1994. Recently, elected leaders from the North Dakota tribes met with your Special Assistant, Loretta Avent. Among the issues they discussed was the pressing need for an Executive Order for tribal colleges.

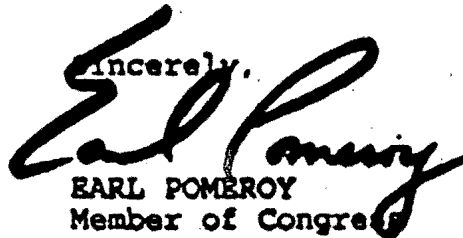
Tribal colleges are bright centers of hope and opportunity for reservation communities across the country. Despite inadequate levels of funding, tribal colleges are unmatched in the retention, matriculation, and job placement rates of American Indian students. For years, the tribal colleges have faced serious difficulty in reaching necessary revenue levels from their primary sources of funding. It is therefore imperative that federal agencies and departments be aware of tribal colleges and make an effort to allow them an equal opportunity to compete with other colleges for alternate education programs and funding opportunities.

ADMINISTRATIVE OFFICE
1000 Longworth Building
Washington, DC 20540
(202) 225-6071
OFFICE OF THE CLERK OF THE HOUSE
DISTRICT OFFICE
ROOM 374, FEDERAL BUILDING
330 East Pioneer Avenue
Bismarck, ND 58101
(701) 224-6889
ROOM 306, FEDERAL BUILDING
627 Broadway Avenue
Fargo, ND 58102
(701) 225-6889

page two

Thank you for your leadership in ensuring equal education opportunity for all Americans. I look forward to your favorable response.

Sincerely,

A handwritten signature in dark ink, appearing to read "Earl Pomeroy". The signature is fluid and cursive, with a large initial "E" and a long, sweeping underline.

EARL POMEROY
Member of Congress

Enclosures
EP:kt

SENATE RESOLUTION 264—RELATIVE TO INDIAN INSTITUTIONS OF HIGHER EDUCATION

Mr. MCCAIN (for himself, Mr. INOUE, Mr. CAMPBELL, Mr. BAUCUS, Mr. BINGAMAN, Mr. DASCHLE, Mr. DECONCINI, Mr. DOMENICI, Mr. DORGAN, Mr. FEINOLD, Mr. GORTON, Mrs. KASSEBAUM, Mr. KOHL, Mr. LEVIN, Mr. PRESSLER, Mr. RIEGLE, Mr. SIMON, and Mr. WELLSTONE) submitted the following resolution; which was referred to the Committee on Indian Affairs:

S. RES. 264

Whereas the Federal Government has a special trust relationship and a fiduciary duty to Indians;

Whereas the progressive development of policies of the Federal Government with respect to the education of Indians has provided for the establishment, control, and administration by Indian tribes of institutions of higher education and other educational institutions on or near Indian reservations;

Whereas Indian institutions of higher education were established pursuant to the Navajo Community College Act (25 U.S.C. 640a et seq.), the Tribally Controlled Community College Assistance Act of 1978 (25 U.S.C. 1801 et seq.), the Tribally Controlled Vocational Institutions Support Act of 1990 (20 U.S.C. 2397 et seq.), part A of title XIV of the Higher Education Act Amendments of 1986 (20 U.S.C. 4411 et seq.) and the Act of November 2, 1921 (popularly referred to as the "Snyder Act")

(42 Stat. 208, chapter 115; 25 U.S.C. 13) to provide post-secondary educational opportunities to Indian students for whom such opportunities may not otherwise exist;

Whereas as of the date of adoption of this resolution, Indian institutions of higher education have a combined enrollment of more than 16,000 students and serve more than 300 Indian tribes nationwide;

Whereas such institutions are located in 13 States, including Arizona, California, Iowa, Kansas, Michigan, Minnesota, Montana, Nebraska, New Mexico, North Dakota, South Dakota, Washington, and Wisconsin;

Whereas Indian institutions of higher education promote tribal sovereignty and self-determination and individual academic achievement;

Whereas despite the overall improvement of educational opportunities of Indians within the 20-year period preceding the date of adoption of this resolution, Indian institutions of higher education remain severely underfunded and Indians continue to experience the lowest overall attendance rate at institutions of higher education in the United States;

Whereas the lack of Federal assistance for promoting the national Education Goals contained in the Goals 2000: Educate America Act for Indians and the lack of awareness of the successful contributions of tribal colleges to tribal communities and tribal members has frustrated the efforts of Indian institutions of higher education to secure continuing and sufficient funding, staff, and educational resources that are vital to successful academic institutions; and

Whereas on November 1, 1993, the President issued Executive Order No. 12876, establishing a Presidential Advisory Committee on Historically Black Colleges and Universities and on February 22, 1994, the President issued Executive Order No. 12900 establishing an Advisory Commission on Educational Excellence for Hispanic Americans to advance the National Education Goals contained in the Goals 2000: Educate America Act and increase opportunities for underserved African-Americans and Hispanic-Americans to participate in the benefits of Federal education programs: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President should issue an Executive order to promote and expand Federal assistance for Indian institutions of higher education and foster the advancement of the National Education Goals contained in the Goals 2000: Educate America Act for Indians.

Mr. McCADY. Mr. President, I rise to submit a resolution to express the sense of the Senate that the President should issue an Executive order to promote and expand Federal assistance for Indian institutions of higher education. I am pleased that Senators DOWRY, CAMPBELL, BAUCUS, BINGAMAN, DASCHLE, DECONCINI, DOMENICI, DONOHUE, FEINOLD, GORTON, KASSABAUM, KOHL, LEVIN, PRESSLER, RIEGLE, SMOG, and WELLSTONE have joined me in introducing this resolution.

Mr. President, my colleagues and I believe that Federal support for Indian institutions of higher education is vital to the continuing success of tribally controlled community colleges, vocational programs, post-secondary institutions, and the individuals they serve. Unfortunately, although Indian educational institutions are experiencing an overall rise in college attendance rates, they have not experienced the benefits of Federal resources and programs to the extent of other underserved populations. It is my hope that an Executive order, similar to those issued for historically black colleges and universities and educational excellence for Hispanic-Americans, will correct this oversight.

In keeping with the Federal Government's trust responsibility and fiduciary duty to Indian tribes, an Executive order would serve to advance the Federal policy on Indian education. One of the earliest examples of this policy is the establishment in 1884 of the Haskell Indian School located in Lawrence, KS. Originally, Haskell enrolled Indian children in grades one through five and emphasized agricultural development. Today, Haskell Indian Nations University has evolved into an institution with a much broader curriculum. The proposed Executive order would also promote tribal sovereignty and recognize the accomplishments of the existing tribal colleges established pursuant to the Navajo Community College Act of 1978 and the Tribally Controlled Community College Assistance Act of 1978. Each of the cosponsors of this resolution are keenly aware of the benefits which Indian institutions of higher education provide to residents of their States. Not only do these colleges enroll Indian students in post-secondary programs, they also provide the same opportunities for non-Indian students residing in rural areas. I strongly believe that these colleges provide an excellent example of what Indian tribes are capable of accomplishing.

Mr. President, 4 years ago less than 10 percent of the reservation Indian students who went directly from high school graduation to a non-Indian 2-year or 4-year institution succeeded in obtaining a degree. Since only about 10 percent of the high school graduates attempted to go to a non-Indian institution, the overall success rate for high school graduates was actually around 1 percent. Today, tribal colleges encourage Indian students who might otherwise be deterred from pursuing a college education to continue their education. They enroll over 16,000 Indian students and provide courses comparable to State community colleges and have established a successful track record of retention, matriculation, and ongoing educational and job placement. Although student enrollment continues to grow and the area of Indian education has generally improved in the last 20 years, Indian tribes continue to experience the lowest overall college attendance rate in the United States.

Clearly, Indians experience different obstacles as compared to African-American and Hispanic-American students which should be taken into consideration by the responsible Federal agencies. Among the greatest barriers to increased resources and program availability for tribal colleges is the lack of awareness within the Federal Government of their existence. Therefore, at the very least, an Executive order would bring to the attention of all Federal departments and agencies the fact that tribal colleges do exist and to require the inclusion of tribal colleges and vocational institutions in Federal policies and programs intended for institutions of higher education.

Mr. President, a similar resolution sponsored by Congressman JOE SICKS and approximately 20 cosponsors is being considered in the House. Clearly Members of both Houses believe that promoting higher education for Indians is a matter of great importance for Indian tribes and the entire Nation. Twila Martin-Kekahbah, the former chairperson of the Turtle Mountain Chippewa Tribe summarized it best when she testified before the Committee on Indian Affairs during a hearing to reauthorize the Tribally Controlled Community College Act of 1978, when she stated, "Each of these successful students represent an individual insurance policy against unemployment and virtually assures that one more American Indian will become an effective and contributing citizen of the American democracy."

Mr. PRESSLER. Mr. President, I would like to express my support for a sense-of-the-Senate resolution introduced today by Senator McCAM. This resolution calls for an Executive order to aid tribal colleges. In effect, the order would require Federal departments and agencies to make an effort to include tribal colleges in programs targeted at higher education institutions. Federal aid is vitally important to tribal colleges because they are located on Federal trust territory and receive little or no State funding.

This action is long overdue. Other minority colleges and universities, including historically black and Hispanic institutions, have had similar orders for many years. This resolution would provide a great boost to the 29 tribally controlled and American Indian colleges across the country. My home State of South Dakota has five tribal colleges that would benefit including: the Cheyenne River Community College, Oglala Lakota College, Sinte Gleska College, Sisseton Wahpeton Community College, and the Standing Rock Community College.

Some very disheartening statistics were released last week by the Census Bureau. South Dakota has three of the five poorest counties in the country. Shannon County is once again ranked the poorest in the country. Todd County is fourth on the list and Buffalo County is fifth. Sadly, all three of these counties have predominantly Indian populations.

Education can be a powerful weapon in fighting poverty. Two of the counties I just mentioned, Shannon and Todd Counties, have tribal colleges. It is my hope that with these resolution, our tribal colleges could effectively ward off the unemployment and poverty that has plagued these areas. I commend our colleague from Arizona,

Senator McCAM, for his diligence on this issue. I am proud to add my name as an original cosponsor.

H. RES. 539

IN THE HOUSE OF REPRESENTATIVES

§ *Mr. Williams*

Mr. SKEEN (for himself, Mr. RICHARDSON, Mr. KILDER, Mr. ENGLISH, Mr. FAZIO, Mr. OBERSTAR, Mr. SCHIFF, Mr. POMEROY, Mr. JOHNSON of South Dakota, Mr. SWIFT, Mr. FLAKE, Mr. HILLIARD, Mr. DELLUMS, Mr. OWENS, Mr. STUPAK, and Mr. BERREUTER) submitted the following resolution; which was referred to the Committee on

RESOLUTION

To encourage the President to establish an advisory commission on tribally controlled institutions of higher learning.

1 *Resolved,*

2 SECTION 1. FINDINGS.

3 The House of Representatives finds the following:

4 (1) The Federal Government has a special trust
5 relationship and a fiduciary duty to American Indi-
6 ans and the Federal Government's Indian education
7 policies have progressed to a point where Indian
8 tribes establish, control, and administer educational
9 institutions on or near Indian reservations.

1 tributions of Tribal colleges to tribal communities
2 and tribal members.

3 (6) The participation in federally sponsored
4 programs by historically black colleges and univer-
5 sities has been promoted by an Executive order since
6 the Carter Administration and that order has been
7 reaffirmed unconditionally by each subsequent ad-
8 ministration. The Hispanic community has also had
9 a similar Executive order for several years. The Na-
10 tion's 29 tribally controlled institutions of higher
11 learning have been seeking a similar order.

12 (7) An Executive order would require no appro-
13 priation, but would promote the awareness by the
14 Federal departments of the fact that there exist fully
15 accredited tribally controlled institutions of higher
16 learning among the postsecondary educational insti-
17 tutions in this Nation.

18 (8) The tribally controlled institutions of higher
19 learning are not included in many department's de-
20 fined program eligibility criteria due solely to the
21 fact that most departments remain unaware of the
22 existence and tremendous successes of the institu-
23 tions.

24 (9) Due to the minuscule proportion of the pop-
25 ulation which American Indians comprise, they re-

1 main the last minority community which does not
2 benefit from this unique program, and efforts to in-
3 clude them within the executive branch have been
4 overshadowed by issues which confront larger demo-
5 graphic sectors. A legislative resolution to this defi-
6 ciency would ensure that this compelling inequity is
7 addressed expeditiously.

8 SEC. 2. PRESIDENTIAL ACTION REQUIRED.

9 (a) ACTION REQUIRED.—The President is urged to
10 issue an Executive order fostering the advancement of the
11 National Education Goals for American Indians, promot-
12 ing Federal assistance for tribally controlled and operated
13 post-secondary institutions, and establishing an advisory
14 commission on tribally controlled institutions of higher
15 learning.

16 (b) FUNCTIONS OF COMMISSION.—Any commission
17 established pursuant to subsection (a) should be respon-
18 sible for the development and implementation of policies
19 and programs designed to achieve an increase in the par-
20 ticipation by tribally controlled institutions of higher
21 learning in federally-sponsored programs.

22 (c) MEMBERSHIP OF COMMISSION.—Any Commis-
23 sion established pursuant to subsection (a) should be com-
24 posed of members appointed by the President, but should
25 include representatives of tribally-controlled institutions of

- 1 higher learning, participating Federal departments, and
- 2 agencies, other institutions of higher education and enti-
- 3 ties from the private sector, and elected officials.

Congress of the United States
Washington, DC 20515

March 29, 1995

The Honorable Bruce Babbitt
Secretary
Department of the Interior
1849 C Street N.W.
Washington, D.C. 20240

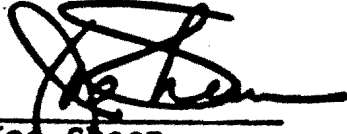
Dear Secretary Babbitt:

As you may know, our nation's tribal colleges have been seeking an Executive Order similar to that which the Historically Black Colleges and Universities and the Hispanic Community have had in place over the last decade.

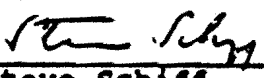
The proposed tribal colleges Executive Order would require no appropriation. It would, however, bring a wider focus on the tribal colleges throughout the Federal Departments. It is our belief that this increased attention is essential to heighten the Department's awareness of tribal colleges, which would in turn increase the colleges' access to existing federal resources. This would be an important step toward providing them with equal educational opportunities, in much the same way that previous Executive Orders have benefitted Historically Black and Hispanic Universities and Colleges.

We thank you for your efforts on behalf of American Indian Students, and urge you to remember the tribal colleges in your efforts to ensure educational parity for the first Americans.

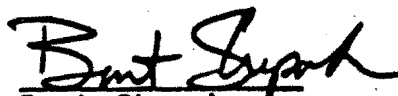
Sincerely,


Joe Steen


Pat Williams

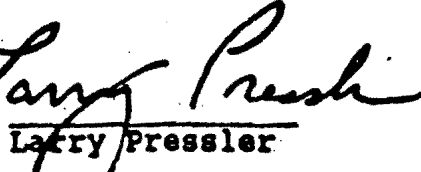

Steve Schiff

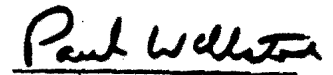

Tim Johnson

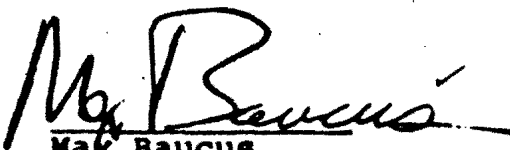

Bart Stupak


Karan English

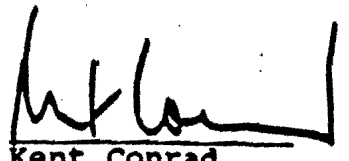

James Oberstar


Larry Pressler


Paul Wellstone

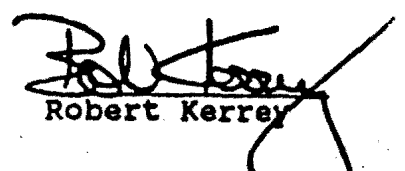

Max Baucus

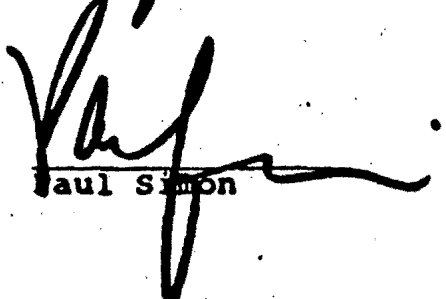

Jeff Bingaman


Kent Conrad


Conrad Burns

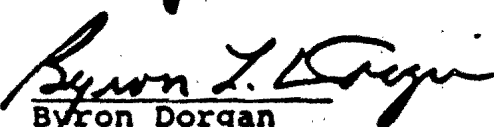

Carl Levin

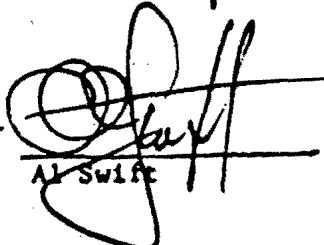

Robert Kerrey

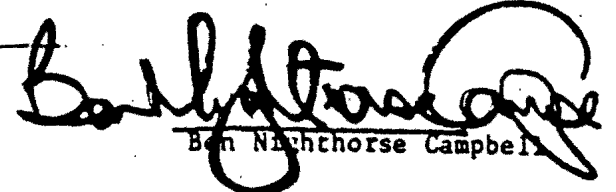

Paul Simon

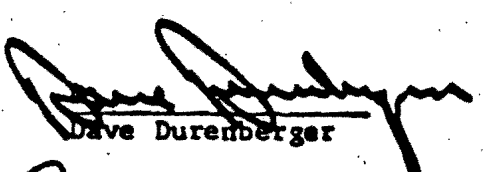

Doug Bereuter

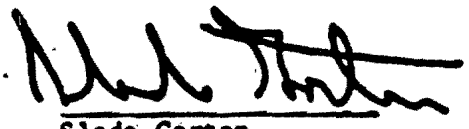

Tom Daschle

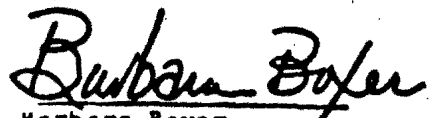

Byron Dorgan

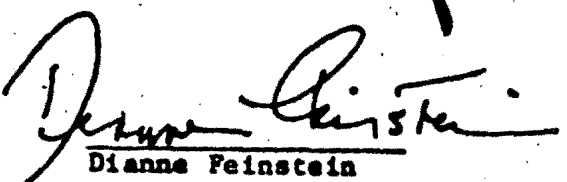

Al Swift


Ben Nighthorse Campbell

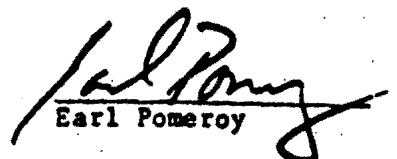

Dave Durenberger

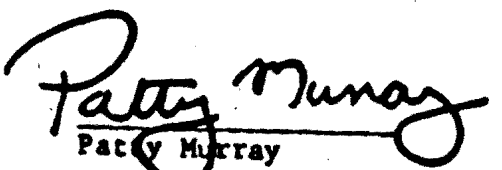

Slade Gorton

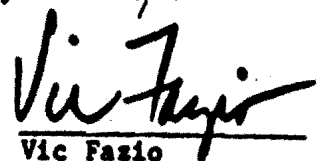

Barbara Boxer

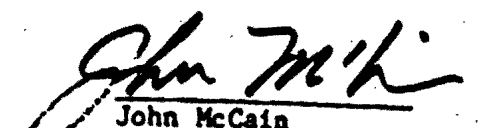

Dianne Feinstein

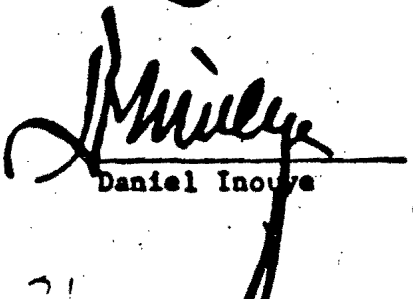

Jan Meyers

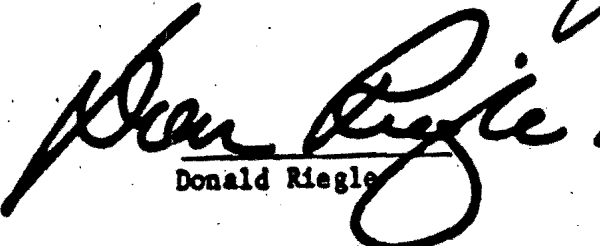

Earl Pomeroy

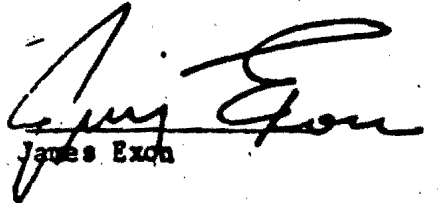

Patty Murray


Vic Fazio


John McCain


Daniel Inouye


Donald Riegle


James Exon

SCHLE

KOTA

SYSTEM

ACULTURE

FINANCE

JUDICIAL AFFAIRS

VETERANS' AFFAIRS

(202) 224-2321

TOLL FREE 1-800-424-9084

United States Senate

WASHINGTON, DC 20510-4103

June 15, 1993

615 South Main Street
P.O. Box 1838
Aberdeen, SD 57401
(605) 226-8822

815 8th Street
P.O. Box 8160
Rapid City, SD 57709
(605) 348-7581

818 South Minnesota Avenue
P.O. Box 1274
South Falls, SD 57101
(605) 234-8586
TDD (605) 334-4632

The Honorable Bruce Babbitt
Secretary
Department of the Interior
Main Interior Building
18th & 19th Streets, N.W.
Washington, D.C. 20245

Dear Mr. Secretary:

This is just a short note to encourage expeditious processing of the proposed tribal colleges Executive Order that I am advised has been referred to your office.

As a co-signer of the bill requesting President Clinton to issue an Executive Order regarding the tribal colleges, I would very much appreciate being kept advised as to the status of this matter. I would be particularly interested in your assessment of the timetable for final approval of this document.

Your courtesy in this regard is appreciated.

Sincerely,

Tom Daschle
Tom Daschle
United States Senate

DANIEL K. INOUE, MAJOR CHAIRMAN
JOHN WELLS, ALABAMA, VICE CHAIRMAN

JOHN WELLS, ALABAMA
JAMES S. BARTLE, SOUTH DAKOTA
JIM COCHRAN, NORTH DAKOTA
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BOB WHITMAN, OREGON
DALE D. HATHFIELD, OREGON

PATRICIA M. ZILL
STAFF DIRECTOR/CHIEF COUNSEL
DANIEL K. LEVINE, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON INDIAN AFFAIRS
WASHINGTON, DC 20510-6450

October 4, 1994

The Honorable Bruce Babbitt
Secretary
U.S. Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

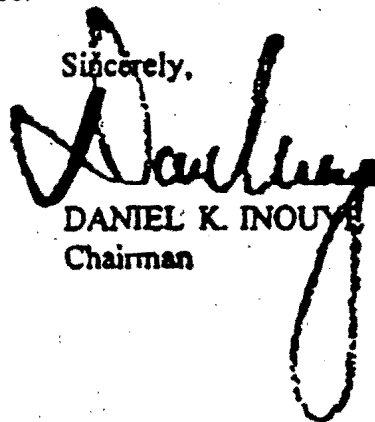
Dear Secretary Babbitt:

In March, 1993, thirty-two of my colleagues in the Senate and the House of Representatives and I wrote to you urging the Department of Interior to approve an Executive Order to establish an advisory committee on tribally controlled colleges, and in August, 1993, you informed us that the Department was giving serious consideration to the proposal and would advise us of any further developments.

Since a year has now elapsed and I have had not heard further from you, I am writing to request that you advise me what conclusions the Department has reached and what action the Department plans to take with regard to the proposed executive order.

I would appreciate a prompt response.

Sincerely,



DANIEL K. INOUE
Chairman

74517
52153

ROBERT KERREY
NEBRASKA

86639

United States Senate

WASHINGTON, DC 20510

January 6, 1994

The Honorable Bruce Babbitt
Secretary
Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Dear Mr. Secretary:

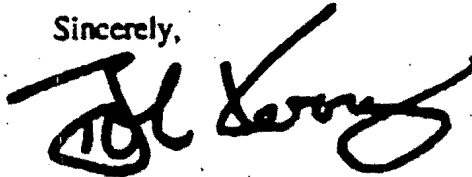
I am writing to express my support for the Executive Order presently under consideration in the Department of Interior relating to tribally controlled colleges. There are many Native Americans in Nebraska who will benefit from this initiative.

The Order is essential to the continued strength and well-being of Indian colleges. It will help to provide quality education to Native Americans and increase their access to federal programs providing valuable information and grant money. The Order will establish a Board to administer and coordinate the new program.

It is imperative at a time when educational opportunity means economic opportunity for young people that we provide the impetus the Indian colleges need to instruct an under-served population. This right has already been granted to historically Black colleges and universities, and should be available to tribally controlled institutions as well.

I hope that you will give this proposal serious consideration when it comes before you for approval. I have heard from many Native Americans in my state who are depending on you to help them get the education they need and deserve. Thank you for your assistance.

Sincerely,



J. Robert Kerrey
United States Senate

JOHNSON

SOUTH BR. 37A

COMMITTEE

AGRICULTURE

NATURAL RESOURCES

WASHINGTON OFFICE

3430 RAYBURN BUILDING
WASHINGTON, DC 20515-4101
202-726-2001

Congress of the United States
House of Representatives
Washington, DC 20515-4101

September 23, 1993

SAPPHO CITY OFFICE

800 SOUTH STREET

SUITE 100

SAPPHO CITY, SD 57704

(605) 341-2000

AGRICULTURE OFFICE

615 SOUTH MAIN

AGRICULTURE, SD 57704

(605) 776-3400

SIOUX FALLS OFFICE

515 SOUTH BALEY AVENUE

SIOUX FALLS, SD 57107

(605) 332-6500

TOLL FREE

1-800-927-0020

The Honorable Bruce Babbitt
 Secretary
 Department of the Interior
 1849 C Street, N.W.
 Washington, D.C. 20240

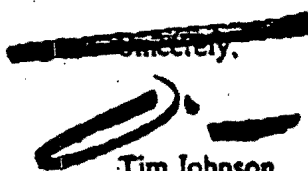
Dear Secretary Babbitt:

As you may recall, I wrote you in March relative to our nation's tribal colleges seeking an Executive Order similar to that which the Historically Black Colleges and Universities and the Hispanic Community have had in place over the last decade. I am writing again to urge, if you have not done so already, that you recommend this proposal to the Office of Management and Budget.

The proposed tribal colleges' Executive Order would require no appropriation. It would, however, bring a wider focus on the tribal colleges throughout the Federal Departments. It is our belief that this increased attention is essential to heighten the Department's awareness of tribal colleges, which would in turn increase the colleges' access to existing federal resources. This would be an important step toward providing them with equal educational opportunities, in much the same way that previous Executive Orders have benefited Historically Black and Hispanic Universities and Colleges.

Thank you for your efforts on behalf of American Indian Students, and urge you to remember the tribal colleges in your efforts to ensure educational parity for the first Americans.

Sincerely,


 Tim Johnson

TPJ:mst

70964

COMMITTEES:
LABOR AND HUMAN RESOURCES
JUDICIARY
FOREIGN RELATIONS
BUDGET
INDIAN AFFAIRS

United States Senate

WASHINGTON, DC 20510-1302

February 16, 1993

The Honorable Bruce Babbitt
Secretary of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Bruce:

I want to take this opportunity to thank you for meeting recently with presidents of the tribally-controlled community colleges.

I'm looking forward to working with you on President Clinton's Executive Order concerning the tribally-controlled institutions of higher learning. This Executive Order is an important means through which tribal colleges can receive funding from other departments and agencies.

Again, I want to thank you for your efforts in this regard.

My best wishes.

Cordially,



Paul Simon
U.S. Senator

PS/kgm

462 DIXIEEN BUILDING
WASHINGTON, DC 20510-1302
202/224-2152
TDD: 202/224-9489

230 S. DEARBORN
KLUCCYNSEI BLDG., 38TH FLOOR
CHICAGO, IL 60604
312/353-4952
TDD: 312/786-0308

3 WEST OLD CAPITOL PLAZA
SUITE 1
SPRINGFIELD, IL 62701
217/492-4980
TDD: 217/544-7524

260 WEST CHERRY
ROOM 115-B
CARROLLTON, IL 62901
618/487-3853

MAX BAUCUS
MONTANA

WASHINGTON, DC
205 224-2401

MONTANA TOLL FREE NUMBER
1-800-332-4100

United States Senate

WASHINGTON, DC 20510-2602

October 22, 1993

The Honorable Bruce Babbitt
Secretary
U.S. Department of Interior
1849 C Street N.W.
Washington, D.C. 20240

Dear Mr. ~~Secretary~~: *Bruce*

I am writing to request a status report on the Executive Order that is being sought by our nation's tribal colleges. On March 29, 1993, along with several of my colleagues in the Senate and the House, I sent you a letter supporting the Executive Order because it is an important step toward providing our tribal colleges with equal educational opportunities.

Thank you for giving this your attention. I look forward to hearing from you as to the status of the Executive Order within the Department of the Interior.

With best personal regards, I am

Sincerely,

MSB/jcm

/Max